

Chapter: **Close Confinement**

Classification: **Public Document**

Subject: **Privileges and Entitlements**

For: **Adult Custody**


Authorized by the Executive Director

Policy

- 1 Persons in close confinement, including those confined for medical reasons in accordance with and/or to their cell/dormitory will be provided with privileges and entitlements in accordance with the *Correctional Services Act* and its Regulations.

Definitions

- 2 **Entitlements:** Items and activities persons in custody provided to in accordance with the *Correctional Services Act* and Regulations to ensure positive quality of life.
- 3 **Privileges:** Items and activities persons in custody that maybe support positive quality of life.
- 4 **Person in Close Confinement:** For the purposes of this policy Person in Close Confinement refers to those confined in a Close Confinement Unit, administrative or medical reasons in accordance with Policy and Procedures Chapter 46 – *Health Care*.

Entitlements

- 5 In accordance with Section 57 of the *Correctional Services Act* and Section 81 of the *Correctional Services Regulations*, persons in close confinement will be provided with a minimum of 30 minutes of outdoor exercise daily.
 - (a) Exercise may be denied in accordance with Policy and Procedures, 44.01.00, [Entitlements](#).
- 6 In accordance with section 57 of the *Correctional Services Act* a person not being confined for disciplinary reasons will be offered access to the facility library once per week to select and/or exchange reading material.
- 7 In accordance with Sections 54(2), 55 and 56 of the *Correctional Services Act* and Section 59(1) and 95(3) of the *Correctional Services Regulations*, a person on close confinement is permitted and will be provided correspondence, telephone, video or electronic communication and visits with the following
 - (a) spiritual advisor

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- (b) lawyer
 - (c) representative from the Office of the Ombudsman
 - (d) representative from the Human Rights Commission
 - (e) the Nova Scotia Police Complaints Commissioner
 - (f) the Nova Scotia Civilian Director of the Serious Incident Response Team (SIRT)
 - (g) persons approved by the Superintendent
- 8 Staff will document entitlements provided to persons in close confinement, or their refusal to access the entitlements on the Close Confinement Entitlement Report ([43.01.00-D](#)).
- 9 Daily, a manager will review the Close Confinement Entitlement Report ([43.01.00-D](#)) for all persons currently confined to ensure compliance with Policy and Procedure Subject, 44.01.00 - [Entitlements](#) including the following
- (a) persons are receiving entitlements
 - (b) there is documentation to support withholding privileges
- 10 If a person in custody is regularly refusing entitlements, the manager will ensure appropriate referrals to Case Management Team and or Correctional Health Services are made.

Programs and Privileges

- 11 A person in close confinement will be permitted to interact with other persons in custody and participate in programs and privileges including spiritual/cultural services, except where
- (a) participation has been restricted because of an adjudication
 - (b) security concerns are present or have been identified
 - (c) participation will put the person or other persons at risk
 - (d) it is not feasible operationally
- 12 Except where privileges have been restricted due to a disciplinary hearing outcome, or other reason as approved by the Superintendent or their designate, persons placed in close confinement will be provided with all privileges including
- (a) canteen

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- (b) personal visits
 - (c) daily access to phone
- 13 Where a person's access to programs, services and/or privileges has been restricted, the reasons for the restrictions will be documented on JEIN under Case Management "Activity Notes".

Standard Operating Procedures

- 14 The Superintendent will establish Standard Operating Procedures (SOPs) with respect to this policy as follows
- (a) requirements for documenting entitlements and privileges offered and accessed
 - (b) responsibility for documenting the reasons for restricting access to programs, services and privileges on JEIN
 - (c) responsibilities related to the Close Confinement Entitlement Report as follows
 - i. completion
 - ii. review
 - iii. storage