


Chapter:	Adult Custody Sentence Administration	Classification:	Public Document
Subject:	Custody Term		
For:	Adult Correctional Facilities	 Authorized by Executive Director	


1. Policy

- 1.1 A custody term is a Justice Enterprise Information Network (JEIN) function and begins when an individual is admitted to a provincial correctional facility on a warrant and continues until the full amount of the time, or date specified, on the warrant is satisfied or reached, or the individual is transferred to another jurisdiction.
- 1.2 In the case of adults, the custodial time to be satisfied may be reduced by any remission earned in accordance with section 6 of the *Prisons and Reformatories Act* and Section 76 of the *Correctional Services Act*.
- 1.3 The custody term continues when an individual in custody is
- 1.3.1 released from a correctional facility on a conditional release
 - 1.3.2 transferred from one provincial correctional facility to another within Nova Scotia
 - 1.3.3 transferred on a medical escort

2. Justice Information Enterprise Network (JEIN)

- 2.1 When an individual is admitted to a correctional facility, a custody term will be created by designated staff on JEIN.
- 2.2 The superintendent will develop standard operating procedures (SOP) to identify staff responsible for the maintenance of custody terms including
- 2.2.1 creating custody terms
 - 2.2.2 order updates, e.g., new orders, remands
 - 2.2.3 changes to custody status
 - 2.2.4 remission loss adjustments
 - 2.2.5 transfer of custody terms
 - 2.2.6 creating or opening offender case management (OCM)
 - 2.2.7 closing custody terms

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3. Due Course of Law Remands

- 3.1 Where a warrant of remand orders a superintendent receive an individual into custody and keep them there until they are delivered to court to have the cases dealt with in accordance with the due course of law (DCL), designated staff will
- 3.1.1 create a custody term
 - 3.1.2 review cases on JEIN to identify next court appearance
 - 3.1.3 input next court appearance date in the remand information on JEIN
 - 3.1.4 when preparing documentation for the individual's release to court ensure the Live Body Form documents a due course of law remand and the individual will be returned unless all cases on the remand have been dealt with by the court and the court has ordered the individual to be released
- 3.2 Each time an individual is re-admitted in accordance with Policy and Procedures, Subject No. 38.00.00, [Admission to a Correctional Facility](#), designated staff will
- 3.2.1 update the custody term information in accordance with 3.1.2 and 3.1.3
 - 3.2.2 prepare discharge documentation in accordance with 3.1.4
- 3.3 Where an individual who had been admitted on a DCL warrant of remand order is transferred and released at court, upon notification from sheriff services or the court that all cases were dealt with, designated staff will
- 3.3.1 document the notification in detail on the custody term under the comments tab
 - 3.3.2 print the admission card and place it on the manual file
 - 3.3.3 close the custody term in accordance with 6.1

4. Young Persons Admitted to an Adult Facility

- 4.1 When a young person is admitted to an adult facility, designated staff will check JEIN to ensure that there are no active custody terms e.g., released to community, deferred custody, related to any current youth sentences.

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- 4.2 If an active custody term exists, admissions staff will
 - 4.2.1 verify the order for which the young person is being admitted e.g. breach and/or new youth or adult charge
 - 4.2.2 if a breach, check the YCJA Breach Box returning the young person to their existing custody term
- 4.3 If no custody term exists, designated staff will complete the admissions process

5. Conditional Sentenced Offenders

- 5.1 When an adult is admitted to a facility who is serving a conditional sentence order, the designated staff will
 - 5.1.1 open a new custody term
 - 5.1.2 not close any existing conditional sentence custody term

6. Closing and Re-opening Custody Terms

- 6.1 The custody term on JEIN is closed when the individual
 - 6.1.1 is transferred to another jurisdiction, e.g., another province, federal penitentiary, either permanently or temporarily
 - 6.1.2 is unlawfully at large or has escaped, see Section 7
 - 6.1.3 has been released on
 - 6.1.3.1 time served or released in accordance with Section 51(2) of the *Correctional Services Act*
 - 6.1.3.2 appeal
 - 6.1.3.3 bail
 - 6.1.3.4 day parole
 - 6.1.3.5 full parole
 - 6.1.3.6 fine paid
 - 6.1.4 is released to
 - 6.1.4.1 court
 - 6.1.4.2 hospital
 - 6.1.4.3 immigration
 - 6.1.5 has deceased

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- 6.2 The custody term is re-opened when an individual is returned to custody following
- 6.2.1 a temporary transfer to another jurisdiction, e.g., another province, federal penitentiary
 - 6.2.2 being unlawfully at large or have escaped
 - 6.2.3 surrendering from appeal bail during an appeal hearing
 - 6.2.4 having been released on bail, following a trial

7. Unlawfully at Large or Escape

- 7.1 When an individual is unlawfully at large (UAL) or has escaped from custody, the custody term is kept open for a period of one year and then it is closed. It may be re-opened after one year if the individual is subsequently apprehended.
- 7.2 The remaining custodial sentence on original warrants at the time of UAL recommences upon the individual's re-admission, see Policy and Procedures, Subject No. 25.01.00, [Sentence Calculations - General](#), Section 12.

8. Custody Term Audits

- 8.1 The deputy superintendent responsible for sentence administration is required to run a monthly Manual Override by Location report on JEIN to ensure that all overrides on active custody terms have been authorized in accordance with Policy and Procedures, Subject No. 25.01.00, [Sentence Calculations - General](#), regarding warrant/sentence calculations discrepancies.

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