
Chapter: **Community Work Placement**

Classification: **Public Document**

Subject: **Fine Option Program**

For: **All Community**


Authorized by the Executive Director

Policy

- 1 Correctional Services will operate a Fine Option Program in accordance with Section 736. (1) of the Criminal Code (CC) whereby adults will be able to satisfy eligible outstanding fines through the performance of fine option community service.

Definitions

- 2 Fine Option Community Service: Work normally performed by volunteers which
 - (a) does not affect employment opportunities in the community
 - (b) benefits not-for-profit organizations or government
 - (c) does not include treatment or counselling
- 3 Work Placement: A not-for-profit organization which provides supervised fine option work opportunities, government agency or department, or indigenous communities.
- 4 Work Resource Centre: An organization or agency which contracts with the Nova Scotia Department of Justice to provide services to
 - (a) develop and maintain work placements
 - (b) assign work placements
 - (c) monitor individuals' compliance with program requirements

Eligibility

- 5 Individuals eligible to participate in the Fine Option Program include a person who has been convicted by a court in Nova Scotia of an offence against
 - (a) the Criminal Code or other Act of the Parliament of Canada or any regulation made there under, excluding proceedings under the Youth Criminal Justice Act
 - (b) any Act or Statute of the Province of Nova Scotia or any regulation made there under, excluding
 - i. municipal bylaws

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- ii. federal legislation except for the Criminal Code of Canada, unless there is a formal agreement in place between the federal government and province of Nova Scotia, as per section 734.4(2) of the Criminal Code of Canada
- iii. any offence relating to the operation or parking of motor vehicles under the Criminal Code of Canada or the Motor Vehicle Act

Guiding Principles

- 6 The Fine Option Program allows an individual to satisfy an eligible fine through the performance of community service by dividing the amount of fine owing by the Province of Nova Scotia minimum wage to determine the required number of work hours.
- 7 The Fine Option Program is available to all individuals, other than a company, corporation, or association, against whom an eligible fine has been imposed.
- 8 An individual may register with the Fine Option Program when
 - (a) the fine has a current due date
 - (b) all court costs and victim surcharges are fully paid

Intake

- 9 An individual may register with the Fine Option Program by contacting Correctional Services.
- 10 An individual who has received a Summary Offence Ticket is not eligible to participate in the Fine Option Program until the ticket has been registered by the court.
- 11 Where the fine is not current, the individual will be directed to seek an extension for fine payment from the Court to allow entry into the Fine Option Program.

Formal Registration

- 12 Following contact from an individual, designated Correctional Services staff will verify the information provided on the Justice Enterprise Information Network (JEIN) and will explain to the individual the requirements governing continued participation in the Fine Option

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- Program, which require the individual to
- (a) pay court and victim costs
 - (b) perform the work identified by the work placement
 - (c) provide their own meals, accommodation, and transportation during the period of the work placement
 - (d) obey all lawful instructions of the Work Resource Centre, the work placement and Correctional Services staff while enrolled in the program
 - (e) maintain the current fine due date during participation in the Fine Option Program
 - (f) sign the JEIN generated Fine Option Program Registration Form
- 13 Correctional Services will provide
- (a) a copy of the Fine Option Program Registration Form to the individual and the designated Work Resource Centre
 - (b) details regarding the individual's skills/abilities, physical handicaps, health problems and/or criminal history to ensure the appropriate placement of the individual by the Work Resource Centre
- 14 Where the individual does not consent to the requirements governing participation in the Fine Option Program and/or decides not to sign the Fine Option Program Registration Form, registration with the Fine Option Program will not proceed.
- 15 When the referral is the result of a transfer from another Work Resource Centre, Correctional Services will provide another Community Work Registration Form, having revised the amount of fine/number of hours to be completed where necessary.

Work Placement

- 16 Correctional Services provides insurance coverage to individuals performing community work, insurance certificates can be requested in accordance with Policy and Procedures, Subject No 9.08.00- [Insurance Coverage](#)
- 17 The individual may be allowed to choose the geographic area where they wish to complete the fine option work. Correctional Services will determine if the Work Resource Centre

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placement is located within a reasonable distance.

- 18 In areas where there are no established Work Resource Centres, or where existing Work Resource Centres are unable to meet a specific need, Correctional Services may make a direct referral of an individual to a work placement in the community.
- 19 Individuals will not to be placed at locations where they may be at greater risk to re-offend because of the nature of the placement or opportunities that the placement may present to the individual.

Medical Concerns or Exceptional Personal Circumstances

- 20 Where, following referral, an individual is unable to be placed by a Work Resource Centre because of the individual's physical/mental health disabilities or personal circumstances, Correctional Services staff will
- (a) consider whether the individual can complete a "work from home project", to satisfy the terms of their Fine Option Contract.
 - (b) refer the case back to the Court concerned indicating that the individual is unable to be placed at a Work Resource Centre and providing specific reasons for the decision

Individuals in Receipt of Employment Insurance or Provincial Assistance Benefits

- 21 Individuals in receipt of Employment Insurance or Income Assistance benefits at the time of placement at the Work Resource Centre will be instructed to inform the agency concerned of their registration with the Fine Option Program and of the requirement to perform a specified number of hours of fine option work per week.
- 22 When the individual informs Correctional Services that, having informed the agency concerned regarding registration with the Fine Option Program, benefits received under Employment Insurance or Provincial Assistance are in jeopardy due to registration with the Fine Option Program, Correctional Services staff
- (a) will contact the agency concerned to clarify the situation and,
 - (b) where feasible, take the necessary steps to ensure the continued receipt of benefits during the individual's period of registration with the Fine Option Program

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- 23 If the agency concerned indicates that continued registration with the Fine Option Program will result in termination of benefits to the individual, the individual will be informed by Correctional Services so they may determine willingness to continue participation in the Fine Option Program.

Responsibilities of the Work Resource Centre

- 24 Correctional Services will require the Work Resource Centre to
- (a) maintain an up-to-date register of approved work placements
 - (b) provide orientation/training to work placements
 - (c) ensure work placements provide adequate supervision, to verify completion of the required number of hours
 - (d) ensure work placements take precautions to ensure the safety of the individual
 - (e) ensure the work placement provides all necessary equipment and/or tools which may be required to complete the required number of hours
 - (f) forward documentation detailing the individual's work performance to Correctional Services, including
 - (g) description of work
 - (h) dates and hours worked
 - (i) total hours completed
- 25 The Work Resource Centre will be required to
- (a) meet with the individual prior to establishing a specific work placement to review the rules and regulations of the Work Resource Centre
- 26 within 30 days from the referral date, arrange an appropriate work placement and work schedule having considered
- (a) the individual's availability
 - (b) special skills or interests
 - (c) any limitations, such as disabilities

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- 27 When the Work Resource Centre arranges a work placement which requires the acquisition/purchase of materials, the associated cost will be the direct responsibility of the work placement.
- 28 The Work Resource Centre will
- (a) date, time, and schedule for reporting to the work placement
 - (b) name, address, and phone number of the work placement
 - (c) name of a contact person.
 - (d) verify the individual's attendance at the work placement.
- 29 Where the individual fails to attend, the Work Resource Centre will
- (a) attempt to contact the individual to determine the reason for failure to attend
 - (b) either arrange another starting time or placement if warranted or contact Correctional Services to arrange removal from the Work Resource Centre program
- 30 The Work Resource Centre will require individuals to wear proper safety equipment, as provided by the work placement, to ensure their safety while performing fine option work.
- 31 An individual's refusal to wear proper safety equipment will be regarded as non-compliance with the requirements governing participation in the Fine Option Program and may result in the termination of the individual's involvement with the Fine Option Program.
- 32 The Work Resource Centre will be required to contact Correctional Services when an individual registered with the Fine Option Program
- (a) breaches a condition of enrollment
 - (b) is involved in a notable incident
 - (c) is injured
- 33 If individual, requires a change of work placement, the Work Resource Centre will
- (a) request the Work Performance Sheet from the previous work placement
 - (b) attempt to arrange a new work placement
- 34 If an individual is unable to complete the total number of hours required by registration with

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a Work Resource Centre, they may request a transfer to another Work Resource Centre.

Supervision by Correctional Services

- 35 Where an individual has been referred to a Work Resource Centre, designated Correctional Services staff will maintain, at a minimum, monthly contact with the Work Resource Centre.
- 36 Designated Correctional Services staff will review the Work Resource Centre's register of approved work placements and visit work placement sites to ensure program requirements are maintained.

Where No Work Resource Centre Exists

- 37 In areas where no, or an insufficient number of Work Resource Centres exist, designated Correctional Services staff may locate a work placement for the individual to complete their Fine Option Work.

Compliance/Non-Compliance with Fine Option Program

- 38 If individual fails to
- (a) report for the initial appointment with the Work Resource Centre, fails to contact Correctional Services or the Work Resource Centre with a reasonable excuse, and the probation officer is unable to contact the individual, the individual's involvement with the Fine Option Program may be terminated
 - (b) comply with the requirements governing participation in the Fine Option Program, the Work Resource Centre/work placement will be required to contact Correctional Services.
- 39 If individual is removed from a Work Resource Centre or work placement, Correctional Services may
- (a) locate alternate placement possibilities, or
 - (b) if it is not appropriate to assign the individual to a new work placement, the individual's involvement with the Fine Option Program will be terminated
- 40 When the individual successfully completes the required number of hours of work or where

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they are otherwise terminated from further involvement with the Fine Option Program, the Work Resource Centre will complete and forward to Correctional Services the Fine Option Program Registration Form indicating the

- (a) date of completion/termination
- (b) number of hours of work completed

- 41 Upon receipt of the Fine Option Program Registration Form from the Work Resource Centre, Correctional Services will
- (a) update the Community Work Placement component of JEIN in accordance with Policy and Procedures, Subject No. 14.00.00- [File Management Process](#)
 - (b) sign and forward to the individual a JEIN generated Fine Option Program Notification Report for each fine registered, verifying the amount of fine which has been satisfied through participation in the Fine Option Program
 - (c) notify designated staff from Court Services, to request that the number of hours worked be deducted from the fine(s) that were registered

Documentation

- 42 Correctional Services will document, under the JEIN, notable events and circumstances regarding individuals actively registered with the Fine Option Program, in accordance with Policy and Procedures, Subject No. 14.00.00- [File Management Process](#).