



COMPENDIUM – LOIS FÉDÉRALES ET PROVINCIALES EN MATIÈRE DE CORRECTIONS ET DE DÉTENTION

COMPENDIUM OF FEDERAL & PROVINCIAL CORRECTIONS LAW

Modèle de présentation / Basic Format:

JURISDICTION / RESSORT	
Legislation & Policy / <i>Loi et politiques</i>	
Medical Care & Medication / <i>Soins médicaux et médicaments</i>	
Basic Needs (clothing, diet etc...) / <i>Besoins fondamentals (vêtements, diète, etc...)</i>	
Privacy & Confidentiality / <i>Vie privée et confidentialité</i>	<p>This section does not include privacy and confidentiality obligations under general laws (i.e., not specific to prison).</p> <p><i>Cet article n'inclut pas les obligations à l'égard de la vie privée et de la confidentialité en vertu de lois générales (i.e. ne portant pas spécifiquement sur les prisons).</i></p>
Discipline & Punishment / <i>Discipline et châtement</i>	<p>This section focuses on the types of punishment that prison authorities can impose upon prisoners who have been found to have breached a rule, regulation or law. It does not set out the entire disciplinary procedure in a given province, or prisoner's rights in the disciplinary process.</p>

	<p><i>Cet article porte sur les types de châtiments que les autorités des prisons peuvent imposer aux détenus trouvés responsables d'avoir enfreint une règle, un règlement ou une loi. Il ne décrit pas toute la procédure disciplinaire dans une province donnée, ni les droits des détenus dans le processus disciplinaire.</i></p>
<p>Communication & Access to Prisoners / Communication et accès aux détenus</p>	<p>This section does not include written correspondence.</p> <p><i>Cet article n'inclut pas la correspondance par écrit.</i></p>
<p>Complaint Mechanism / Mécanisme de plainte</p>	<p>This section is limited to information on prison-specific complaint mechanisms. Most if not all provinces have legislation such as ombudsman legislation, privacy legislation and human rights legislation which create complaint mechanisms available to prisoners.</p> <p><i>Cet article est limité à l'information sur les mécanismes de plainte spécifiques aux prisons. La plupart des provinces, voire toutes, ont des lois, notamment sur les ombudsmans, sur la vie privée, et sur les droits humains, en vertu desquelles des mécanismes de plainte établis sont accessibles aux détenus.</i></p>

Information supplémentaire / Additional Notes:

- The table for Canada is in both French and English. The table for Québec is in French only. All other jurisdictions are in English only.

Le tableau pour le Canada est en français et en anglais; celui pour le Québec est uniquement en français; ceux de tous les autres ressorts sont uniquement en anglais.

- The laws and policies cited in this document were accessed on **11 October 2005**. However, some laws may not have been up-to-date as of that day, depending on whether the source consulted was updated. The link to each source is included in this document and should be consulted to determine the currency of the information.

*Les lois et politiques citées dans ce document ont été consultées le **11 octobre 2005**. Cependant, il est possible que certaines n'étaient pas accessibles dans leur version la plus récente à cette date, dépendamment de la source consultée. Le lien Internet à chaque source est inclus dans le document et il devrait être consulté afin de déterminer dans quelle mesure l'information est à jour.*

- The information is specific to adult corrections, except for Ontario where the same law contains provisions related to adult and youth custody.

L'information est spécifique au domaine des services correctionnels pour adultes, à l'exception de celle de l'Ontario où la même loi renferme les dispositions relatives à la détention des adultes et des jeunes.

CANADA / CORRECTIONAL SERVICE OF CANADA

Note: The Correctional Service of Canada has well-developed policies on many of the issues related to the care, treatment and support of prisoners living with or affected by HIV/AIDS. These policies are too long to include in their entirety in this table. Therefore, the relevant policies will be listed with active links to the web site of the Correctional Service of Canada where the policies can be accessed.

Legislation & Policy	<p>Correctional Service of Canada http://www.csc-scc.gc.ca/</p> <p>Corrections and Conditional Release Act, SC 1992, c 20. http://laws.justice.gc.ca/en/C-44.6/index.html</p> <p>Corrections and Conditional Release Regulations, SOR/92-620. http://laws.justice.gc.ca/en/C-44.6/SOR-92-620/index.html</p> <p>Commissioner's Directives (CD) http://www.csc-scc.gc.ca/text/plcy/toc_f.shtml</p> <p>Standard Operating Practices (SOP) http://www.csc-scc.gc.ca/text/plcy/tocsop_e.shtml</p>
Medical Care & Medication	<p>Corrections and Conditional Release Act</p> <p>4. The principles that shall guide the Service in achieving the purpose referred to in section 3 are:</p> <p>e) that offenders retain the rights and privileges of all members of society, except those rights and privileges that are necessarily removed or restricted as a consequence of the sentence;</p> <p>(h) that correctional policies, programs and practices respect gender, ethnic, cultural and linguistic differences and be responsive to the special needs of women and aboriginal peoples, as well as to the needs of other groups of offenders with special requirements;</p> <p>85. In sections 86 and 87,</p> <p><i>"health care"</i></p> <p>"health care" means medical care, dental care and mental health care, provided by registered health care professionals;</p>

"mental health care"

"mental health care" means the care of a disorder of thought, mood, perception, orientation or memory that significantly impairs judgment, behaviour, the capacity to recognize reality or the ability to meet the ordinary demands of life;

"treatment"

"treatment" means health care treatment.

Obligations of Service

86. (1) The Service shall provide every inmate with

- (a) essential health care; and
- (b) reasonable access to non-essential mental health care that will contribute to the inmate's rehabilitation and successful reintegration into the community.

Standards

(2) The provision of health care under subsection (1) shall conform to professionally accepted standards.

Service to consider health factors

87. The Service shall take into consideration an offender's state of health and health care needs

- (a) in all decisions affecting the offender, including decisions relating to placement, transfer, administrative segregation and disciplinary matters; and
- (b) in the preparation of the offender for release and the supervision of the offender.

When treatment permitted

88. (1) Except as provided by subsection (5),

- (a) treatment shall not be given to an inmate, or continued once started, unless the inmate voluntarily gives an informed consent thereto; and

- (b) an inmate has the right to refuse treatment or withdraw from treatment at any time.

Meaning of "informed consent"

(2) For the purpose of paragraph (1)(a), an inmate's consent to treatment is informed consent only if the inmate has been advised of, and has the capacity to understand,

- (a) the likelihood and degree of improvement, remission, control or cure as a result of the treatment;
- (b) any significant risk, and the degree thereof, associated with the treatment;
- (c) any reasonable alternatives to the treatment;
- (d) the likely effects of refusing the treatment; and
- (e) the inmate's right to refuse the treatment or withdraw from the treatment at any time.

Special case

(3) For the purpose of paragraph (1)(a), an inmate's consent to treatment shall not be considered involuntary merely because the treatment is a requirement for a temporary absence, work release or parole.

Treatment demonstration programs

(4) Treatment under a treatment demonstration program shall not be given to an inmate unless a committee that is independent of the Service and constituted as prescribed has

- (a) approved the treatment demonstration program as clinically sound and in conformity with accepted ethical standards; and
- (b) reviewed the inmate's consent to the treatment and determined that it was given in accordance with this section.

Where provincial law applies

(5) Where an inmate does not have the capacity to understand all the matters described in paragraphs (2)(a) to (e), the giving of treatment to an inmate shall be governed by

	<p>the applicable provincial law.</p> <p><i>Force-feeding</i></p> <p>89. The Service shall not direct the force-feeding, by any method, of an inmate who had the capacity to understand the consequences of fasting at the time the inmate made the decision to fast.</p> <p>Corrections and Conditional Release Regulations</p> <p>4. An institutional head is responsible, under the direction of the Commissioner, for</p> <p>(a) the care, custody and control of all inmates in the penitentiary;</p> <p>Commissioner's Directives</p> <p>CD800 Health Services (2004-09-30) Policy Bulletin 180 (2004-09-30) 800-1 Methadone Treatment Guidelines (2002-05-02) Policy Bulletin 127 (2002-05-02)</p> <p>CD803 Consent to Health Service Assessment, Treatment and Release of Information (2002-09-03) Policy Bulletin 137 (2002-09-03)</p> <p>CD805 Administration of Medication (2003-04-14) Policy Bulletin 154 (2003-04-14)</p> <p>CD821 Management of Infectious Diseases (2004-11-04) Guidelines 821-2 - Bleach Distribution (2004-11-04) Policy Bulletin 181 (2004-11-04) Protocol 821-1 - Managing Exposure to Blood and/or Body Fluids (2004-03-24) Policy Bulletin 172 (2004-03-24)</p> <p>CD835 Health Care Records (1995-05-01)</p>
<p>Basic Needs (clothing, diet etc...)</p>	<p>Corrections and Conditional Release Act</p> <p>4. The principles that shall guide the Service in achieving the purpose referred to in section 3 are:</p> <p>(h) that correctional policies, programs and practices respect gender, ethnic, cultural and linguistic differences and be responsive to the special needs of women and aboriginal peoples, as well as to the needs of other groups of offenders with special requirements;</p> <p>80. Without limiting the generality of section 76, the Service shall provide programs designed particularly to address the needs of aboriginal offenders.</p>

	<p>Corrections and Conditional Release Regulations</p> <p>83. (1) The Service shall, to ensure a safe and healthful penitentiary environment, ensure that all applicable federal health, safety, sanitation and fire laws are complied with in each penitentiary and that every penitentiary is inspected regularly by the persons responsible for enforcing those laws.</p> <p>(2) The Service shall take all reasonable steps to ensure the safety of every inmate and that every inmate is</p> <ul style="list-style-type: none">(a) adequately clothed and fed;(b) provided with adequate bedding;(c) provided with toilet articles and all other articles necessary for personal health and cleanliness; and(d) given the opportunity to exercise for at least one hour every day outdoors, weather permitting, or indoors where the weather does not permit exercising outdoors. <p><i>Service to consider health factors</i></p> <p>87. The Service shall take into consideration an offender's state of health and health care needs</p> <ul style="list-style-type: none">(a) in all decisions affecting the offender, including decisions relating to placement, transfer, administrative segregation and disciplinary matters; and(b) in the preparation of the offender for release and the supervision of the offender. <p>Commissioner's Directives</p> <p>CD352 Inmate Clothing Entitlements (2003-03-19) Policy Bulletin 152 (2003-03-19)</p>
<p>Privacy & Confidentiality</p>	<p>Commissioner's Directives</p> <p>CD803 Consent to Health Service Assessment, Treatment and Release of Information (2002-09-03) Policy Bulletin 137 (2002-09-03)</p> <p>CD835 Health Care Records (1995-05-01)</p>

	<p>Standard Operating Practices</p> <p>700-01 Information Sharing and Disclosure (1999-02-01) Policy Bulletin 61 (1999-02-01)</p>
<p>Discipline & Punishment</p>	<p>Corrections and Conditional Release Act</p> <p>41. (1) Where a staff member believes on reasonable grounds that an inmate has committed or is committing a disciplinary offence, the staff member shall take all reasonable steps to resolve the matter informally, where possible.</p> <p>2) Where an informal resolution is not achieved, the institutional head may, depending on the seriousness of the alleged conduct and any aggravating or mitigating factors, issue a charge of a minor disciplinary offence or a serious disciplinary offence.</p> <p>44. (1) An inmate who is found guilty of a disciplinary offence is liable, in accordance with the regulations made under paragraphs 96(<i>i</i>) and (<i>j</i>), to one or more of the following:</p> <ul style="list-style-type: none">(a) a warning or reprimand;(b) a loss of privileges;(c) an order to make restitution;(d) a fine;(e) performance of extra duties; and(f) in the case of a serious disciplinary offence, segregation from other inmates for a maximum of thirty days. <p>2) A fine or restitution imposed pursuant to subsection (1) may be collected in the prescribed manner.</p> <p>69. No person shall administer, instigate, consent to or acquiesce in any cruel, inhumane or degrading treatment or punishment of an offender.</p> <p>Commissioner's Directive</p> <p>CD580 Discipline of Inmates (2004-01-19) Policy Bulletin 169 (2004-01-19)</p>
<p>Communication & Access to Prisoners</p>	<p>Corrections and Conditional Release Act</p>

4. The principles that shall guide the Service in achieving the purpose referred to in section 3 are:

(f) that the Service facilitate the involvement of members of the public in matters relating to the operations of the Service;

71. (1) In order to promote relationships between inmates and the community, an inmate is entitled to have reasonable contact, including visits and correspondence, with family, friends and other persons from outside the penitentiary, subject to such reasonable limits as are prescribed for protecting the security of the penitentiary or the safety of persons.

72. Every member of the House of Commons, every Senator and every judge of a court in Canada has the right to

(a) enter any penitentiary,

(b) visit any part of a penitentiary, and

(c) visit any inmate, with the consent of the inmate,

subject to such reasonable limits as are prescribed for protecting the security of the penitentiary or the safety of persons.

Corrections and Conditional Release Regulations

90. (1) Every inmate shall have a reasonable opportunity to meet with a visitor without a physical barrier to personal contact unless

(a) the institutional head or a staff member designated by the institutional head believes on reasonable grounds that the barrier is necessary for the security of the penitentiary or the safety of any person; and

(b) no less restrictive measure is available.

(2) The institutional head or a staff member designated by the institutional head may, for the purpose of protecting the security of the penitentiary or the safety of any person, authorize the visual supervision of a visiting area by a staff member or a mechanical device, and the supervision shall be carried out in the least obtrusive manner necessary in the circumstances.

(3) The Service shall ensure that every inmate can meet

with the inmate's legal counsel in private interview facilities.

91. (1) Subject to section 93, the institutional head or a staff member designated by the institutional head may authorize the refusal or suspension of a visit to an inmate where the institutional head or staff member believes on reasonable grounds

(a) that, during the course of the visit, the inmate or visitor would

(i) jeopardize the security of the penitentiary or the safety of any person, or

(ii) plan or commit a criminal offence; and

(b) that restrictions on the manner in which the visit takes place would not be adequate to control the risk.

(2) Where a refusal or suspension is authorized under subsection (1),

(a) the refusal or suspension may continue for as long as the risk referred to in that subsection continues; and

(b) the institutional head or staff member shall promptly inform the inmate and the visitor of the reasons for the refusal or suspension and shall give the inmate and the visitor an opportunity to make representations with respect thereto.

92. (1) Subject to section 93, the institutional head or a staff member designated by the institutional head may authorize a complete suspension of the visiting rights of all inmates in a penitentiary where the security of the penitentiary is significantly jeopardized and no less restrictive measure is available.

(2) Every complete suspension of visiting rights under subsection (1), shall be reviewed by

(a) the head of the region on or before the fifth day of the suspension; and

(b) by the Commissioner on or before the fourteenth day of the suspension.

	<p>93. (1) No institutional head shall authorize the refusal or suspension of a visit, pursuant to section 72 of the Act, of a member of the House of Commons, a Senator or a judge, unless the institutional head believes on reasonable grounds</p> <p>(a) that the visit would jeopardize the security of the penitentiary or the safety of any person; and</p> <p>(b) that restrictions on the manner in which the visit takes place would not be adequate to control the risk.</p> <p>(2) Where the institutional head authorizes a refusal or suspension under subsection (1), the institutional head shall promptly inform the member of the House of Commons, the Senator or the judge and, where applicable, the inmate being visited of the reasons for the refusal or suspension and shall give the member of the House of Commons, the Senator or the judge and, where applicable, the inmate an opportunity to make representations with respect thereto.</p> <p>Commissioner's Directives</p> <p>CD085 Correspondence and Telephone Communication (2001-12-17) Policy Bulletin 120 (2001-12-17) Policy Bulletin 111 (2001-03-19)</p> <p>CD770 Visiting (2001-12-17) Policy Bulletin 120 (2001-12-17) Policy Bulletin 196 (2005-09-28)</p>
<p>Complaint Mechanisms</p> <p>(1) Grievance (2) Correctional Investigator of Canada</p>	<p>Grievance</p> <p>Corrections and Conditional Release Act</p> <p>4. The principles that shall guide the Service in achieving the purpose referred to in section 3 are:</p> <p>(g) that correctional decisions be made in a forthright and fair manner, with access by the offender to an effective grievance procedure;</p> <p><i>Grievance procedure</i></p> <p>90. There shall be a procedure for fairly and expeditiously resolving offenders' grievances on matters within the jurisdiction of the Commissioner, and the procedure shall operate in accordance with the regulations made under</p>

paragraph 96(u).

Access to grievance procedure

91. Every offender shall have complete access to the offender grievance procedure without negative consequences.

Corrections and Conditional Release Regulations

74. (1) Where an offender is dissatisfied with an action or a decision by a staff member, the offender may submit a written complaint, preferably in the form provided by the Service, to the supervisor of that staff member.

(2) Where a complaint is submitted pursuant to subsection (1), every effort shall be made by staff members and the offender to resolve the matter informally through discussion.

(3) Subject to subsections (4) and (5), a supervisor shall review a complaint and give the offender a copy of the supervisor's decision as soon as practicable after the offender submits the complaint.

(4) A supervisor may refuse to review a complaint submitted pursuant to subsection (1) where, in the opinion of the supervisor, the complaint is frivolous or vexatious or is not made in good faith.

(5) Where a supervisor refuses to review a complaint pursuant to subsection (4), the supervisor shall give the offender a copy of the supervisor's decision, including the reasons for the decision, as soon as practicable after the offender submits the complaint.

75. Where a supervisor refuses to review a complaint pursuant to subsection 74(4) or where an offender is not satisfied with the decision of a supervisor referred to in subsection 74(3), the offender may submit a written grievance, preferably in the form provided by the Service,

(a) to the institutional head or to the director of the parole district, as the case may be; or

(b) where the institutional head or director is the subject of the grievance, to the head of the region.

76. (1) The institutional head, director of the parole district or head of the region, as the case may be, shall review a grievance to determine whether the subject-matter of the grievance falls within the jurisdiction of the Service.

(2) Where the subject-matter of a grievance does not fall within the jurisdiction of the Service, the person who is reviewing the grievance pursuant to subsection (1) shall advise the offender in writing and inform the offender of any other means of redress available.

77. (1) In the case of an inmate's grievance, where there is an inmate grievance committee in the penitentiary, the institutional head may refer the grievance to that committee.

(2) An inmate grievance committee shall submit its recommendations respecting an inmate's grievance to the institutional head as soon as practicable after the grievance is referred to the committee.

(3) The institutional head shall give the inmate a copy of the institutional head's decision as soon as practicable after receiving the recommendations of the inmate grievance committee.

78. The person who is reviewing a grievance pursuant to section 75 shall give the offender a copy of the person's decision as soon as practicable after the offender submits the grievance.

79. (1) Where the institutional head makes a decision respecting an inmate's grievance, the inmate may request that the institutional head refer the inmate's grievance to an outside review board, and the institutional head shall refer the grievance to an outside review board.

(2) The outside review board shall submit its recommendations to the institutional head as soon as practicable after the grievance is referred to the board.

(3) The institutional head shall give the inmate a copy of the institutional head's decision as soon as practicable after receiving the recommendations of the outside review board.

80. (1) Where an offender is not satisfied with a decision of the institutional head or director of the parole district respecting the offender's grievance, the offender may appeal the decision to the head of the region.

(2) Where an offender is not satisfied with the decision of the head of the region respecting the offender's grievance, the offender may appeal the decision to the Commissioner.

(3) The head of the region or the Commissioner, as the case may be, shall give the offender a copy of the head of the region's or Commissioner's decision, including the reasons for the decision, as soon as practicable after the offender submits

an appeal.

81. (1) Where an offender decides to pursue a legal remedy for the offender's complaint or grievance in addition to the complaint and grievance procedure referred to in these Regulations, the review of the complaint or grievance pursuant to these Regulations shall be deferred until a decision on the alternate remedy is rendered or the offender decides to abandon the alternate remedy.

(2) Where the review of a complaint or grievance is deferred pursuant to subsection (1), the person who is reviewing the complaint or grievance shall give the offender written notice of the decision to defer the review.

82. In reviewing an offender's complaint or grievance, the person reviewing the complaint or grievance shall take into consideration

- (a) any efforts made by staff members and the offender to resolve the complaint or grievance, and any recommendations resulting therefrom;
- (b) any recommendations made by an inmate grievance committee or outside review board; and
- (c) any decision made respecting an alternate remedy referred to in subsection 81(1).

Commissioner's Directives

CD081 Offender Complaints and Grievances (2002-03-04)
Policy Bulletin 123 (2002-03-04)

Correctional Investigator of Canada:

Corrections and Conditional Release Act

158. The Governor in Council may appoint a person to be known as the Correctional Investigator of Canada.

167. (1) It is the function of the Correctional Investigator to conduct investigations into the problems of offenders related to decisions, recommendations, acts or omissions of the Commissioner or any person under the control and management of, or performing services for or on behalf of, the Commissioner that affect offenders either individually or as a

	<p>group.</p> <p><i>* For more information see Part III of the Corrections and Conditional Release Act, and the web site of the Correctional Investigator of Canada http://www.oci-bec.gc.ca/ .</i></p>
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CANADA / SERVICE CORRECTIONNEL DU CANADA

Note : Le Service correctionnel du Canada (SCC) est doté de politiques élaborées, relativement à plusieurs aspects des soins, des traitements et du soutien des détenus qui vivent avec le VIH/sida ou qui sont autrement affectés par lui. Ces politiques sont trop longues pour que nous les incluions en entier dans ce tableau. Par conséquent, nous les énumérons et les accompagnons des liens directs vers leur texte sur le site Internet du SCC.

Loi / politiques	<p>Service Correctionnel du Canada http://www.csc-scc.gc.ca/</p> <p>Loi sur le Système correctionnel et la mise en liberté sous condition, 1992 LC ch 20. http://lois.justice.gc.ca/fr/C-44.6/index.html</p> <p>Règlement sur le système correctionnel et la mise en liberté sous condition, DORS/92-620 http://lois.justice.gc.ca/fr/C-44.6/DORS-92-620/index.html</p> <p>Directives du commissaire (DC) http://www.csc-scc.gc.ca/text/plcy/toc_f.shtml</p> <p>Instructions permanentes (IP) http://www.csc-scc.gc.ca/text/plcy/tocsop_f.shtml</p>
Soins médicaux et médicaments	<p>Loi sur le Système correctionnel et la mise en liberté sous condition</p> <p>4. Le Service est guidé, dans l'exécution de ce mandat, par les principes qui suivent :</p> <p>e) le délinquant continue à jouir des droits et privilèges reconnus à tout citoyen, sauf de ceux dont la suppression ou restriction est une conséquence nécessaire de la peine qui lui est infligée;</p> <p><i>Définitions</i></p> <p>85. Les définitions qui suivent s'appliquent aux articles 86 et 87.</p> <p><i>"soins de santé"</i></p> <p>"soins de santé" Soins médicaux, dentaires et de santé mentale dispensés par des professionnels de la santé agréés.</p> <p><i>"soins de santé mentale"</i></p> <p>"soins de santé mentale" Traitement des troubles de la pensée,</p>

de l'humeur, de la perception, de l'orientation ou de la mémoire qui altèrent considérablement le jugement, le comportement, le sens de la réalité ou l'aptitude à faire face aux exigences normales de la vie.

Obligation du Service

86. (1) Le Service veille à ce que chaque détenu reçoive les soins de santé essentiels et qu'il ait accès, dans la mesure du possible, aux soins qui peuvent faciliter sa réadaptation et sa réinsertion sociale.

Qualité des soins

(2) La prestation des soins de santé doit satisfaire aux normes professionnelles reconnues.

État de santé du délinquant

87. Les décisions concernant un délinquant, notamment en ce qui touche son placement, son transfèrement, son isolement préventif ou toute question disciplinaire, ainsi que les mesures préparatoires à sa mise en liberté et sa surveillance durant celle-ci, doivent tenir compte de son état de santé et des soins qu'il requiert.

Consentement et droit de refus

88. (1) Sous réserve du paragraphe (5), l'administration de tout traitement est subordonnée au consentement libre et éclairé du détenu, lequel peut refuser de le suivre ou de le poursuivre.

Consentement éclairé

(2) Pour l'application du paragraphe (1), il y a consentement éclairé lorsque le détenu a reçu les renseignements suivants et qu'il est en mesure de les comprendre:

- a) les chances et le taux de succès du traitement ou les chances de rémission;
- b) les risques appréciables reliés au traitement et leur niveau;
- c) tout traitement de substitution convenable;
- d) les conséquences probables d'un refus de suivre

le traitement;

- e) son droit de refuser en tout temps de suivre ou de poursuivre le traitement.

Cas particulier

(3) Pour l'application du paragraphe (1), le consentement du détenu n'est pas vicié du seul fait que le traitement est une condition imposée à une permission de sortir, à un placement à l'extérieur ou à une libération conditionnelle.

Programme d'expérimentation

(4) Tout traitement expérimental est interdit sauf dans le cas où un comité constitué conformément aux règlements et n'ayant aucun lien avec le Service, d'une part, juge le programme d'expérimentation valable sur le plan médical et conforme aux normes d'éthique reconnues, d'autre part, s'assure auparavant du consentement libre et éclairé du détenu au traitement.

Lois provinciales

(5) Le traitement d'un détenu incapable de comprendre tous les renseignements mentionnés au paragraphe (2) est régi par les lois provinciales applicables.

Interdiction de nourrir de force

89. Il est interdit au Service d'ordonner l'alimentation de force d'un détenu, par quelque méthode que ce soit, si celui-ci au moment où il décide de jeûner, en comprend les conséquences.

Règlement sur le système correctionnel et la mise en liberté sous condition

4. Sous l'autorité du commissaire, le directeur du pénitencier, est responsable de:

- a) la prise en charge, la garde et la surveillance de tous les détenus du pénitencier;

Directives du commissaire

DC800 Services de santé (2004-09-30)
Bulletin politique 180 (2004-09-30)
800-1 Lignes directrices sur le
traitement à la méthadone (2002-

	<p>05-02) Bulletin politique 127 (2002-05-02)</p> <p>DC803 Consentement relatif aux évaluations, aux traitements et à la communication de renseignements médicaux (2002-09-03) Bulletin politique 137 (2002-09-03)</p> <p>DC805 Administration des médicaments (2003-04-14) Bulletin politique 154 (2003-04-14)</p> <p>DC821 Gestion des maladies infectieuses (2004-11-04) Lignes directrices no 821-2 - Distribution de l'eau de Javel (2004-11-04) Bulletin politique 181 (2004-11-04) Protocole 821-1 - Gestion de l'exposition au sang ou aux liquides organiques (2004-03-24) Bulletin politique 172 (2004-03-24)</p> <p>DC835 Dossiers médicaux (1995-05-01)</p>
<p>Besoins fondamentals (vêtements, diète, etc...)</p>	<p>Loi sur le Système correctionnel et la mise en liberté sous condition</p> <p>4. Le Service est guidé, dans l'exécution de ce mandat, par les principes qui suivent :</p> <p><i>h)</i> ses directives d'orientation générale, programmes et méthodes respectent les différences ethniques, culturelles et linguistiques, ainsi qu'entre les sexes, et tiennent compte des besoins propres aux femmes, aux autochtones et à d'autres groupes particuliers;</p> <p>80. Dans le cadre de l'obligation qui lui est imposée par l'article 76, le Service doit offrir des programmes adaptés aux besoins des délinquants autochtones.</p> <p>Règlement sur le système correctionnel et la mise en liberté sous condition</p> <p>83. (1) Pour assurer un milieu pénitentiaire sain et sécuritaire, le Service doit veiller à ce que chaque pénitencier soit conforme aux exigences des lois fédérales applicables en matière de santé, de sécurité, d'hygiène et de prévention des incendies et qu'il soit inspecté régulièrement par les responsables de l'application de ces lois.</p> <p>(2) Le Service doit prendre toutes les mesures utiles pour que la sécurité de chaque détenu soit garantie et que chaque détenu:</p>

	<p>a) soit habillé et nourri convenablement;</p> <p>b) reçoive une literie convenable;</p> <p>c) reçoive des articles de toilette et tous autres objets nécessaires à la propreté et à l'hygiène personnelles;</p> <p>d) ait la possibilité de faire au moins une heure d'exercice par jour, en plein air si le temps le permet ou, dans le cas contraire, à l'intérieur.</p> <p><i>État de santé du délinquant</i></p> <p>87. Les décisions concernant un délinquant, notamment en ce qui touche son placement, son transfèrement, son isolement préventif ou toute question disciplinaire, ainsi que les mesures préparatoires à sa mise en liberté et sa surveillance durant celle-ci, doivent tenir compte de son état de santé et des soins qu'il requiert.</p> <p>Directives du commissaire</p> <p>CD352 Barème de distribution des vêtements des détenus (2003-03-19) Bulletin politique 152 (2003-03-19)</p>
<p>Vie privée et confidentialité</p>	<p>Directives du commissaire</p> <p>DC803 Consentement relatif aux évaluations, aux traitements et à la communication de renseignements médicaux (2002-09-03) Bulletin politique 137 (2002-09-03)</p> <p>Instructions permanentes</p> <p>700-01 Communication des renseignements (1999-02-01) Bulletin politique 61 (1999-02-01)</p>
<p>Discipline et châtement</p>	<p>Loi sur le Système correctionnel et la mise en liberté sous condition</p> <p>41. (1) L'agent qui croit, pour des motifs raisonnables, qu'un détenu commet ou a commis une infraction disciplinaire doit, si les circonstances le permettent, prendre toutes les mesures utiles afin de régler la question de façon informelle.</p> <p>(2) À défaut de règlement informel, le directeur peut porter une accusation d'infraction disciplinaire mineure ou grave, selon la gravité de la faute et l'existence de circonstances</p>

	<p>atténuantes ou aggravantes.</p> <p>44. (1) Le détenu déclaré coupable d'une infraction disciplinaire est, conformément aux règlements pris en vertu des alinéas 96<i>i</i>) et <i>j</i>), passible d'une ou de plusieurs des peines suivantes :</p> <ul style="list-style-type: none">a) avertissement ou réprimande;b) perte de privilèges;c) ordre de restitution;d) amende;e) travaux supplémentaires;f) isolement pour un maximum de trente jours, dans le cas d'une infraction disciplinaire grave. <p>(2) Le recouvrement de l'amende et la restitution s'effectuent selon les modalités réglementaires.</p> <p>69. Il est interdit de faire subir un traitement inhumain, cruel ou dégradant à un délinquant, d'y consentir ou d'encourager un tel traitement.</p> <p>Directives du commissaire</p> <p>DC580 Mesures disciplinaires prévues à l'endroit des détenus (2004-01-19) Bulletin politique 169 (2004-01-19)</p>
<p>Mécanisme de plainte</p>	<p>Loi sur le Système correctionnel et la mise en liberté sous condition</p> <p>4. Le Service est guidé, dans l'exécution de ce mandat, par les principes qui suivent :</p> <ul style="list-style-type: none">f) il facilite la participation du public aux questions relatives à ses activités; <p>71. (1) Dans les limites raisonnables fixées par règlement pour assurer la sécurité de quiconque ou du pénitencier, le Service reconnaît à chaque détenu le droit, afin de favoriser ses rapports avec la collectivité, d'entretenir, dans la mesure du possible, des relations, notamment par des visites ou de la correspondance, avec sa famille, ses amis ou d'autres personnes de l'extérieur du pénitencier.</p> <p>72. Les sénateurs, les députés de la Chambre des</p>

communes et les juges des tribunaux canadiens ont accès, dans les limites raisonnables fixées par règlement pour assurer la sécurité de quiconque ou du pénitencier, à tous les secteurs d'un pénitencier et peuvent rendre visite à tout détenu qui y consent.

Règlement sur le système correctionnel et la mise en liberté sous condition

90. (1) Tout détenu doit, dans des limites raisonnables, avoir la possibilité de recevoir des visiteurs dans un endroit exempt de séparation qui empêche les contacts physiques, à moins que:

- a) le directeur du pénitencier ou l'agent désigné par lui n'ait des motifs raisonnables de croire que la séparation est nécessaire pour la sécurité du pénitencier ou de quiconque;
- b) il n'existe aucune solution moins restrictive.

(2) Afin d'assurer la sécurité du pénitencier ou de quiconque, le directeur du pénitencier ou l'agent désigné par lui peut autoriser une surveillance du secteur des visites, par un agent ou avec des moyens techniques, et cette surveillance doit se faire de la façon la moins gênante possible dans les circonstances.

(3) Le Service doit veiller à ce que chaque détenu puisse s'entretenir avec son avocat dans un local assurant à l'entrevue un caractère confidentiel.

91. (1) Sous réserve de l'article 93, le directeur du pénitencier ou l'agent désigné par lui peut autoriser l'interdiction ou la suspension d'une visite au détenu lorsqu'il a des motifs raisonnables de croire:

- a) d'une part, que le détenu ou le visiteur risque, au cours de la visite:
 - (i) soit de compromettre la sécurité du pénitencier ou de quiconque,
 - (ii) soit de préparer ou de commettre un acte criminel;
- b) d'autre part, que l'imposition de restrictions à la visite ne permettrait pas d'enrayer le risque.

en vertu du paragraphe (1):

- a) elle reste en vigueur tant que subsiste le risque visé à ce paragraphe;
- b) le directeur du pénitencier ou l'agent doit informer promptement le détenu et le visiteur des motifs de cette mesure et leur fournir la possibilité de présenter leurs observations à ce sujet.

92. (1) Sous réserve de l'article 93, le directeur du pénitencier ou l'agent désigné par lui peut autoriser la suspension complète des droits de visite de tous les détenus du pénitencier lorsque la sécurité de celui-ci est sérieusement menacée et qu'il n'existe aucune autre solution moins restrictive.

(2) La suspension des droits de visite visée au paragraphe (1) doit être revue:

- a) dans les cinq jours d'application de cette mesure, par le responsable de la région;
- b) dans les 14 jours d'application de cette mesure, par le commissaire.

93. (1) Le directeur du pénitencier ne peut autoriser l'interdiction ou la suspension d'une visite qu'un député de la Chambre des communes, un sénateur ou un juge rendent à tout détenu aux termes de l'article 72 de la Loi à moins d'avoir des motifs raisonnables de croire:

- a) d'une part, que la visite risque de compromettre la sécurité du pénitencier ou de quiconque;
- b) d'autre part, que l'imposition de restrictions à la visite ne permettrait pas d'enrayer le risque.

(2) Lorsque le directeur du pénitencier autorise l'interdiction ou la suspension d'une visite en application du paragraphe (1), il doit informer promptement le député, le sénateur ou le juge, et, le cas échéant, le détenu en cause des motifs de cette mesure et leur donner la possibilité de présenter leurs observations à ce sujet.

Directives du commissaire

	<p>DC085 Correspondance et communications téléphoniques (2001-12-17) Bulletin politique 120 (2001-12-17) Bulletin politique 111 (2001-03-19)</p> <p>DC770 Visites (2001-12-17) Bulletin politique 120 (2001-12-17) Bulletin politique 196 (2005-09-28)</p>
<p>Complaint Mechanism (1) Procédure de règlement des griefs (2) D'enquêteur correctionnel du Canada</p>	<p>Procédure de règlement des griefs</p> <p>Loi sur le Système correctionnel et la mise en liberté sous condition</p> <p>4. Le Service est guidé, dans l'exécution de ce mandat, par les principes qui suivent :</p> <p>g) ses décisions doivent être claires et équitables, les délinquants ayant accès à des mécanismes efficaces de règlement de griefs;</p> <p><i>Procédure de règlement</i></p> <p>90. Est établie, conformément aux règlements d'application de l'alinéa 96u), une procédure de règlement juste et expéditif des griefs des délinquants sur des questions relevant du commissaire.</p> <p><i>Accès à la procédure de règlement des griefs</i></p> <p>91. Tout délinquant doit, sans crainte de représailles, avoir libre accès à la procédure de règlement des griefs.</p> <p>Règlement sur le système correctionnel et la mise en liberté sous condition</p> <p>74. (1) Lorsqu'il est insatisfait d'une action ou d'une décision de l'agent, le délinquant peut présenter une plainte au supérieur de cet agent, par écrit et de préférence sur une formule fournie par le Service.</p> <p>(2) Les agents et le délinquant qui a présenté une plainte conformément au paragraphe (1) doivent prendre toutes les mesures utiles pour régler la question de façon informelle.</p> <p>(3) Sous réserve des paragraphes (4) et (5), le supérieur doit examiner la plainte et fournir copie de sa décision au délinquant aussitôt que possible après que celui-ci a présenté sa plainte.</p>

(4) Le supérieur peut refuser d'examiner une plainte présentée conformément au paragraphe (1) si, à son avis, la plainte est futile ou vexatoire ou n'est pas faite de bonne foi.

(5) Lorsque, conformément au paragraphe (4), le supérieur refuse d'examiner une plainte, il doit fournir au délinquant une copie de sa décision motivée aussitôt que possible après que celui-ci a présenté sa plainte.

75. Lorsque, conformément au paragraphe 74(4), le supérieur refuse d'examiner la plainte ou que la décision visée au paragraphe 74(3) ne satisfait pas le délinquant, celui-ci peut présenter un grief, par écrit et de préférence sur une formule fournie par le Service:

- a) soit au directeur du pénitencier ou au directeur de district des libérations conditionnelles, selon le cas;
- b) soit, si c'est le directeur du pénitencier ou le directeur de district des libérations conditionnelles qui est mis en cause, au responsable de la région.

76. (1) Le directeur du pénitencier, le directeur de district des libérations conditionnelles ou le responsable de la région, selon le cas, doit examiner le grief afin de déterminer s'il relève de la compétence du Service.

(2) Lorsque le grief porte sur un sujet qui ne relève pas de la compétence du Service, la personne qui a examiné le grief conformément au paragraphe (1) doit en informer le délinquant par écrit et lui indiquer les autres recours possibles.

77. (1) Dans le cas d'un grief présenté par le détenu, lorsqu'il existe un comité d'examen des griefs des détenus dans le pénitencier, le directeur du pénitencier peut transmettre le grief à ce comité.

(2) Le comité d'examen des griefs des détenus doit présenter au directeur ses recommandations au sujet du grief du détenu aussitôt que possible après en avoir été saisi.

(3) Le directeur du pénitencier doit remettre au détenu une copie de sa décision aussitôt que possible après avoir reçu les recommandations du comité d'examen des griefs des détenus.

78. La personne qui examine un grief selon l'article 75 doit remettre copie de sa décision au délinquant aussitôt que possible après que le détenu a présenté le grief.

79. (1) Lorsque le directeur du pénitencier rend une

décision concernant le grief du détenu, celui-ci peut demander que le directeur transmette son grief à un comité externe d'examen des griefs, et le directeur doit accéder à cette demande.

(2) Le comité externe d'examen des griefs doit présenter au directeur du pénitencier ses recommandations au sujet du grief du détenu aussitôt que possible après en avoir été saisi.

(3) Le directeur du pénitencier doit remettre au détenu une copie de sa décision aussitôt que possible après avoir reçu les recommandations du comité externe d'examen des griefs.

80. (1) Lorsque le délinquant est insatisfait de la décision rendue au sujet de son grief par le directeur du pénitencier ou par le directeur de district des libérations conditionnelles, il peut en appeler au responsable de la région.

(2) Lorsque le délinquant est insatisfait de la décision rendue au sujet de son grief par le responsable de la région, il peut en appeler au commissaire.

(3) Le responsable de la région ou le commissaire, selon le cas, doit transmettre au délinquant copie de sa décision motivée aussitôt que possible après que le délinquant a interjeté appel.

81. (1) Lorsque le délinquant décide de prendre un recours judiciaire concernant sa plainte ou son grief, en plus de présenter une plainte ou un grief selon la procédure prévue dans le présent règlement, l'examen de la plainte ou du grief conformément au présent règlement est suspendu jusqu'à ce qu'une décision ait été rendue dans le recours judiciaire ou que le détenu s'en désiste.

(2) Lorsque l'examen de la plainte ou au grief est suspendu conformément au paragraphe (1), la personne chargée de cet examen doit en informer le délinquant par écrit.

82. Lors de l'examen de la plainte ou du grief, la personne chargée de cet examen doit tenir compte:

- a) des mesures prises par les agents et le délinquant pour régler la question sur laquelle porte la plainte ou le grief et des recommandations en découlant;
- b) des recommandations faites par le comité d'examen des griefs des détenus et par le comité externe d'examen des griefs;
- c) de toute décision rendue dans le recours judiciaire visé au paragraphe 81(1).

	<p>Directives du commissaire</p> <p>DC081 Plaintes et griefs des délinquants (2002-03-04) Bulletin politique 123 (2002-03-04)</p> <p>D'enquêteur correctionnel du Canada</p> <p>Loi sur le Système correctionnel et la mise en liberté sous condition</p> <p>158. Le gouverneur en conseil peut nommer une personne à titre d'enquêteur correctionnel du Canada.</p> <p>167. (1) L'enquêteur correctionnel mène des enquêtes sur les problèmes des délinquants liés aux décisions, recommandations, actes ou omissions qui proviennent du commissaire ou d'une personne sous son autorité ou exerçant des fonctions en son nom qui affectent les délinquants individuellement ou en groupe.</p> <p><i>* For more information see Part III of the Corrections and Conditional Release Act, and the web site of the Correctional Investigator of Canada http://www.oci-bec.gc.ca/ .</i></p>
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ALBERTA	
Legislation & Policy	<p>Ministry of the Solicitor General and Public Security http://www.solgen.gov.ab.ca/corrections/default.aspx</p> <p>Corrections Act, RSA 2000, C -29. http://www.qp.gov.ab.ca/catalogue/catalog_results.cfm</p> <p>Corrections Institution Regulation, AR 205/2001 http://www.qp.gov.ab.ca/catalogue/catalog_results.cfm</p>
Medical Care & Medication	<p>Correctional Institution Regulation</p> <p>Medical examination</p> <p>14(1) Every inmate may be medically examined by a physician or a nurse.</p> <p>(2) The medical examination may include one or more of the following:</p> <ul style="list-style-type: none">(a) a dental examination;(b) a mental examination;(c) blood tests;(d) x-rays;(e) a urinalysis;(f) any other examination or test not referred to in clauses (a) to (e) that is considered necessary by the examining physician or nurse and is approved by the Director. <p>17(1) Where an institution's physician is of the opinion that</p> <ul style="list-style-type: none">(a) the mental or physical health of an inmate is likely to be materially impaired by continued imprisonment, or(b) an inmate will not survive the inmate's sentence, <p>that physician is to report that fact in writing to the Director.</p> <p>(2) On receipt of the institution's physician's report under</p>

	<p>subsection (1), the Director must forthwith</p> <p>(a) forward the report and the Director's recommendation to the Chief Executive Officer, and</p> <p>(b) notify the nearest relative of the inmate of the situation.</p> <p>(3) Where in the opinion of the institution's physician an inmate is suffering from a serious mental or physical illness or requires special medical care, the Director must inform the nearest relative and the Chief Executive Officer of the situation.</p> <p>(4) Where the Director has been given notice of the existence of an inmate's relative, the requirement to notify the relative is, for the purposes of this section, a requirement to notify the relative at the latest address of that relative that is made known to the Director.</p>
<p>Basic Needs (clothing, diet etc...)</p>	<p>Correctional Institution Regulation</p> <p>Personal health articles</p> <p>13 Every inmate on admission to an institution may be issued with those articles as are necessary for the inmate to maintain personal health and cleanliness.</p> <p>Duties</p> <p>15(1) In this section, "duty" includes employment programs, training programs, treatment programs and any other activity of an inmate designated as a duty by the Director.</p> <p>(2) An institution's physician or nurse is to specify when an inmate may participate in full duty, partial duty or no duty.</p> <p>(3) An inmate for whom partial duty or no duty is specified is not to participate in full duty until an institution's physician or nurse has certified the inmate as being fit to do so.</p> <p>Activities of physician</p> <p>16 An institution's physician</p> <p>(a) is to report in writing to the Director where an inmate requires special attention at any time, and</p> <p>(b) may make recommendations with respect to</p>

	<p>(i) the diet of inmates,</p> <p>(ii) the treatment of inmates, and</p> <p>(iii) the provision of additional bedding, clothing and other articles to inmates.</p> <p>Impairment of health of inmate</p>
Privacy & Confidentiality	n/a
Discipline & Punishment	<p>Correctional Institution Regulation</p> <p>Dealing with inmates</p> <p>7(1) Employees are to maintain discipline of inmates in the institution in a firm and impartial manner.</p> <p>(2) Employees are not to use humiliating tactics or harassing techniques with respect to inmates.</p> <p>(3) Employees are to deal with inmates in a manner designed to encourage the self respect and personal responsibility of inmates.</p> <p>Punishment</p> <p>46 If in the opinion of the Disciplinary Board or the Director a charge against an inmate is substantiated, the following punishment may be imposed on the inmate:</p> <p>(a) a reprimand;</p> <p>(b) the loss of one or more privileges;</p> <p>(c) confinement to a disciplinary unit for a period of not more than 14 days;</p> <p>(d) subject to section 55, a restricted diet;</p> <p>(e) forfeiture of earned remission for a period of not more than 30 days;</p> <p>(f) an assessment towards payment for willful or negligent damage to public or private property;</p> <p>(g) extra duties of not more than 4 hours per day in addition to the normal work period.</p>

	<p>Confinement to disciplinary unit</p> <p>54(1) Inmates confined in disciplinary units must keep their accommodation clean and tidy.</p> <p>(2) Inmates who are confined in disciplinary units forfeit privileges, including the use of radio, television and the canteen, visits from family and friends, receipt of incentive allowance and smoking.</p> <p>Restricted diet</p> <p>55(1) A restricted diet may only be imposed on an inmate with the consent of an institution's physician.</p> <p>(2) A restricted diet is to consist of not less than 1100 calories per day.</p> <p>(3) A restricted diet may be imposed for not more than 3 days.</p>
<p>Communication & Access to Prisoners</p>	<p>Correctional Institution Regulation</p> <p>Communication of imprisonment</p> <p>20 An inmate is to be given the opportunity, as soon as possible, to communicate to the inmate's relatives, legal representative and friends the fact that the inmate is in an institution.</p> <p>Visits</p> <p>22(1) Except as authorized by statute, regulation, the Minister, the Deputy Minister or the Chief Executive Officer, no person is to visit an institution without the consent of the Director.</p> <p>(2) The hours during which inmates may be visited are to be determined by the Director subject to the approval of the Chief Executive Officer.</p> <p>(3) Subject to this section, all visiting of inmates is to take place during the hours provided for under subsection (2).</p> <p>(4) A peace officer or government employee in making an inquiry or investigation in the course of that person's duties as a peace officer or government employee may, on providing proper identification, visit an inmate outside normal visiting hours.</p>

	<p>(5) The legal counsel of an inmate who is a party to legal proceedings, whether criminal or civil, or to any proceedings of an administrative tribunal, is to be permitted to visit an inmate.</p> <p>(6) A person nominated by the inmate may visit the inmate at a time and in a manner determined by the Chief Executive Officer.</p> <p>(7) A person who is under the age of 18 years may visit an inmate</p> <ul style="list-style-type: none">(a) when that person is accompanied by a parent or guardian, or(b) with the consent of the Director. <p>(8) Visits to an inmate may be suspended or terminated by the Director as a result of a breach of the regulations or rules of an institution by an inmate or a visitor.</p> <p>(9) No person who in the opinion of an employee is under the influence of liquor, drugs or other intoxicating substances is to visit or be permitted to visit an inmate.</p> <p>Inmate telephone system</p> <p>31(1) The Chief Executive Officer may authorize the establishment of an inmate telephone system in an institution for the purposes of</p> <ul style="list-style-type: none">(a) providing inmates with reasonable access to a telephone, and(b) ensuring the security of the institution and the protection of the public. <p>(2) If an inmate telephone system is established under subsection (1), the Director may suspend inmate access to the inmate telephone system if, in the Director's opinion,</p> <ul style="list-style-type: none">(a) the system is being misused or abused, or(b) the suspension is necessary to maintain the security of the institution.
<p>Complaint Mechanism</p>	<p>Correctional Institution Regulation</p> <p>Inmate Advisory Committee</p> <p>28(1) The Director may establish an Inmate Advisory Committee consisting of members elected by the inmates</p>

	<p>who reside in the various living units in the institution.</p> <p>(2) The members of the Inmate Advisory Committee are to elect from among their number an executive consisting of not fewer than 3 nor more than 5 members.</p> <p>(3) Through the executive of the Inmate Advisory Committee, the Inmate Advisory Committee is to deal cooperatively with the Director with respect to complaints and grievances and any other matter relating to the effective and efficient operation of the institution.</p>
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BRITISH COLUMBIA	
Legislation & Policy	<p>Ministry of Public Safety and Solicitor General http://www.pssg.gov.bc.ca/corrections/index.htm</p> <p>Correction Act, SBC 2004, C 246 http://www.qp.gov.bc.ca/statreg/stat/C/04046_01.htm</p> <p>Correction Act Regulation, BC Reg 58/2005. http://www.qp.gov.bc.ca/statreg/reg/C/Correction/58_2005.htm</p>
Medical Care & Medication	<p>Corrections Act</p> <p>Certificate of health required</p> <p>9 (1) The person in charge of a correctional centre is not required to accept a person into custody under a warrant of committal unless a certificate of a medical practitioner certifies for that person all of the following:</p> <ul style="list-style-type: none">(a) the state of health of the person;(b) that the person is fit for transfer;(c) that the person is free from any infectious or contagious disease. <p>(2) A person sentenced to imprisonment in, or ordered by competent authority to be conveyed to, a correctional centre from any other jail, prison or lockup may remain and be kept in lawful custody in the jail, prison or lockup from which he or she was sentenced or ordered to be conveyed, until the certificate of health required by this section has been provided.</p> <p>Correction Act Regulation</p> <p>Medical services</p> <p>39 (1) After admission to a correctional centre, an inmate must be examined by a health care professional who must prepare a written report on the inmate's</p> <ul style="list-style-type: none">(a) state of health, and(b) suitability for work, training and recreation programs.

	<p>(2) If a health care professional determines that an inmate is not medically fit for transfer to another correctional centre, the inmate must not be transferred.</p> <p>(3) If a health care professional is of the opinion that, at the time of an inmate's release from custody, the inmate suffers from an acute or dangerous illness, the person in charge must be reasonably satisfied that a treatment plan is in place in the community.</p>
Basic Needs (clothing, diet etc...)	n/a
Privacy & Confidentiality	n/a
Discipline & Punishment	<p>Correction Act Regulation</p> <p>Penalties for breach of rule</p> <p>27 (1) If an inmate is found to have breached a rule referred to in section 21 (1) or (2) [<i>rules governing conduct of inmates</i>], the person presiding over the disciplinary hearing may impose one or more of the following penalties:</p> <ul style="list-style-type: none">(a) a warning or reprimand;(b) a temporary or permanent restriction on activities or programs, other than a visit program, unless the breach is directly related to a visit program;(c) intermittent confinement in a cell, other than a cell in the segregation unit, for a period not longer than 192 hours;(d) subject to subsections (2) and (3), confinement in a cell in the segregation unit for a period not longer than 30 days;(e) assignment of extra duties for a period not longer than 12 hours;(f) forfeiture of earned remission, credited to the date of the breach, of not more than 60 days. <p>(2) A penalty under subsection (1) (d) for the breach of a rule or</p>

for assisting or attempting to assist a breach of a rule

(a) referred to in section 21 (1) (a) to (v) must not exceed 15 days, and

(b) referred to in section 21 (1) (w) to (z.2) must not exceed 30 days.

(3) If an inmate is ordered to be confined in a cell in the segregation unit under subsection (1) (d),

(a) while the inmate is confined to a cell in the segregation unit under subsection (1) (d) for one or more previous breaches, the order must specify whether the penalties are to be served concurrently or consecutively and if the penalties are to be served consecutively, the total period of segregation imposed must not exceed 45 days, or

(b) while the inmate is confined to a cell in the segregation unit under section 24, the number of days served by the inmate in the cell in the segregation unit under section 24 must be subtracted from the number of days the inmate is ordered to be confined in a cell in the segregation unit under subsection (1) (d).

(4) On application or on his or her own motion, the person presiding over a disciplinary hearing may reduce or suspend all or part of a penalty imposed under subsection (1), with or without conditions, for a period not longer than 90 days.

(5) If an inmate applies to the person who presided over a disciplinary hearing for a reduction or suspension of the penalty imposed, the person who presided over the disciplinary hearing or, if that person is not available, the person in charge must make a decision within 14 days of the receipt of the application and advise the inmate of the decision, the reasons and any conditions in writing.

(6) If an inmate does not comply with a condition imposed under subsection (4) or (5),

(a) the person in charge may order that a disciplinary hearing about the failure to comply with the condition be convened, and

(b) if the person presiding over the disciplinary hearing referred to in paragraph (a) determines at the conclusion of the hearing that the inmate did not comply with a

	<p>condition, the person presiding over the hearing must reimpose the previously reduced or suspended penalty.</p>
Communication & Access to Prisoners	<p>Correction Act Regulation</p> <p>30 (1) A visitor must not enter a correctional centre unless authorized by the person in charge.</p> <p>(2) If, in the opinion of the person in charge, acting reasonably, it is necessary for the management, operation or security of the correctional centre, the person in charge may do one or more of the following:</p> <ul style="list-style-type: none">(a) order the removal of a visitor from the correctional centre or from a part of the correctional centre;(b) prohibit or restrict a person from visiting with an inmate;(c) order that a visit with an inmate be supervised;(d) place restrictions on or make allowances for the nature, timing, frequency, length or location of a visit with an inmate. <p>(3) If, in the opinion of a staff member, acting reasonably, the conduct of a visitor or of an inmate who is being visited is jeopardizing the management, operation or security of the correctional centre, the staff member</p> <ul style="list-style-type: none">(a) may terminate the visit by the visitor with the inmate and must report the termination of the visit to the person in charge, and(b) may order the removal of a visitor from the correctional centre or from a part of the correctional centre.
Complaint Mechanism	<p>Correction Act Regulation</p> <p>Complaint to person in charge</p> <p>37 (1) An inmate may make a written complaint to a staff member who must forward it, as soon as practicable, to the person in charge.</p>

	<p>(2) The person in charge must, within 7 days of the receipt of the complaint, investigate the complaint and advise the inmate, in writing, of the results of the investigation as soon as practicable.</p> <p>(3) The person in charge must keep a record of</p> <ul style="list-style-type: none">(a) written complaints,(b) the manner in which the complaints are resolved, and(c) the written advice given to an inmate under subsection (2) as a result of the investigation of a complaint.
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MANITOBA	
Legislation & Policy	<p>Manitoba Justice http://www.gov.mb.ca/justice/corrections/index.html</p> <p>Correctional Services Act, CCSM, c C230 http://web2.gov.mb.ca/laws/statutes/ccsm/c230e.php</p> <p>Correctional Services Regulation, 128/99. http://web2.gov.mb.ca/laws/regs/index.php</p>
Medical Care & Medication	<p>Correctional Services Act</p> <p>Health examinations</p> <p><u>37</u> The facility head of a custodial facility may require an inmate of the facility to undergo an examination by a health professional, as defined in subsection 1(1) of <i>The Personal Health Information Act</i>, to determine whether the inmate is suffering from any condition relating to the physical or mental health of the inmate that may require special treatment, care or medication or that may endanger the health of other inmates of the facility.</p> <p>Removal to other facilities</p> <p><u>38</u> The facility head of a custodial facility may cause an inmate of the facility to be removed to a hospital, clinic or other health facility for the purposes of</p> <ul style="list-style-type: none">(a) an examination required under section 37; or(b) the proper treatment, care or medication of the inmate in respect of any condition relating to the physical or mental health of the inmate.
Basic Needs (clothing, diet etc...)	n/a
Privacy & Confidentiality	<p>Correctional Services Act</p> <p>Information in confidence</p> <p><u>56(6)</u> For the purposes of <i>The Freedom of Information and Protection of Privacy Act</i>, all information, including photographs and identification materials, that pertains to an</p>

offender and that is obtained by a staff member, contractor, employee of a contractor or volunteer from the offender or a third person in the administration of this Act or any program established under this Act is information in a correctional record and is deemed to have been supplied by the offender or third person in confidence for the purposes of the administration of this Act.

Conflict with Freedom of Information and Protection of Privacy Act

[56\(7\)](#) If a provision of this Act is inconsistent with a provision of *The Freedom of Information and Protection of Privacy Act*, the provision of this Act applies notwithstanding *The Freedom of Information and Protection of Privacy Act*.

Offence re information

[56\(1\)](#) Subject to subsections (3) to (5), no staff member, volunteer, contractor or employee of a contractor shall knowingly

- (a) provide or allow to be provided offender information to any person;
- (b) allow any person access to offender information; or
- (c) use offender information;

otherwise than in the administration of this Act, the *Criminal Code* (Canada), the *Corrections and Conditional Release Act* (Canada), the *Prisons and Reformatories Act* (Canada) or the *Youth Criminal Justice Act* (Canada) or as permitted by *The Freedom of Information and Protection of Privacy Act*.

[56\(2\)](#) Repealed, S.M. 1999, c. 23, s. 22.

Disclosure on release etc.

[56\(3\)](#) Where

- (a) an offender
 - (i) is about to be released at the expiration of a term of imprisonment,

	<p>(ii) has escaped, or</p> <p>(iii) has breached the terms or completed the period of a supervision order; and</p> <p>(b) there are reasonable grounds to believe that the offender may pose a threat to any person;</p> <p>the commissioner shall notify the appropriate police force in the area of the province where the threat is liable to occur and provide them with such information, including such offender information in respect of the offender, as the commissioner thinks pertinent to the threat and appropriate in the circumstances.</p> <p>Disclosure where offender at large</p> <p>56(4) Where the commissioner thinks there is reason to believe that an offender who is not in custody may cause damage or harm to a person, the commissioner shall notify the appropriate police force in the area in which the person resides and provide them with such information, including offender information in respect of the offender, as the commissioner thinks appropriate in the circumstances.</p> <p>Disclosure respecting safety etc.</p> <p>56(5) Where any person working in the administration of this Act, otherwise than in the capacity of a chaplain or spiritual advisor, becomes aware of any information that the person thinks indicates that there may be a danger to the safety or security of a custodial facility, or the safety of the community or an individual, or that the person thinks will be helpful in determining who has committed an offence, the person shall report the information to the commissioner or to the facility head of a custodial facility who, notwithstanding this or any other Act of the Legislature, may disclose the information to the appropriate police force.</p>
Discipline & Punishment	Correctional Service Regulations <i>Alternative resolution of disciplinary offence</i> 8(1) Where an inmate accepts responsibility for the commission of a disciplinary offence and a correctional officer believes that a resolution of the matter in accordance with this section is necessary or advisable for the maintenance of order

and good management of the custodial facility, the officer shall make reasonable efforts to resolve the matter by applying, with the agreement of the inmate, one or more of the measures under subsection (2) considered appropriate for the circumstances by the officer and a supervising officer designated for the purpose by the facility head.

Alternative resolution measures

8(2) Measures that may be applied under subsection (1) include the following:

- (a) a reprimand or warning;
- (b) a requirement to carry out reparative action;
- (c) a requirement to participate in or perform duties under a program referred to in subsection 13(1) of the Act;
- (d) a loss of privileges.

Penalties imposed by discipline board

13(1) An inmate who is found responsible by a discipline board for a disciplinary offence is liable to one or more of the following as determined by order of the board:

- (a) a reprimand or warning;
- (b) a fine, restitution in respect of any property that was lost or damaged as a result of the offence, or any cost incurred in respect of the hearing, or any combination of them, of not more than \$200.;
- (c) not more than 40 hours of extra duties in the custodial facility;
- (d) a loss of privileges, as specified in the decision of the board, for not more than 30 days;
- (e) not more than 15 days of segregation as specified in the decision of the board;
- (f) forfeiture of not more than 30 days of remission.

	<p><i>Penalties for related disciplinary offences</i></p> <p>13(2) Where an inmate is found responsible for more than one disciplinary offence arising from related incidents, the penalties imposed in respect of all of the offences shall not exceed any of the maximum penalties provided in subsection (1) for each of the offences.</p>
<p>Communication & Access to Prisoners</p>	<p>Correctional Services Act</p> <p>"Visitor" defined</p> <p>49(1) In this section, "visitor" to a custodial facility means an individual who wishes to enter or be in the facility but who is not</p> <ul style="list-style-type: none">(a) an inmate of the facility;(b) a correctional officer whose duties and functions require the officer to be in the facility; or(c) a staff member whose duties and functions in the administration of this Act or a program established under this Act require the staff member to be in the facility. <p>Permission for visits</p> <p>49(2) Subject to the regulations, the facility head of a custodial facility may permit visitors to enter or be within the facility for the purpose of</p> <ul style="list-style-type: none">(a) allowing the inmates of the facility to maintain positive relationships with family, friends and the community;(b) allowing persons to provide necessary services to the facility and inmates of the facility; or(c) allowing the public to be aware of the conditions and programs carried on in the facility. <p>Procedures for visits</p> <p>49(3) The facility head of a custodial facility shall take steps and establish procedures to ensure, as much as is reasonably</p>

possible, that the presence of visitors to the facility does not

- (a) endanger the safety or health of the visitors; or
- (b) adversely affect the safety and security of the facility or the community.

Terms and conditions of visits

49(4) Every visitor to a custodial facility who is permitted under subsection (2) to be within the facility shall comply with

- (a) prescribed terms and conditions;
- (b) terms and conditions imposed under the rules established under subsection 25(1) for the facility that relate to visitors or visiting privileges; and
- (c) terms and conditions specified by the facility head of the facility at the time the permission was granted.

Refusal of visits

49(5) The facility head of a custodial facility may, for cause,

- (a) refuse to permit a visitor to the facility to enter, or require a visitor to the facility to leave, the facility where the facility head thinks that it is in the public interest to do so; and
- (b) prohibit a visitor to the facility from entering the facility at any time or for a period specified by the facility head.

Suspension of access to facility

49(6) Where the facility head of a custodial facility thinks that it is necessary for the safety and security of the facility and persons in the facility, the facility head may temporarily suspend access to the facility by any visitors to the facility.

Correctional Services Regulation

Identification of visitor and purpose of visit

23(1) Every visitor to a custodial facility shall state the nature and purpose of his or her visit and present identification

	<p>satisfactory to the correctional officer responsible for admitting visitors.</p> <p><i>Photograph of visitor</i></p> <p>23(2) A visitor to a custodial facility shall, at the request of a correctional officer or staff member, submit to having his or her photograph taken for the purpose of facilitating the identification of visitors to custodial facilities.</p> <p><i>Denial of visiting privileges</i></p> <p>23(3) A visitor who fails to comply with subsection (1) or a request referred to in subsection (2) shall not be permitted to carry out the intended visit.</p> <p><i>Other visits</i></p> <p>24(3) A visit not referred to in subsections (1) and (2) shall be made under the supervision of a correctional officer and shall be made only during normal visiting hours as determined by the facility head or at another time prearranged with a correctional officer designated by the facility head for the purpose.</p>
Complaint Mechanism	Correctional Services Act Grievance of inmate <u>52</u> An inmate of a custodial facility may complain in writing to the facility head of the facility about any condition or situation in the facility that affects the inmate, and the complaint shall be dealt with in accordance with the regulations. Appeals by inmates <u>53(1)</u> An inmate of a custodial facility may, in accordance with the regulations, appeal from any prescribed decision affecting the inmate that was made by the commissioner, the facility head of the facility or the delegate of either of them. Initiation of appeal <u>53(2)</u> An appeal taken under subsection (1) shall be initiated by the inmate of a custodial facility filing with the commissioner, the facility head of the facility or the delegate of either of them a written notice of appeal, setting forth the details

of the decision being appealed and the reasons why the inmate thinks the decision should be set aside or varied.

Procedure on appeal

[53\(3\)](#) An appeal taken under this section shall be dealt with and determined in accordance with procedures specified in the regulations.

Correctional Services Regulation

Investigation of complaint

74(1) Subject to subsection (2), the facility head of a custodial facility shall

- (a) investigate each complaint made under section 52 of the Act about a condition or situation in the facility; and
- (b) as soon as practicable after receiving the complaint,
 - (i) take whatever steps the facility head considers appropriate to resolve the situation or condition or refer the matter to the commissioner for further review or investigation, and
 - (ii) advise the complainant of the action taken.

Decision not to investigate

74(2) The facility head may decide not to investigate or deal with a complaint if,

- (a) in his or her opinion, the subject matter of the complaint is trivial or the complaint is not made in good faith or is frivolous or vexatious or the circumstances of the complaint do not require investigation; or
- (b) he or she is satisfied that the complainant has made no effort to resolve the matter with a correctional officer of the facility.

Referral to inmate or correctional officer

74(3) If the facility head decides not to investigate a complaint because the inmate has not attempted to resolve the matter with a correctional officer, the facility head shall refer the matter back to the inmate to attempt to resolve it with a correctional officer or to a correctional officer to attempt to resolve the matter with the inmate.

Appeal of denial of temporary absence

75(1) A decision of a committee under subsection 63(6) to deny an inmate's application for a temporary absence may be appealed by the inmate to the facility head.

Appeal of discipline board order

75(2) An order of a discipline board may be appealed to the facility head by the inmate whose conduct is the subject of the order and by the correctional officer who presented the matter to the board.

Appeal to commissioner

75(3) An inmate may appeal to the commissioner a decision of the facility head under subsection 20(6) not to release the inmate from preventive segregation, if the inmate has been in continuous preventive segregation for more than 60 days.

Notice of appeal

75(4) An appeal under this section must be made

- (a) within seven days after the appellant is notified of the decision to be appealed;
- (b) by written notice of appeal to the facility head or the commissioner, as the case may be, setting out the reasons for the appeal.

Hearing discretionary

75(5) An appeal under this section may be decided with or without a hearing, at the discretion of the person to whom the appeal is made.

Manner of conducting hearing

75(6) Any hearing of an appeal under this section may be conducted orally, including by telephone, in writing, or partly

orally and partly in writing, and shall be held in accordance with any procedures established for such hearings by the commissioner.

Decision on appeal

75(7) The facility head or the commissioner to whom an order or decision is appealed under this section may confirm, revoke or vary it, or refer it with or without directions back for reconsideration by the person or persons who made it.

Time for facility head's decision

75(8) An appeal under subsection (1) or (2) to the facility head shall be decided or otherwise dealt with under subsection (7) within seven days after notice of the appeal is given to the facility head.

Time for commissioner's decision

75(9) An appeal under subsection (3) to the commissioner shall be decided or otherwise dealt with under subsection (7) within 21 days after notice of the appeal is given to the commissioner.

Decisions final

76 Every decision of the commissioner under this regulation is final and cannot be appealed and, except as otherwise provided in subsection 75(3), every decision of a facility head under this regulation is final and cannot be appealed.

NEW BRUNSWICK	
Legislation & Policy	<p>Ministry of Public Safety http://www.gnb.ca/0276/index-e.asp</p> <p>Corrections Act, RSNB 1973, c C 26. http://www.gnb.ca/0062/regs/c-26reg.htm</p> <p>General Regulation – Corrections Act, NB Reg 84/257. http://www.gnb.ca/0062/regs/c-26reg.htm</p>
Medical Care & Medication	<p>Corrections Act</p> <p>16(1) Where a medical practitioner recommends the hospitalization of a person confined in a correctional institution, the Minister may order that person moved to a hospital facility for treatment.</p> <p>16(1.1) Where a medical practitioner issues an examination certificate in respect of a person confined in a correctional institution, the Minister may order that person moved to a psychiatric facility designated under the Mental Health Act.</p> <p>16(2) Where a person has been moved to a hospital facility under this section, the Minister, on the advice of a medical practitioner, may order that person returned to the correctional institution in which he was confined prior to hospitalization.</p> <p>16(2.1) Where a person has been moved to a psychiatric facility under this section, the Minister, on the advice of a psychiatrist, may order that person returned to the correctional institution in which the person was confined prior to hospitalization.</p> <p>16(3) An order made under this section does not discharge the person from custody and during the time he is hospitalized he is deemed to be in the custody of the superintendent of the correctional institution in which he was confined prior to hospitalization.</p> <p>16(4) The time spent by a person in a hospital facility or psychiatric facility under this section is reckoned the same as if he had spent that time in the correctional institution.</p> <p>16(5) Where the date for the discharge of a person from a correctional institution arises while that person is hospitalized under this section, he shall be discharged from custody on that date and the superintendent of the correctional institution in</p>

	<p>which he was confined prior to hospitalization shall take the necessary steps to remove that person from custody at that time.</p> <p>16(6) Notwithstanding subsection (5), no person who is hospitalized in a psychiatric facility shall be discharged from that psychiatric facility except in accordance with the provisions of the Mental Health Act.</p> <p>1969, c.26, s.3; 1989, c.23, s.20; 1989, c.23, s.20; 1992, c.52, s.6.</p>
Basic Needs (clothing, diet etc...)	n/a
Privacy & Confidentiality	n/a
Discipline & Punishment	<p>General Regulation – Corrections Act</p> <p>16(1) Where a superintendent determines that an inmate has committed a misconduct, he shall impose one or more of the following penalties:</p> <ul style="list-style-type: none">(a) reduction or suspension of privileges for an established period of time;(b) payment of part or all of the cost to repair the damage done by the inmate;(c) performance of additional work;(d) confinement to a dormitory, cell or unit;(e) segregation for an indefinite period of time, not to exceed five days without the prior approval of the Director of Correctional Services; or(f) loss of remission, not to exceed ten days without the prior approval of the Director of Correctional Services.
Communication & Access to Prisoners	n/a
Complaint Mechanism	n/a

Newfoundland & Labrador	
Legislation & Policy	<p>Department of Justice http://www.justice.gov.nl.ca/just/</p> <p>Prisons Act, RSNL 1990, c P21 http://www.hoa.gov.nl.ca/hoa/statutes/p21.htm</p> <p>Prisons Regulation, CLNR 993/96 http://www.hoa.gov.nl.ca/hoa/regulations/rc960993.htm</p>
Medical Care & Medication	<p>Prisons Act</p> <p><i>Illness of prisoners</i></p> <p>19. In the case of the illness of a prisoner in the penitentiary or other jail in the province, the prisoner may, by order of the minister, be removed by the superintendent of the penitentiary or the keeper of the jail to a hospital referred to in the order, and in that case a prisoner shall be considered to remain in the custody of the superintendent or the keeper and shall be subject to the rules and regulations of the penitentiary or jail where they are applicable, and the superintendent or the keeper shall, under an order of the minister, have power to remove the prisoner back to the penitentiary or the jail. \</p> <p><i>Medical examination of prisoners</i></p> <p>21. It shall be the duty of the superintendent or person in charge of the penitentiary to make a medical examination of a prisoner upon his or her admission to the penitentiary, or as soon as the superintendent can obtain the services of a medical practitioner to make the examination and it shall be lawful for the medical examination to include a form of examination or test, including a blood test, ordinarily used for the detection of a disease or condition not apparent on external examination.</p> <p>Prisons Regulation</p> <p>4. In addition to the duties that may be assigned to him or her by the minister under subsection 3(2) of the Act, the superintendent shall exercise general supervision and control over the penitentiary, prisoners and members of the staff and so far as practicable, ensure compliance by the staff and the prisoners with the regulations and with rules made under subsection 9(3) of the Act, but the superintendent shall</p> <p>(h) ensure that a medical doctor is notified of a complaint or report that a prisoner may be suffering from mental or physical illness.</p>

	<p>6. An officer shall</p> <p>(f) direct the attention of the superintendent, assistant superintendents or other superior officer to a prisoner who appears to be in poor health whether physically or mentally;</p>
<p>Basic Needs (clothing, diet etc...)</p>	<p>Prisons Regulation</p> <p><i>Confined prisoners</i></p> <p>20. During the term of confinement at the penitentiary, every prisoner shall be given or provided with</p> <p>(a) toilet articles that are necessary for health and cleanliness;</p> <p>(b) food of a varied nature and nutritional value to maintain health and strength;</p> <p>(c) a uniform outfit of clothing sufficient to maintain warmth;</p> <p>(d) adequate medical and dental treatment or advice and religious instruction; and</p> <p>(e) privileges including recreational, sporting, artistic or other facilities that the superintendent shall consider proper and sufficient.</p>
<p>Privacy & Confidentiality</p>	<p>Prisons Regulation</p> <p><i>Prohibitions on officer</i></p> <p>7. (1) An officer shall not</p> <p>(g) divulge a matter or thing that it is his or her duty to keep secret;</p> <p>(m) without the authorization of the superintendent or his or her designate communicate directly or indirectly on a matter relating to the penitentiary with</p> <p>(i) the press or the radio and television services, or</p> <p>(ii) another person,</p>

	<p>except with respect to matters raised by the penitentiary staff relating to the collective bargaining process;</p>
Discipline & Punishment	<p>Prisons Regulation</p> <p><i>Violation by prisoner</i></p> <p>27. (1) If a prisoner violates a provision of these regulations applicable to him or her or fails to comply with the lawful direction given to him or her by the superintendent or an officer, he or she shall in addition to or instead of the punishment of deduction or withholding of remission provided for in the Act be liable to one or more of the following punishments:</p> <ul style="list-style-type: none">(a) reprimand;(b) temporary or permanent loss of one or more privileges;(c) assignment to special work detail during non-working hours; or(d) confinement in an isolation cell for a period not exceeding 15 days. <p>(2) The superintendent, assistant superintendent or the disciplinary panel appointed under paragraph 4(f) shall have the power to impose the punishment specified in subsection (1) but notwithstanding that that punishment has been imposed, the superintendent may suspend, confirm or mitigate the punishment.</p>
Communication & Access to Prisoners	<p>Prisons Act</p> <p><i>Who may visit penitentiary</i></p> <p>13. A judge of the Court of Appeal or the Trial Division, a justice of the peace or a member of the House of Assembly may, at reasonable times, visit and inspect the penitentiary.</p> <p>Prisons Regulation</p> <p><i>Visitors</i></p> <p>23. (1) Every prisoner shall be permitted to have not more than 3 persons as visitors on his or her admission to the</p>

	<p>penitentiary and thereafter not more than 3 persons on one occasion once every week.</p> <p>(2) A prisoner shall not, without permission of the superintendent, take or receive from a visitor money or other articles.</p> <p>(3) If a visitor conducts himself or herself so as to cause a disturbance or to upset a prisoner, that visitor may be removed from the penitentiary.</p> <p>(4) Where, in the opinion of the superintendent, the security or good order of the penitentiary may be threatened, he or she may disallow visiting privileges to any prisoner.</p> <p>73/85 s24</p> <p><i>Exempted visits</i></p> <p>24. (1) Subsection 23(1) shall not apply to</p> <ul style="list-style-type: none">(a) a visit by a police officer in connection with a police investigation if that officer shall obtain the consent of the superintendent before the visitation;(b) a professional visit by a lawyer; or(c) a visit by a person to a prisoner who has been committed to the penitentiary for non-payment of a fine and the purpose of the visit is to discuss with him or her a method of raising the money to pay the fine. <p>(2) For the purposes of subsection 10(3) of the Act, a person bringing into the penitentiary and conveying to a person an article, after consent to the conveyance of that article is given by the superintendent, shall be considered to be a person permitted by that subsection.</p>
Complaint Mechanism	Prisons Regulation <p>4. In addition to the duties that may be assigned to him or her by the minister under subsection 3(2) of the Act, the superintendent shall exercise general supervision and control over the penitentiary, prisoners and members of the staff and so far as practicable, ensure compliance by the staff and the prisoners with the regulations and with rules made under</p>

	<p>subsection 9(3) of the Act, but the superintendent shall</p> <p>(e) ensure that a prisoner who has made application to be heard is interviewed by himself or herself or an assistant superintendent at convenient times;</p>
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NOVA SCOTIA	
Legislation & Policy	<p>Department of Justice http://www.gov.ns.ca/just/</p> <p>Corrections Act, RSNS 1989, C 103 http://www.gov.ns.ca/legi/legc/</p> <p>Correctional Facilities Regulations http://www.gov.ns.ca/just/regulations/regs/cor24888.htm</p> <p>Sharing of Health Information Regulations http://www.gov.ns.ca/just/regulations/regs/corshlth.htm</p>
Medical Care & Medication	<p>Corrections Act</p> <p>Responsibility for administration</p> <p>13 The Minister, or any person authorized by the Minister to act on the Minister's behalf, shall have overall responsibility for management, administration and supervision of all correctional facilities designated or established pursuant to this Part and shall supervise all inmates in such facilities and, without limiting the generality of the foregoing, may for that purpose</p> <p>(d) provide special care and facilities for inmates who are addicted to alcohol or drugs, have mental or physical disabilities or have severe social handicaps or who have other special needs;</p> <p>Transfer to hospital or psychiatric facility</p> <p>17 (1) Upon consultation with the responsible medical officer of a hospital or psychiatric facility, the Minister, or a person authorized by the Minister to act on the Minister's behalf, may order an inmate to be moved to the hospital or psychiatric facility.</p> <p>(2) Where an inmate is moved to a hospital or psychiatric facility pursuant to subsection (1), the Minister may designate the hospital or psychiatric facility or part thereof as a correctional facility with respect to the inmate for the purpose of this Part.</p> <p>(3) Notwithstanding the <i>Hospitals Act</i>, upon the advice of the responsible medical officer of a hospital or psychiatric facility,</p>

the Minister, or a person authorized by the Minister to act on the Minister's behalf, may order an inmate in the hospital or psychiatric facility returned to the correctional facility from which the inmate was moved or to another correctional facility. R.S., c. 103, s. 17.

Correctional Facilities Regulations

Duties of medical officer

5 (1) The Superintendent shall appoint for the correctional facility a duly qualified medical practitioner to be the medical officer for the correctional facility.

(2) The medical officer shall control and direct the medical and surgical treatment of all inmates.

(3) The medical officer, if requested by the Superintendent, shall inspect the correctional facility and make recommendations respecting sanitation and hygiene.

(4) The medical officer shall ensure that every inmate receives a medical examination as soon as possible after admission to the correctional facility and in no case later than ten days following the date of admission.

(5) When an inmate is injured, the medical officer shall

(a) examine the inmate's injuries;

(b) prescribe such treatment as the medical officer deems advisable; and

(c) make a written report to the Superintendent concerning the nature of the injury and the treatment prescribed.

(6) Where an inmate claims to be unable to work by reason of illness or disability, the medical officer shall examine the inmate and if, in his opinion, the inmate is unfit to work or the work should be changed, the medical officer shall immediately report his findings in writing to the Superintendent whereupon the inmate shall be relieved of work duties or have his work changed or be admitted to a hospital or elsewhere for medical treatment as directed.

(7) Where an inmate becomes sick or injured and requires transfer to a medical hospital or clinic in the community, the Superintendent shall ensure that appropriate security measures

	<p>are taken.</p> <p>(8) Where an inmate becomes seriously ill, the Superintendent shall ensure that the inmate receives medical attention and shall notify a minister of religion, preferably of the denomination to which the inmate belongs, and advise next of kin, as recorded at the time of admission of the inmate, and consult with the inmate regarding the persons he desires to be notified of his illness.</p> <p>Admission to correctional facility</p> <p>7 (3) Where the Minister makes available or provides the services of the correctional facility for a lockup facility pursuant to Section 21 of the Act, the Superintendent shall not admit into custody at the correctional facility any person who appears to be in need of immediate medical attention until the person is medically examined by a duly qualified medical practitioner and the Superintendent is provided with a medical certificate stating that the person is medically fit to be admitted into custody at the correctional facility.</p>
<p>Basic Needs (clothing, diet etc...)</p>	<p>Correctional Facilities Regulation</p> <p>42 Every inmate, unless he is found conspiring to escape or attempting to escape, or is misconducting himself, shall be allowed, if weather permits, to have daily exercise in the open air and the Superintendent shall ensure that the inmate is attended by one or more employees.</p> <p>43 (1) The Superintendent shall provide all inmates with three meals a day.</p> <p>(2) Special diets or religious diets shall be in accordance with policies and procedures.</p> <p>45 Unless exempted by the medical officer, an inmate shall do work at the correctional facility or participate in any other work program as directed by the Superintendent.</p>
<p>Privacy & Confidentiality</p>	<p>Correctional Facilities Regulation</p> <p>34 (3) No employee shall</p> <p>(c) without first obtaining the permission of the Superintendent, furnish to any person any information in respect of a correctional facility, or remove any ledger, journal, report or record or any copy thereof dealing with the business</p>

of the correctional facility;

Sharing of Health Information Regulations

Definitions

2 In these regulations,

(a) "facility" means a lock-up facility, lockup house, courthouse or correctional facility;

(b) "Health Information Transfer Form" means the form prescribed in Form A;

(c) "hospital" means a hospital as defined by the *Hospitals Act*;

(d) "officer" means a police officer, sheriff or correctional officer.

Health Information Transfer Form

3 A person who is in custody and who is transferred

(a) to a facility from a hospital;

(b) to a hospital from a facility; or

(c) between facilities

must be accompanied by a Health Information Transfer Form that has been completed with respect to the person by an attending physician or nurse, or if the person is being transferred from a facility and no physician or nurse is in attendance, by an officer of the facility.

Obtaining completed form

4 It is the duty of an officer transferring a person in custody to obtain a completed Health Information Transfer Form in accordance with Section 3, from the facility or hospital from which the person is being transferred.

No completed form

5 (1) Despite Sections 3 and 4, if an officer transferring a person in custody is unable to obtain a completed Health Information Transfer Form, the officer shall

(a) complete the form; and

(b) immediately make a written report containing

	<p>(i) the name of the person in custody being transferred,</p> <p>(ii) the name of the facility or hospital from which the person in custody is being transferred,</p> <p>(iii) a summary of the facts relating to the failure to obtain the completed Health Information Transfer Form in accordance with Section 3.</p> <p>(2) An officer who makes a written report pursuant to clause (1)(b) shall immediately forward the report,</p> <p>(a) where the officer is a police officer or sheriff, to their officer in charge; or</p> <p>(b) where the officer is a correctional officer, to the superintendent of corrections.</p> <p>Report sent to Ministers</p> <p>6 A person who receives a report pursuant to subsection 5(2) shall, as soon as practicable, forward copies of the report to the Minister of Health and the Minister of Justice.</p>
Discipline & Punishment	<p>Correctional Facilities Regulation</p> <p>25 (1) Penalties that may be imposed by the Superintendent for misconduct by inmates are</p> <p>(a) withdrawal in whole or in part of privileges ordinarily enjoyed by inmates;</p> <p>(b) close confinement for not more than ten days in respect of any one confinement;</p> <p>(c) close confinement in excess of ten days with the approval of the Director, Adult Institutions, Department of Solicitor General;</p> <p>(d) withholding of remission as determined by the regulations respecting remission;</p> <p>(e) forfeiture of all or part of earned remission.</p>

Communication & Access to Prisoners	Correctional Facilities Regulation Visiting privileges 11 No person, including a visitor and any person accompanying a visitor, shall be present on the premises of a correctional facility without the prior permission of the Superintendent and the Superintendent may impose upon the permission such terms and conditions as the Superintendent considers necessary to ensure the safety of employees and inmates and the security of the correctional facility. 12 (1) Subject to subsection (2), an inmate shall be permitted visits in accordance with policies and procedures. (2) An inmate shall be permitted visits from a minister of religion or from his solicitor during such reasonable hours as are acceptable to the Superintendent. (3) Notwithstanding subsections (1) and (2), the Superintendent may (a) suspend all visiting privileges if the Superintendent is of the opinion that a state of emergency exists at the correctional facility; (b) deny the entry of any visitor to the correctional facility if, in the opinion of the Superintendent, the visit is not in the best interest of the inmate, correctional facility or the visitor.
Complaint Mechanism	Correctional Facilities Regulation Inmate complaints 28 Where an inmate alleges that the inmate's privileges have been infringed or otherwise makes allegations against another inmate or employee, the inmate may make a complaint in writing to the Superintendent. 29 Every request made by an inmate to see the Superintendent shall be recorded by the employee to whom it is made and conveyed to the Superintendent without delay.

ONTARIO	
Legislation & Policy	<p>Ministry of Community Safety and Correctional Services http://www.mpss.jus.gov.on.ca/english/english_default.html</p> <p>Ministry of Correctional Services Act, RSO 1990, c M22 http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/90m22_e.htm</p> <p>General Regulation, RRO 1990, Reg 778 http://www.e-laws.gov.on.ca/DBLaws/Regs/English/900778_e.htm</p>
Medical Care & Medication	<p>Ministry of Correctional Services Act</p> <p>Medical treatment</p> <p><u>24. (1)</u> Where an inmate requires medical treatment that cannot be supplied at the correctional institution, the superintendent shall arrange for the inmate to be conveyed to a hospital or other health facility. 2002, c. 18, Sched. N, s. 28.</p> <p>Psychiatric treatment</p> <p><u>(2)</u> Where an inmate requires hospitalization in a psychiatric facility under the <i>Mental Health Act</i>, the superintendent shall arrange for the inmate to be conveyed to a psychiatric facility. 2002, c. 18, Sched. N, s. 28.</p> <p>Mental examination</p> <p><u>(3)</u> The superintendent may direct that an examination be made of an inmate by a psychiatrist or psychologist for the purpose of assessing the emotional and mental condition of the inmate. 2002, c. 18, Sched. N, s. 28.</p> <p>Parental consent, etc.</p> <p>54 (8) The parent of a young person in custody retains any right that the parent may have,</p> <ul style="list-style-type: none">(a) to direct the young person's education and religious upbringing; and(b) to give or refuse consent to medical treatment for the young person. R.S.O. 1990, c. M.22, s. 54 (8). <p>Right to be heard</p> <p><u>(9)</u> A young person in custody has a right to be consulted</p>

	<p>and to express views whenever significant decisions concerning the young person are made, including decisions with respect to medical treatment, training or work programs, education and religion and decisions with respect to the young person's transfer to another place of detention or custody. R.S.O. 1990, c. M.22, s. 54 (9).</p> <p>General Regulation</p> <p><u>4. (1)</u> There shall be one or more health care professionals in each institution to be responsible for the provision of health care services within the institution and to control and direct the medical and surgical treatment of all inmates. R.R.O. 1990, Reg. 778, s. 4 (1).</p> <p><u>(2)</u> The health care professional shall ensure that every inmate receives a medical examination as soon as possible after admission to the institution. R.R.O. 1990, Reg. 778, s. 4 (2).</p> <p><u>(3)</u> The health care professional shall immediately report to the Superintendent whenever the health care professional determines that an inmate is seriously ill. R.R.O. 1990, Reg. 778, s. 4 (3).</p> <p><u>(4)</u> When an inmate is injured, a health care professional shall,</p> <ul style="list-style-type: none">(a) examine the inmate's injuries;(b) ensure such treatment as seems advisable; and(c) make a written report to the Superintendent concerning the nature of the injury and the treatment provided. R.R.O. 1990, Reg. 778, s. 4 (4). <p><u>(5)</u> When an inmate claims to be unable to work by reason of illness or disability, a health care professional shall examine the inmate and if, in his or her opinion, the inmate is unfit to work or the work should be changed, the health care professional shall immediately report the fact in writing to the Superintendent whereupon the inmate shall be relieved of work duties or have his or her work changed or be admitted to hospital or elsewhere for medical treatment as directed. R.R.O. 1990, Reg. 778, s. 4 (5).</p> <p><u>5.</u> If an inmate becomes seriously ill, the Superintendent shall notify the inmate's close relatives and a minister of religion, preferably of the denomination to which the inmate belongs, and may notify any other person or persons that the inmate requests be notified of the illness. R.R.O. 1990, Reg. 778, s. 5.</p> <p><u>8. (3)</u> Despite clause (2) (d), the Superintendent of a lock-up shall not admit into custody at the lock-up any person who is in need of immediate medical attention. R.R.O. 1990, Reg. 778, s. 8 (3).</p>
Basic Needs (clothing,	Ministry of Correctional Services Act

<p>diet etc...)</p>	<p>Rights to care</p> <p>54 (7) A young person in custody has a right,</p> <ul style="list-style-type: none">(a) to participate in the development of the young person's individual plan of care and in any changes made to it;(b) to receive meals that are well-balanced, of good quality and appropriate for the young person;(c) to be provided with clothing that is of good quality and appropriate for the young person, given the young person's size and activities and prevailing weather conditions;(d) to receive necessary medical and dental care, subject to subsection (8), at regular intervals and whenever required, in a community setting whenever possible;(e) to participate in appropriate educational, training or work programs, in a community setting whenever possible; and(f) to participate in recreational and athletic activities that are appropriate for the young person's aptitudes and interests, in a community setting whenever possible. <p>R.S.O. 1990, c. M.22, s. 54 (7).</p>
<p>Privacy & Confidentiality</p>	<p>Ministry of Correctional Services Act</p> <p>Confidentiality</p> <p><u>10. (1)</u> Every person employed in the administration of this Act, including any person making an inspection, investigation or inquiry under this Act, shall preserve secrecy in respect of all matters that come to his or her knowledge in the course of his or her duties, employment, inspection, investigation or inquiry and shall not communicate any such matters to any other person except,</p> <ul style="list-style-type: none">(a) as may be required in connection with the administration of this Act, the <i>Parole Act</i> (Canada), the <i>Penitentiary Act</i> (Canada), the <i>Prisons and Reformatories Act</i> (Canada), the <i>Young Offenders Act</i> (Canada), the <i>Provincial Offences Act</i> or the <i>Criminal Code</i> (Canada) or the regulations thereunder;(b) to the Ombudsman of Ontario or Correctional Investigator of Canada;(c) in statistical form if the person's name or identity is not revealed therein;(d) with the approval of the Minister. R.S.O. 1990,

c. M.22, s. 10.

Exception

(2) Despite subsection (1) and any other Act, a person employed in the administration of this Act who is designated in the regulations may disclose personal information about an individual in accordance with the regulations. 1997, c. 17, s. 6.

Purpose of disclosure

(3) Any disclosure made under subsection (2) shall be for one or more of the following purposes:

1. Protection of the public.
2. Protection of victims of crime.
3. Keeping victims of crime informed of the law enforcement, judicial or correctional processes relevant to the crime that affected them.
4. Law enforcement.
5. Correctional purposes.
6. Administration of justice.
7. Enforcement of and compliance with any federal or provincial Act, regulation or government program.
8. Keeping the public informed of the law enforcement, judicial or correctional processes respecting any individual. 1997, c. 17, s. 6.

Personal information

(4) Any disclosure made under subsection (2) shall be deemed to be in compliance with clause 42 (e) of the *Freedom of Information and Protection of Privacy Act*. 1997, c. 17, s. 6.

Same

(5) If personal information is disclosed under subsection (2) to a ministry, agency or institution, the ministry, agency or institution shall collect such information and subsections 39 (2) of the *Freedom of Information and Protection of Privacy Act* and 29 (2) of the *Municipal Freedom of Information and Protection of Privacy Act* do not apply to that collection of personal information. 1997, c. 17, s. 6.

General Regulation

Disclosure of Personal Information

59. In this Part, an individual shall be deemed to be charged with

	<p>an offence if he or she,</p> <ul style="list-style-type: none">(a) is arrested and released in accordance with Part XVI of the <i>Criminal Code</i> (Canada); or(b) is served with a summons under Part III of the <i>Provincial Offences Act</i> in relation to an offence for which an individual may be arrested, even if an information has not been laid at the time the summons is served. O. Reg. 266/98, s. 1. <p><u>60. (1)</u> A superintendent of a correctional institution, an area manager of a probation and parole office, a member of a Correctional Services Division operations directorate or a Correctional Services Division communications manager may disclose personal information about an individual to a chief of police or his or her designate if,</p> <ul style="list-style-type: none">(a) the individual has been convicted or found guilty of an offence under the <i>Criminal Code</i> (Canada), the <i>Controlled Drugs and Substances Act</i> (Canada) or any other federal or provincial Act;(b) the person who would disclose the personal information reasonably believes that the individual poses a significant risk of harm to other persons or property; and(c) the person who would disclose the personal information reasonably believes that the disclosure will reduce that risk. O. Reg. 266/98, s. 1. <p><u>(2)</u> If subsection (1) applies, the person authorized by that subsection to disclose personal information may disclose any personal information about the individual that the authorized person reasonably believes will reduce the risk posed by the individual. O. Reg. 266/98, s. 1.</p> <p><u>61. (1)</u> The chair of the Board of Parole, a superintendent of an institution, area manager of a probation and parole office, member of a Correctional Services Division operations directorate or Correctional Services Division communications manager may disclose personal information, as described in subsection (2), about an individual to any person if the individual has been charged with, convicted or found guilty of an offence under the <i>Criminal Code</i> (Canada), the <i>Controlled Drugs and Substances Act</i> (Canada) or any other federal or provincial Act. O. Reg. 266/98, s. 1.</p> <p><u>(2)</u> If subsection (1) applies, the following information may be disclosed:</p> <ul style="list-style-type: none">1. The individual's name, date of birth and address.2. The offence described in subsection (1) with which he or she has been charged or of which he or she has been convicted or found guilty and the sentence, if any, imposed for that offence.3. The outcome of all significant judicial proceedings
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relevant to the offence described in subsection (1).

4. The procedural stage of the criminal justice process to which the prosecution of the offence described in subsection (1) has progressed and the physical status of the individual in that process (for example, whether the individual is in custody, or the terms, if any, upon which he or she has been released from custody).

5. The date of the release or impending release of the individual from custody for the offence described in subsection (1), including any release on parole or temporary absence. O. Reg. 266/98, s. 1.

62. (1) In this section,

“victim” means a person who, as a result of the commission of any offence under the *Criminal Code* (Canada) by another, suffers emotional or physical harm, loss of or damage to property or economic harm and, if the commission of the offence results in the death of the person, includes,

(a) a child or parent of the person, within the meaning of section 1 of the *Family Law Act*, and

(b) a dependant or spouse of the person, both within the meaning of section 29 of the *Family Law Act*,

but does not include a child, parent, dependant or spouse who is charged with or has been convicted of committing the offence. O. Reg. 295/05, s. 2.

(2) The chair of the Board of Parole, a superintendent of an institution, an area manager of a probation and parole office, a member of a Correctional Services Division operations directorate or a Correctional Services Division communications manager may disclose to a victim the following information about the individual who committed the offence if the victim requests the information:

1. The progress of investigations that relate to the offence.

2. The charges laid with respect to the offence and, if no charges are laid, the reasons why no charges are laid.

3. The dates and places of all significant proceedings that relate to the prosecution.

4. The outcome of all significant proceedings, including any proceedings on appeal.

5. Any pretrial arrangements that are made that relate to a plea that may be entered by the accused at trial.

6. The interim release and, in the event of conviction, the sentencing of an accused.

7. Any disposition made under section 672.54 or 672.58 of the *Criminal Code* (Canada) in respect of an accused who is found unfit to stand trial or who is found

not criminally responsible on account of mental disorder.

8. Any application for release or any impending release of the individual convicted of the offence, including release in accordance with a program of temporary absence, on parole or on an unescorted temporary absence pass.

9. Any escape from custody of the individual convicted of the offence.

10. If the individual accused of committing the offence is found unfit to stand trial or is found not criminally responsible on account of mental disorder,

i. any hearing held with respect to the accused by the Review Board established or designated for Ontario pursuant to subsection 672.38 (1) of the *Criminal Code* (Canada),

ii. any order of the Review Board directing the absolute or conditional discharge of the accused, and

iii. any escape of the accused from custody. O. Reg. 266/98, s. 1.

63. (1) The chair of the Board of Parole, a superintendent of an institution, an area manager of a probation and parole office, a member of a Correctional Services Division operations directorate or a Correctional Services Division communications manager may disclose any personal information about an individual in the circumstances described in subsection (2) to,

(a) any police force in Canada;

(b) any correctional or parole authority in Canada; or

(c) any person or agency engaged in the protection of the public, the administration of justice or the enforcement of or compliance with any federal or provincial Act, regulation or government program. O. Reg. 266/98, s. 1.

(2) Subsection (1) applies if the individual is under investigation of, is charged with, or is convicted or found guilty of an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or any other federal or provincial Act and if the circumstances are such that disclosure is required for the protection of the public, the administration of justice or the enforcement of or compliance with any federal or provincial Act, regulation or government program. O. Reg. 266/98, s. 1.

(3) The procedures to be followed in disclosing personal information under this section to an agency that is not engaged in the protection of the public or the administration of justice shall be in accordance with a memorandum of understanding entered into between the agency and the chair of the Board of Parole, superintendent of an institution, area manager of a probation and

	<p>parole office, member of a Correctional Services Division operations directorate or Correctional Services Division communications manager, as the case may be. O. Reg. 266/98, s. 1.</p> <p><u>64.</u> In deciding whether or not to disclose personal information under this Part, the person who is authorized to disclose the information shall consider the availability of resources and information, what is reasonable in the circumstances of the case, what is consistent with the law and the public interest and what is necessary to ensure that the resolution of criminal proceedings is not delayed. O. Reg. 266/98, s. 1.</p>
Discipline & Punishment	General Regulation <p><u>32. (1)</u> Where the Superintendent determines that an inmate has committed a misconduct, the Superintendent may impose one or more of the following penalties:</p> <ol style="list-style-type: none">1. Loss of all or some privileges for a period not greater than 120 days including the privilege of purchasing items from the institutional canteen.2. A change of program or work activity.3. A change of security status.4. A reprimand.5. Revocation of a temporary absence permit. R.R.O. 1990, Reg. 778, s. 32 (1); O. Reg. 364/97, s. 3 (1). <p><u>(2)</u> Where the Superintendent determines that an inmate has committed a misconduct of a serious nature, the Superintendent may impose, in addition to any of the penalties imposed in subsection (1), one of the following penalties:</p> <ol style="list-style-type: none">1. Close confinement for a definite period not greater than thirty days on a regular diet.2. Close confinement for an indefinite period not greater than thirty days on a regular diet.3. Close confinement for an indefinite period not greater than ten days on a special diet that fulfils basic nutritional requirements.4. Forfeiture of a portion or all of the remission that stands to the inmate's credit but no such forfeiture shall exceed fifteen days without the Minister's approval.5. Subject to the approval of the Minister, suspension of the eligibility of an inmate to earn remission for a period of two months.6. Forfeiture of a portion or all of the credits accumulated before October 1, 1997 and remaining in the inmate's canteen allowance account, up to a maximum amount of \$100, as compensation payable for damage to

	<p>or destruction of property. R.R.O. 1990, Reg. 778, s. 32 (2); O. Reg. 364/97, s. 3 (2).</p> <p>33. (1) The Minister, when requested by an inmate, may review a decision of the Superintendent where,</p> <ul style="list-style-type: none">(a) the inmate alleges that the Superintendent did not make the decision in accordance with the procedures set out in this Regulation; or(b) the inmate has been disciplined by having a portion or the whole of his or her remission forfeited or by receiving a suspension from eligibility to earn remission. R.R.O. 1990, Reg. 778, s. 33 (1). <p>(2) The Superintendent, upon being notified of the Minister's review, shall immediately provide the Minister with a copy of his or her record of the inmate's case. R.R.O. 1990, Reg. 778, s. 33 (2).</p> <p>(3) Upon completion of the review, the Minister may confirm or vary the decision of the Superintendent or direct the Superintendent to reconsider the case, and the Minister shall forthwith notify the inmate and the Superintendent of the decision and the reasons therefore. R.R.O. 1990, Reg. 778, s. 33 (3).</p> <p>(4) The decision of the Minister is final. R.R.O. 1990, Reg. 778, s. 33 (4).</p>
<p>Communication & Access to Prisoners</p>	<p>Ministry of Correctional Services Act</p> <p>Rights of young persons in custody</p> <p>54. (1) In this section and in section 55, "young person in custody" means a young person who is detained in a place of temporary detention or committed to secure or open custody under the <i>Young Offenders Act</i> (Canada). R.S.O. 1990, c. M.22, s. 54 (1).</p> <p>Rights of communication, etc.</p> <p>(3) A young person in custody has a right,</p> <ul style="list-style-type: none">(a) to speak in reasonable privacy with and receive visits from members of the young person's family regularly;(b) to speak in reasonable privacy with and receive visits from,<ul style="list-style-type: none">(i) the young person's solicitor,(ii) the Ombudsman appointed under the <i>Ombudsman Act</i> and members of the Ombudsman's staff, and

(iii) a member of the Legislative Assembly of Ontario or of the Parliament of Canada; and

(c) to send and receive mail that is not read, examined or censored by another person, subject to subsection (4). R.S.O. 1990, c. M.22, s. 54 (3).

General Regulation

13. No person, including a visitor and any person accompanying a visitor, shall be present on the premises of an institution without the approval of the Superintendent and the Superintendent may impose such conditions and limitations upon the person while on the premises of the institution as the Superintendent considers necessary to ensure the safety of employees and inmates and the security of the institution. R.R.O. 1990, Reg. 778, s. 13.

14. (1) An inmate shall be permitted visits during reasonable hours from a minister of religion, a probation officer, a parole officer, a volunteer or the inmate's solicitor. R.R.O. 1990, Reg. 778, s. 14 (1).

(2) In addition to the visits permitted under subsection (1), an inmate serving a sentence of imprisonment shall be permitted at least one visit each week. R.R.O. 1990, Reg. 778, s. 14 (2).

(3) In addition to the visits permitted under subsection (1), an inmate not serving a sentence of imprisonment shall be permitted at least two visits each week. R.R.O. 1990, Reg. 778, s. 14 (3).

(4) No child under the age of sixteen years shall be permitted access to an institution to visit an inmate unless,

- (a) the child is accompanied by an adult; or
- (b) permission is granted by the Superintendent for the child to visit the inmate unaccompanied. R.R.O. 1990, Reg. 778, s. 14 (4).

(5) Despite subsections (1), (2), (3) and (4), a Superintendent may suspend all visiting privileges if the Superintendent is of the opinion that a state of emergency exists at the institution. R.R.O. 1990, Reg. 778, s. 14 (5).

17.1 (1) The Superintendent or an employee designated by the Superintendent for the purpose may authorize, in writing, that telephone conversations between an inmate and any other persons be listened to or otherwise intercepted where the Superintendent or designated employee believes on reasonable grounds that the conversations will contain evidence of an act that would jeopardize the security of the institution or the safety of any person. O. Reg. 254/03, s. 1.

(2) Every correctional institution shall have a telephone system that ensures the confidentiality of telephone conversations between an inmate and a person described in clause 17 (2) (a), (b), (c),

	<p>(d) or (e) and subsection (1) does not apply to such telephone conversations. O. Reg. 254/03, s. 1.</p> <p><u>(3)</u> The telephone system in a correctional institution shall provide notice of the potential interception of a telephone conversation to both parties to the conversation by way of a voice-over message or other means. O. Reg. 254/03, s. 1.</p> <p><u>(4)</u> Where a telephone conversation is intercepted under subsection (1), the Superintendent or designated employee shall inform the inmate of the fact and the reasons for it and shall give the inmate an opportunity to make representations with respect to the interception. O. Reg. 254/03, s. 1.</p> <p><u>(5)</u> If informing the inmate as required by subsection (4) would adversely affect an ongoing investigation, the Superintendent or designated employee is not required to comply with that subsection until the investigation is complete. O. Reg. 254/03, s. 1.</p> <p><u>17.2 (1)</u> The Superintendent or an employee designated by the Superintendent for the purpose may authorize, in writing, that an inmate be prevented from communicating with a specified person by telephone if the Superintendent or designated employee believes on reasonable grounds that the security of the institution or the safety of any person would be jeopardized. O. Reg. 254/03, s. 1.</p> <p><u>(2)</u> The Superintendent or an employee designated by the Superintendent or the Deputy Minister for the purpose may authorize that an inmate be prevented from communicating with a specified person by telephone if the specified person, or his or her parent or guardian where the specified person is a minor, submits a request to the Superintendent or designated employee that he or she not receive any telephone communication from the inmate. O. Reg. 254/03, s. 1.</p> <p><u>(3)</u> Where an inmate is prevented under subsection (1) or (2) from communicating with a person by telephone, the Superintendent or designated employee, as the case may be, shall inform the inmate of the fact and the reasons for it and shall give the inmate an opportunity to make representations with respect to the prevented communication. O. Reg. 254/03, s. 1.</p> <p><u>(4)</u> If informing the inmate as required by subsection (3) would jeopardize the security of the institution or the safety of any person, the Superintendent or designated employee is not required to comply with that subsection until informing the inmate would no longer jeopardize the security of the institution or the safety of any person. O. Reg. 254/03, s. 1.</p>
Complaint Mechanism	Ministry of Correctional Services Act Internal complaints procedure, violation of s. 54 <u>55. (1)</u> A director or superintendent shall establish a written procedure, in accordance with the regulations, for hearing and

dealing with complaints regarding alleged violations of the rights under section 54 of young persons in custody. R.S.O. 1990, c. M.22, s. 55 (1).

Idem

(2) A director or superintendent shall conduct a review or ensure that a review is conducted, in accordance with the procedure established under subsection (1), on the complaint of,

- (a) a young person in custody;
- (b) the young person's parent; or
- (c) another person representing the young person,

and shall seek to resolve the complaint. R.S.O. 1990, c. M.22, s. 55 (2).

Further review following s. 55 internal procedure

56. (1) Where a person referred to in subsection 55 (2) who makes a complaint and is not satisfied with the result of the review conducted under that subsection requests in writing that the Minister appoint a person to conduct a further review of the complaint, the Minister shall appoint a person to do so. R.S.O. 1990, c. M.22, s. 56 (1).

Idem

(2) A person appointed under subsection (1) shall review the complaint in accordance with the regulations and may, but is not required to, do so by holding a hearing. R.S.O. 1990, c. M.22, s. 56 (2).

Review and report within thirty days

(3) A person appointed under subsection (1) shall, within thirty days after the day of the appointment, complete the review, set out in a report the person's findings and recommendations, including the reasons for not holding a hearing if none was held, and provide copies of the report to,

- (a) the person who made the complaint;
- (b) the director or superintendent; and
- (c) the Minister. R.S.O. 1990, c. M.22, s. 56 (3).

Minister to advise persons affected of any decision under s. 56

57. (1) Where the Minister decides to take any action with respect to a complaint after receiving a report under subsection 56 (3), the Minister shall advise the person who made the complaint and the

	<p>director or superintendent of the decision. R.S.O. 1990, c. M.22, s. 57 (1).</p> <p>General Regulation</p> <p><u>28.</u> Where an inmate alleges that the inmate's privileges have been infringed or otherwise has a complaint against another inmate or employee, the inmate may make a complaint in writing to the Superintendent. R.R.O. 1990, Reg. 778, s. 28.</p>
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PRINCE EDWARD ISLAND	
Legislation & Policy	<p>Office of the Attorney General http://www.gov.pe.ca/oag/cacs-info/index.php3</p> <p>Correctional Services Act. RSPEI 1998, c C 26.1 http://www.gov.pe.ca/law/statutes/pdf/c-26_1.pdf</p> <p>General Regulations http://www.canlii.org/pe/laws/regu/1992r.616/20050916/whole.html</p>
Medical Care & Medication	<p>General Regulations</p> <p>4. A Centre Manager shall</p> <p>(d) subject to the approval of the Director, establish the procedures to be followed on</p> <p>(i) the admission, discharge, illness or death of an inmate, and</p> <p>(ii) any other serious incident including escape, fire, suicide or disturbance;</p> <p><i>Admission of inmate</i></p> <p>5. (1) Upon reception of an inmate at a correctional centre, the Centre Manager shall</p> <p>(a) ensure that no inmate who is unconscious or who appears to be in need of immediate medical attention shall be admitted to the correctional centre until the inmate has been medically examined by a physician and a medical certificate is produced, signed by the examining physician, certifying the inmate as being fit for admission; ...</p> <p><i>Health examination to determine medication</i></p> <p>(2) Where an inmate is admitted to a correctional centre in possession of prescription drugs or the Centre Manager is otherwise aware that an inmate requires any kind of medication, the Centre Manager shall have the inmate examined by a health care</p>

	<p>professional who shall determine the necessity for medication, further consultation or both.</p> <p><i>Replacement medication</i></p> <p>(3) Medication in the possession of an inmate shall be removed from the inmate's possession by an officer and the Centre Manager shall ensure that recommended replacements for the medication shall be administered on recommendations made by the health care professional referred to in subsection (2).</p> <p><i>Medical etc. assessment</i></p> <p>(4) Subject to the approval of the Director, a Centre Manager may refer an inmate for a medical, psychiatric or other assessment for the purpose of determining the medical fitness of the inmate to undergo continued confinement in the correctional centre.</p> <p>15. An officer Shall</p> <p>(u)ensure that any inmate who appears in need of medical attention is properly attended to, that all medications are dispensed in accordance with instructions of a health-care professional and that all medical supplies are securely stored;</p>
Basic Needs (clothing, diet etc...)	n/a
Privacy & Confidentiality	n/a
Discipline & Punishment	<p>General Regulation</p> <p><i>Breach of rules</i></p> <p>23. (1) Where an employee believes on reasonable grounds that an inmate has committed or is committing a breach of rules, the employee shall take reasonable steps to resolve the matter informally, if possible</p>

and shall record or log the outcome as required by Centre policy.

Reasonable steps

(2) For the purposes of subsection (1), reasonable steps include the temporary withdrawal of privileges or programs, in whole or in part, ordinarily enjoyed by the inmate.

(EC616/92)

Contravention of rules

24. (1) Where an inmate contravenes any of the rules, the Centre Manager may, having regard to the circumstances and the gravity of the contravention, consult with the Director to determine if action shall be taken against the inmate under an Act of the Parliament of Canada or a statute of the province or the inmate should be otherwise disciplined, punished or dealt with.

Destruction of contraband

(2) Where an inmate contravenes the provisions of rule (e), the Centre Manager shall order the destruction of the contraband unless some other direction is authorized by the Director or by statute.

Report of contravention and investigation

(3) Where an inmate appears to have contravened any of the rules and the matter has not been resolved informally under section 23, a written report of the incident shall be delivered to the officer in charge, Centre Manager or the Centre Manager's delegate who shall review the matter, and where appropriate, cause to investigate the incident further, including the preparation of a written report of the results of such investigation.

Withdrawal of privileges

(4) Pending the results of an investigation, the Centre Manager may temporarily withdraw privileges.

Hearing

(5) If, after an investigation it appears that a violation, of the rules, of the special instructions of the Director or of the Centre policies, has been established and requires further disposition, the Centre Manager or the Centre Manager's delegate shall review the report with the inmate, supply the inmate with the details of the investigation, hold a hearing and give the inmate an opportunity to be heard.

	<p><i>Disciplinary penalties</i></p> <p>(6) If after the hearing, the inmate is found to be in breach of the rules, or of the special instructions of the Director or of the policies of the correctional centre, the Centre Manger may impose on the inmate one or more of the following penalties:</p> <ul style="list-style-type: none">(a) withdrawal, in whole or in part, of privileges or programs ordinarily enjoyed by the inmate;(b) performance of extra duties by the inmate;(c) payment for damages caused by the inmate, as appropriate;(d) segregation, but no segregation for any one violation shall exceed four days without the approval of the Director;(e) forfeiture of the whole or a portion thereof of remission, but no such forfeiture shall exceed ten days without the approval of the Director.
<p>Communication & Access to Prisoners</p>	<p>General Regulation</p> <p>15. An officer shall</p> <p>(r) when applicable, admit visitors to the correctional centre during hours set out in and consistent with correctional centre policy, and</p> <ul style="list-style-type: none">(i) if the correctional centre's policy requires, and there is a specific reason to believe that a particular individual is attempting to introduce contraband for delivery to one or more inmates, search the visitors or refuse admission for a visit or both, and(ii) keep the inmate and visitor under close observation, and(iii) inspect or refuse any parcel or package brought to the correctional centre by the visitor; <p><i>Visitors and volunteers</i></p> <p>31. (1) Visitors and volunteers entering a correctional centre shall not give to or receive from an inmate anything that has not been examined and approved by the Centre Manager or an officer.</p> <p><i>Prohibition of visitation</i></p> <p>(2) The Centre Manager may prohibit any person from visiting the correctional centre or communicating with any inmate</p>

	<p>(a) if the person contravenes or attempt to contravene the provisions of subsection (1); or</p> <p>(b) if, in the opinion of the Centre Manger, the person presents a risk to the safety or good order of the correctional centre.</p>
Complaint Mechanism	General Regulation 4. A Centre Manager shall (n)ensure that a record is maintained showing the name, date, time and nature of a complaint made by an inmate, that the Centre Manager determines to be genuine, and take the action the Centre Manager determines is necessary;

QUÉBEC	
Loi / politiques	<p>Le ministre de la Sécurité publique http://www.msp.gouv.qc.ca/reinsertion/index.asp</p> <p>Loi sur les services correctionnels, LRQ, c S 4.01 http://www2.publicationsduquebec.gouv.qc.ca/home.php</p> <p>Règlement sur les établissements de détention, c. S-4.01, r.1 http://www2.publicationsduquebec.gouv.qc.ca/home.php#</p>
Soins médicaux et médicaments	<p>Règlement sur les établissements de détention</p> <p>20. Une personne incarcérée dont l'état le requiert doit être transférée dans un centre hospitalier.</p> <p>21. Une personne incarcérée ne peut être soumise à des expériences médicales et scientifiques pouvant porter atteinte à son intégrité physique ou mentale.</p> <p>22. Un professionnel de la santé de l'établissement doit présenter un rapport à l'administrateur chaque fois qu'il estime que la santé physique ou mentale d'une personne incarcérée a été ou sera affectée par les conditions de détention qui lui sont imposées ou par leur prolongation.</p>
Besoins fondamentals (vêtements, diète, etc...)	<p>Règlement sur les établissements de détention</p> <p>14. Toute personne incarcérée qui n'est pas autorisée à porter ses vêtements personnels doit recevoir des vêtements propres, correspondant à sa taille et adaptés au climat.</p> <p>15. Toute personne incarcérée doit avoir la possibilité de laver les vêtements et les sous-vêtements dont elle a l'usage ou de les faire laver au moins une fois par semaine.</p> <p>17. Une personne incarcérée qui n'est pas occupée à un travail en plein air ou qui ne travaille pas à l'extérieur de l'établissement a droit de prendre au moins une heure par jour de promenade ou d'exercice physique en plein air.</p> <p>18. L'article 17 s'applique également aux personnes qui font l'objet d'une sanction donnée par le comité de discipline.</p>
Vie privée et confidentialité	<p>Règlement sur les établissements de détention</p> <p>2. En outre des pouvoirs qui lui sont conférés par la Loi et le présent règlement, le directeur général peut exercer les pouvoirs suivants:</p>

	<p>a) prendre les mesures nécessaires pour que, dans chaque établissement, la Loi et le présent règlement soient appliqués impartialement et dans le respect de la dignité humaine de la personne incarcérée et sans distinction, exclusion ou préférence fondée sur la race, la couleur, le sexe, l'orientation sexuelle, l'état civil, la religion, les convictions politiques, la langue, l'origine ethnique ou nationale, la condition sociale ou le fait qu'elle est une personne handicapée ou qu'elle utilise quelque moyen pour pallier à son handicap;</p> <p>b) déterminer les conditions selon lesquelles une personne incarcérée peut avoir accès à son dossier dans l'établissement;</p> <p>c) prendre des mesures pour assurer la confidentialité du dossier d'une personne incarcérée;</p> <p>d) approuver toute directive interne sur le classement des personnes incarcérées émise par un administrateur; et</p> <p>e) déterminer les documents d'information dont la personne incarcérée, peut, sur demande, recevoir communication, notamment une copie de la Charte des droits et libertés de la personne (L.R.Q., c. C-12), de la Loi sur les services correctionnels, de la Loi favorisant la libération conditionnelle des détenus (L.R.Q., c. L-1.1), du présent règlement et de toute directive concernant les personnes incarcérées.</p> <p>6. Le fonctionnaire exerce ses fonctions dans le respect des personnes incarcérées en se soumettant aux principes et normes suivants:</p> <p>a) la privation de liberté constituée par l'incarcération et les sanctions décrétées par le comité de discipline sont les seules contraintes pouvant être imposées à la personne incarcérée.</p> <p>Le premier alinéa n'a pas pour effet de restreindre la teneur et la portée du présent règlement et des directives, particulièrement celles concernant les mesures à prendre pour assurer la protection d'une personne incarcérée en état de crise, lors d'un transfèrement ou dans les cas d'urgence comme l'insurrection ou l'assaut;</p> <p>b) La communication d'un renseignement ou d'un document relatif à une personne incarcérée ne peut se faire qu'avec son consentement, sauf dans les cas pouvant mettre en cause sa sécurité, celle d'un tiers ou celle de l'établissement;</p>
Discipline et châtement	Règlement sur les établissements de détention <p>6. Le fonctionnaire exerce ses fonctions dans le respect des personnes incarcérées en se soumettant aux principes et normes suivants:</p> <p>a) la privation de liberté constituée par l'incarcération et les sanctions décrétées par le comité de discipline sont les seules contraintes pouvant être imposées à la personne incarcérée.</p>

	<p>Le premier alinéa n'a pas pour effet de restreindre la teneur et la portée du présent règlement et des directives, particulièrement celles concernant les mesures à prendre pour assurer la protection d'une personne incarcérée en état de crise, lors d'un transfèrement ou dans les cas d'urgence comme l'insurrection ou l'assaut;</p> <p>44. Si le comité de discipline en vient à la conclusion qu'il y a eu manquement, il peut imposer une ou des sanctions parmi les suivantes:</p> <ul style="list-style-type: none">a) réprimande, c'est-à-dire un blâme adressé à la personne incarcérée;b) perte de bénéfice, c'est-à-dire la privation pour une période pouvant aller jusqu'à un maximum de 15 jours d'un avantage qu'avait la personne incarcérée, notamment l'usage de la télévision, de la radio, du téléphone ou la participation aux activités socio-culturelles ou sportives;c) confinement, c'est-à-dire l'obligation pour une personne incarcérée de demeurer en cellule pour une période pouvant aller jusqu'à un maximum de 5 jours;d) réclusion, c'est-à-dire l'obligation pour une personne incarcérée de demeurer en cellule dans un secteur distinct pour une période pouvant aller jusqu'à un maximum de 7 jours;e) non-attribution de jours de réduction de peine que la personne qui purge une peine aurait pu se mériter pour le mois d'emprisonnement; etf) déchéance de jours de réduction de peine que la personne a à son actif. <p>Le comité de discipline peut prendre en considération lorsqu'il impose l'une de ces sanctions, le remboursement ou la réparation, par la personne incarcérée, des dommages qu'elle a causés aux biens de l'établissement, du Fonds au bénéfice des personnes incarcérées ou d'un tiers.</p> <p>Le comité de discipline peut aussi imposer l'une de ces sanctions comme sanction suspendue, c'est-à-dire déterminer la nature de la sanction mais rendre son exécution conditionnelle à la commission, au cours des 30 jours qui suivent, de tout manquement.</p> <p>45. Une sanction devient exécutoire à compter du moment déterminé par le comité de discipline.</p>
<p>Communication et accès aux détenus</p>	<p>Règlement sur les établissements de détention</p> <p>5. L'administrateur peut également exercer les pouvoirs suivants et les déléguer par écrit à un fonctionnaire tout en continuant à pouvoir les exercer:</p>

	<p>f) autoriser une personne visée aux paragraphes <i>d</i> et <i>e</i> de l'article 27 à effectuer une visite à une personne incarcérée;</p> <p>g) autoriser une personne autre que celles mentionnées aux paragraphes <i>a</i> et <i>b</i> de l'article 28 à effectuer une visite dans un établissement de détention;</p> <p>27. Lorsqu'une des personnes suivantes veut visiter une personne incarcérée, celle-ci a le droit de recevoir cette visite à moins d'une ordonnance du tribunal à l'effet contraire:</p> <p>a) son conjoint de droit ou de fait, sa mère, son père, ses enfants, ses frères et ses soeurs;</p> <p>b) son avocat;</p> <p>c) un agent de la paix, un agent de probation, un agent de libération conditionnelle ou un agent de l'immigration dans l'exercice de ses fonctions;</p> <p>d) une personne qui, selon l'administrateur, subirait un préjudice si elle ne le pouvait, en raison d'une affaire sérieuse à traiter;</p> <p>e) une personne qui, selon l'administrateur, peut faciliter la réinsertion sociale d'une personne incarcérée;</p> <p>f) le ministre de la Sécurité publique et le sous-ministre de la Sécurité publique, le Protecteur du citoyen et un membre de la Commission des droits de la personne et des droits de la jeunesse ou un de ses fonctionnaires dûment autorisé par elle; et</p> <p>g) une personne dûment autorisée par le directeur général.</p> <p>28. Les personnes suivantes sont autorisées à effectuer une visite d'un établissement de détention:</p> <p>a) le ministre de la Sécurité publique et le sous-ministre de la Sécurité publique, le Protecteur du citoyen et un membre de la Commission des droits de la personne et des droits de la jeunesse ou un de ses fonctionnaires dûment autorisé par elle;</p> <p>b) le directeur général et ses adjoints; et</p> <p>c) une personne dûment autorisée par le directeur général ou par l'administrateur.</p>
Mécanisme de plainte	Règlement sur les établissements de détention <p>23. Une personne incarcérée peut présenter une plainte écrite à l'administrateur de l'établissement ou au fonctionnaire qu'il a désigné à cette fin.</p> <p>24. Une plainte écrite reçoit une réponse écrite dans les 7 jours.</p>

	<p>25. Si la personne incarcérée juge que sa plainte n'a pas reçu une réponse équitable, elle peut adresser à nouveau cette plainte au directeur général ou au fonctionnaire qu'il a désigné à cette fin.</p> <p>26. Une réponse écrite doit être expédiée à cette personne dans les 7 jours suivant la réception de la plainte par le directeur général ou le fonctionnaire qu'il a désigné à cette fin.</p>
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SASKATCHEWAN	
Legislation & Policy	<p>Department of Justice http://www.saskjustice.gov.sk.ca/</p> <p>Correctional Services Act, SS 1993, C 39.1 http://www.qp.gov.sk.ca/documents/English/Statutes/Statutes/C39-1.pdf</p> <p>Correctional Services Administration, Discipline and Security Regulations, 2003, C 39.1, Reg 3 http://www.qp.gov.sk.ca/documents/english/Regulations/Regulations/C39-1r3.pdf</p>
Medical Care & Medication	n/a
Basic Needs (clothing, diet etc...)	n/a
Privacy & Confidentiality	<p>Correctional Services Act</p> <p><i>Confidentiality</i></p> <p>13 Every person working pursuant to the authority of this Act, including any employee of the department, contractor, employee of a contractor, volunteer or any person making an inspection, investigation or inquiry pursuant to this Act, shall preserve in confidence all matters that come to that person's knowledge in the course of that person's duties, employment, inspection, investigation or inquiry and shall not communicate any of those matters to any other person except:</p> <p>(a) as required in connection with the administration of this Act or any other Act or any Act of the Parliament of Canada or any regulation made pursuant to those enactments;</p> <p>(b) in statistical form if the information does not reveal the identity of the person who is the subject of the information; or</p> <p>(c) with the approval of the executive director.</p>
Discipline & Punishment	<p>Correctional Services Administration, Discipline and Security Regulations, 2003</p> <p><i>Disciplinary offence committed</i></p> <p>27(1) If the discipline panel finds that the offender has committed a Class B disciplinary offence, it shall:</p> <p>(a) inform the offender of the panel's decision, the reasons for the decision and the offender's right of appeal; and</p> <p>(b) impose one or more of the following sanctions, subject to any</p>

conditions that the discipline panel considers appropriate:

- (i) reprimand;
- (ii) loss of privileges as specified in the decision for a period not exceeding 30 days;
- (iii) confinement to a cell, unit or security area for a period not exceeding 10 days;
- (iv) restitution in an amount not exceeding \$200 respecting property damage;
- (v) loss of up to 15 days remission in accordance with section 30 of the Act;
- (vi) loss of pay earned pursuant to section 32 of the Act, not exceeding \$25; and
- (vii) assignment of extra duties.

(2) The discipline panel may suspend any sanction imposed pursuant to clause (1)(b) for a period not exceeding 30 days.

(3) If a discipline panel finds that an offender has committed a Class C disciplinary offence, it shall:

- (a) inform the offender of the panel's decision, the reasons for the decision and the offender's right of appeal; and
- (b) impose one or more of the following sanctions, subject to any conditions that the discipline panel considers appropriate:

- (i) reprimand;
- (ii) loss of privileges as specified in the decision for a period not exceeding seven days;
- (iii) restitution in an amount not exceeding \$25 respecting property damage;
- (iv) loss of pay earned pursuant to section 32 of the Act, not exceeding \$10; and
- (v) assignment of extra duties.

(4) The discipline panel may suspend any sanction imposed pursuant to clause (3)(b) for a period not exceeding 30 days.

	<p><i>Multiple charges</i></p> <p>28 If there are multiple charges arising from one incident as a result of which the offender is found to have committed more than one disciplinary offence, the cumulative effect of the sanctions imposed is not to exceed the maximum sanctions that could be imposed for the single most serious disciplinary offence the offender committed.</p>
<p>Communication & Access to Prisoners</p>	<p>Correctional Services Administration, Discipline and Security Regulations, 2003</p> <p><i>Access privileges</i></p> <p>49 No unauthorized person shall enter the premises or be on the premises of a correctional centre.</p>
<p>Complaint Mechanism</p>	<p>Correctional Services Administration, Discipline and Security Regulations, 2003</p> <p><i>Complaints by offenders</i></p> <p>52(1) Any offender may make a complaint about the administration of the correctional facility by writing directly to the director or administrator.</p> <p>(2) On receipt of a complaint, the director or administrator shall make a decision respecting the complaint.</p> <p>(3) In the course of making a decision, the director or administrator shall review any appropriate records and may conduct any investigation or hold any hearing that the director or administrator considers appropriate.</p> <p>(4) A decision is to be in writing and include written reasons.</p> <p>(5) A decision or a report respecting the status of the complaint is to be provided to the offender within seven days after the date on which the complaint is received.</p>