


Chapter: **Disciplinary System**

Classification: **Public Document**

Subject: **Rules and Regulations**

For: **All Custody**


Authorized by the Executive Director

Policy

- 1 It is the policy of Correctional Services to hold adults and young persons accountable for their behaviour while in custody.
- 2 The disciplinary system is designed to
 - (a) ensure compliance with established rules and regulations developed to protect the safety of those within the correctional facility
 - (b) support personal growth and self-control
 - (c) promote positive behaviour and personal development
 - (d) provide an opportunity for reparation

Authority

- 3 Sections 69 to 73 of the [Correctional Services Act](#), and Sections 85 to 99 of the [Correctional Services Regulations](#) authorize the disciplinary system.
- 4 The authority to impose and modify or revoke temporary measures is derived from sections 88 and 89 of the [Correctional Services Regulations](#).

Workplace Violence Prevention Plan

- 5 This policy, in addition to any associated facility Standard Operating Procedures (SOP) is part of the Correctional Services Division's overall workplace violence prevention plan as required by section 7 of the Violence in the Workplace regulations.

Rules


- 6 Prohibited conduct and activities for adults and young persons in custody are outlined in Section 86(1) and (2) of the [Correctional Services Regulations](#).

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Notice of Rules

- 7 In accordance with Section 87 of the [Correctional Services Regulations](#) designated staff will review and provide a copy of facility rules to all adults and young persons in custody.

Warnings

- 8 In accordance with section 88(1)(b)(i) of the [Correctional Services Regulations](#), correctional staff have the discretion to address minor disciplinary rule infractions by giving the adult or young person a warning that their behaviour is an infraction of a specified rule and repetition may result in further disciplinary penalties.

Breach of Rules


- 9 Persons in custody will be held accountable for inappropriate behaviour, specifically in respect to breaches of the rules included in sections 86(1) and (2) of the [Correctional Services Regulations](#).
- 10 The disciplinary system has three (3) breach levels that address
- (a) the severity of the breach of a rule
 - (b) the behavior and attitude demonstrated at the time of the breach
- 11 The disciplinary system is comprised of three levels of breaches of the correctional facility rules and regulations, as follows
- (a) Level I are minimal breaches
 - (b) Level II are more serious breaches
 - (c) Level III are the most serious breaches
- 12 Not all breaches of rules are of similar severity, see Breach of Rules and Regulations Chart [42.00.00-A](#) for examples.
- 13 All breaches of rules will be documented as follows
- (a) on the appropriate form
 - i. Level I Report ([42.00.00-B](#))

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- ii. Level II and III Report ([42.00.00-C](#))
 - (b) indicating the associated Justice Enterprise Information Network (JEIN) code (full lists of all active codes are available at Tables/More/Incident and Tables/More/Penalties)
 - (c) the rule breach and resulting disciplinary sanctions will be entered on JEIN
 - (d) completed forms will be to FileNet via the Document Tab in JEIN
- 14 A copy of section one, describing the rule breached, and section two, the results of the investigation, will be provided to the adult or young person prior to a disciplinary adjudication.
- 15 The “*Appendix A*” section of the report will not be shared with the adult or young person and will be used to document information when there is cause to believe that providing the information will
 - (a) jeopardize the safety and security of any person
 - (b) disrupt to the orderly operation and effective delivery of programs and services at the correctional facility

Temporary Measures


- 16 Following a breach of a rule temporary measures may be imposed by the correctional staff holding the individual accountable for the breach. Consideration will be given to an individual’s health needs when imposing a temporary measure.
- 17 Types of temporary measures which may be taken when a rule has been breached are
 - (a) warnings in accordance with section 88(1)(b)(i) of the [Correctional Services Regulations](#), and Policy and Procedures Subject No, 42.00.00, [Rules and Regulations](#)
 - (b) temporary removal of any or all privileges for up to three hours in accordance with sections 88(2)(a) and 88(3) of the [Correctional Services Regulations](#), and Policy and Procedures Subject No 42.05.00, [Disciplinary Penalties](#)
 - (c) cell or room confinement for up to three hours in accordance with sections 88(2)(b) and 88(3) of the [Correctional Services Regulations](#)
- 18 Correctional staff will inform the adult or young person of the rule breach they are being

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charged with at the time the temporary measures are imposed.

- 19 In accordance with section 89 of the [Correctional Services Regulations](#), a Manager may vary temporary measures as follows
 - (a) revoke or modify a temporary measure
 - (b) take an additional temporary measure
 - (c) pending the outcome of the manager's investigation into the level, extend the amount of time an individual is placed in close confinement as a temporary measure if the allegation is of a serious nature
- 20 Changes in temporary measures will be documented on the disciplinary report ([see form 42.00.00-C](#)).
- 21 Those who have reached or are likely to reach the usual or maximum close confinement penalty prior to an adjudication, in accordance with Policy and Procedures Subject No. 42.04.00, [Disciplinary Adjudications](#), will be released from close confinement prior to the adjudication and the disciplinary report updated accordingly.

Adjudications and Penalties

- 22 Adjudications and subsequent penalties will be carried out in accordance with
 - (a) Section 70(1) of the [Correctional Services Act](#)
 - (b) Sections 93, 94 and 95(1) of the [Correctional Services Regulations](#)
 - (c) Policy and Procedures Subject No 42.04.00, [Disciplinary Adjudication](#)

Appeals of Penalties

- 23 An appeal process is available for adults or young persons to request a review of adjudication results or the penalties imposed for breach of facility rules and regulations, in accordance with Policy and Procedures Subject No, 5.05.00, [Appeal Process](#).

Standard Operating Procedures (SOP)


- 24 The facility senior manager will develop Standing Operating Procedures (SOP) that will

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identify staff responsible to

- (a) review rules and regulations with and provide a copy to adults and young persons
- (b) provide appropriate copies of the alleged breach, in accordance with Policy and Procedures, Subject No. 42.04.00, [Disciplinary Adjudication](#)
- (c) enter breach of rule information to JEIN and upload associated documentation