
Chapter: **Transfers**

Classification: **Public Document**

Subject: **Transfers Between Provincial Correctional Facilities**

For: **Adult Custody**


Authorized by the Executive Director

Policy

- 1 Adults and young persons incarcerated in adult provincial correctional facilities may be transferred between provincial facilities in accordance with the *Correctional Services Act* (CSA)
 - (a) section 45(d) regarding determination of correctional facility, and
 - (b) *Designations of Correctional Facilities* pursuant to sections 3(1)(b) and (d) <http://www.novascotia.ca/just/regulations/regs/CORserv.htm>
- 2 Superintendents are collectively responsible to ensure the appropriate placement of individuals within provincial correctional facilities considering
 - (a) gender
 - (b) security
 - (c) humanitarian or rehabilitative needs
 - (d) health care needs, e.g., physical, mental or medication requirements
 - (e) program needs
 - (f) relationship to staff
 - (g) capacity

Responsibility

- 3 Transfers of adults and young persons between provincial correctional facilities is the responsibility of superintendents.
- 4 The superintendent may delegate the responsibilities for transfers between provincial correctional facilities to a manager.

Requests by a Correctional Facility for Transfers

- 5 A superintendent or designate may request the transfer of an individual to another correctional facility by emailing the receiving facility's superintendent or designate, the

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following information

- (a) current custody and court status
 - (b) reason for request
 - (c) behaviour characteristics of the individual, e.g., incompatibility with others, assaultive behaviour, domestic violence
 - (d) health needs
 - (e) any additional information which pertains to security and/or classification considerations
 - (f) program admission form, as required
- 6 Prior to requesting a transfer, the superintendent or delegate will consult with the correctional case worker to determine if the transfer will have a negative impact on the individual's case management plan.
- 7 If a transfer is required and request is denied, the matter will be elevated
- (a) to superintendents of the two facilities to resolve the transfer
 - (b) failing a resolution, referred to the chief superintendent

Requests for Transfers

- 8 Any individual in custody may request a transfer to another correctional facility by submitting a Transfer Request ([27.05.00-A](#)) to the correctional case worker.
- 9 The assigned correctional case worker will review the Transfer Request and provide information on how the transfer request links to the individual's case plan, programming needs, and/or their release plan.
- 10 The superintendent or designate of the requesting correctional facility will review the Transfer Request and make comments and recommendations for consideration by the receiving facility.
- 11 The completed Transfer Request form will be forwarded to the superintendent or designate of the receiving correctional facility for review and consideration.

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Processing of Requests for Transfer

- 12 The deputy superintendent or designate of the receiving correctional facility will assess the individual's suitability for transfer by reviewing
 - (a) the Transfer Request and any additional information forwarded
 - (b) information available on Justice Enterprise Information Network (JEIN), e.g., admission card, offender case management (OCM) notes, Institution Security Assessment (ISA) and other documents available
- 13 The deputy superintendent or designate of the proposed receiving correctional facility will complete the denied or approved section of the Transfer Request and return it to the sending facility designate.
- 14 When denying a request for a transfer, the deputy superintendent or designate will provide reasons on the approved form.
- 15 Following a decision regarding a request to transfer, the deputy superintendent or designate will ensure
 - (a) the individual is advised verbally of the decision regarding the request for transfer
 - (b) comments regarding the decision are documented on the Transfer Request
 - (c) the individual is provided with a copy of the completed transfer request form and the original form is
 - i. scanned to FileNet within JEIN via the Documents Tab, and
 - ii. placed on the person's file

Appeal of Denied Requests for Transfer

- 16 When a transfer request to another provincial correctional facility has been denied, the individual has a right to appeal.
- 17 Appeals will be processed in accordance with Policy and Procedures, Subject No. 5.05.00 [Appeal Process](#).

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Justice Enterprise Information Network (JEIN)

- 18 All documentation related to a request to transfer will be scanned and uploaded into FileNet under the Documents Tab in JEIN.

Arrangements for Transfer

- 19 Upon receipt of a decision to accept the transfer, the deputy superintendent or designate from the sending correctional facility will
- (a) contact Sheriff Services to arrange transportation, and
 - (b) advise the deputy superintendent or designate of the receiving correctional facility of the
 - i. transfer date
 - ii. anticipated arrival time
 - (c) If Sheriff Services are unable to complete the transport within the time frame desired by the sending or receiving correctional facility, the superintendent or designate of the sending facility may facilitate the transfer in accordance with Policy and Procedures, Subject No. 40.00.00, [Security Escorts Outside a Correctional Facility](#).

Notice of Transfer

- 20 Prior to transfer, unless security concerns exist, the individual will be given
- (a) notice of the transfer
 - (b) reasons for the transfer
- 21 In the case of a young person, the young person's parent(s)/guardian(s) will be notified of the transfer. Notice may be given prior to or after the transfer depending upon security requirements.
- 22 Those being transferred will be permitted an opportunity to make a phone call to notify their family of the transfer. Notice may be prior to or after the transfer depending upon security requirements.

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- 23 In all cases where victim notification has been requested in accordance with Policy and Procedures, Subject No. 30.00.00, [High Risk for Domestic Violence Initial Designation/Critical Development Ongoing Information](#), prior to the transfer to another provincial correctional facility, designated correctional staff will provide written notice to Head Office identifying the date, time and location of the transfer

Standard Operating Procedures

- 24 Superintendents will establish such local standard operating procedures (SOP) as required to ensure transfers between correctional facilities are processed in accordance with this policy and procedure and identify staff responsible for
- (a) placing information detailing transfer requests and decisions on JEIN
 - (b) arranging transfers
 - (c) processing transfers on JEIN
 - (d) transferring custody terms on JEIN
 - (e) managing documentation and OCM notes in JEIN