

# **Inmate Information Guide for Adult Institutions**

Ministry of Community Safety and Correctional Services

September 2015

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**Important Note:** If you have a Human Rights Code related characteristic or need (e.g., language barrier, physical disability, intellectual disability, etc.) that impacts your ability to read or understand the information in this guide, please let staff know and they will work with you to get the kind of help you need (see [Human Rights](#)). This also applies to any material (e.g., Misconduct Report, Segregation Handout, etc.) or forms (e.g. [Request Form](#)) that are provided to you during your time at the institution.

Many sections of the guide will ask you to submit a [Request Form](#) in order to talk to someone or get something you need. If you or someone else you know needs help understanding or filling out the Request Form, you should let a staff member know so they can help. If your request is related to a human rights related issue, you should make it clear on the Request Form.

**Legal Disclaimer:** This guide is provided for general informational purposes only and not for the purpose of providing legal advice. You should contact your lawyer to obtain advice with respect to any particular issue or problem.

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## Appeals

The appeal period for criminal offences is 30 days from the date of conviction or sentence.

The appeal period for offences against provincial law is generally 15 days from the date of conviction or sentence.

To make sure your appeal is filed on time, you should put in a [Request Form](#) addressed to the Clerk of Records right away, staff will assist in redirecting it for you (see Requests).

If you need help with an appeal because of a Human Rights Code ground (e.g., language barrier, physical disability, intellectual disability and mental illness, etc.), please let staff know. They will work with you to get you the kind of help you need (see Human Rights).

## Assistive Devices

An assistive device is a device that is used to help people (primarily people with disabilities) to perform a task (e.g., get around, sleep, participate in programming, communicate, read, breathe, hear, see, etc.). Some examples of assistive devices are wheelchairs, prosthetics, personal oxygen tanks, crutches, canes, walkers, assistive listening devices, continuous positive airway pressure (CEPAP) machines, etc.

In order to accommodate the needs of inmates with disabilities (see [Human Rights](#)), inmates with a prescribed or approved assistive devices will be allowed to keep these during their time at the institution (including in general population, group settings and on transfer) except where there are concerns related to health and safety risks. For more information on accommodating human rights related needs, (see [Human Rights](#)).

At the time of your placement and throughout your time in the institution, health care staff will be consulted when there is a special health care need or where a health or health care related need poses a health and safety risk.

All assistive devices retained by inmates may be searched as part of regular search procedures. Steps will be taken to make sure that this is done in a way that respects dignity.

If needed or appropriate, health care staff may be present or requested to assist staff in conducting the search.

## Bail

You should review issues related to your bail with your lawyer. If you can meet the conditions of your bail, you or your lawyer can ask to see a Justice of the Peace while you are at court. Justices of the Peace are only available during normal working hours and do not visit institutions. Once the conditions are met, the Justice of the Peace may advise the institution that you can be released. Only the Justice of the Peace can decide if your bail conditions have been met.

Family members, relatives, friends or community supports may also help you meet your bail conditions. You may use the collect pay telephones to call them.

If you do not know your next court date, or have questions about court, please ask a staff member for help.

## **Bail and Immigration Releases**

If you are being held on an Immigration Order, and should you be granted bail on criminal charges, this does not mean that you can be released. Immigration bail is not handled at court. To make bail arrangements on immigration matters you have to contact the Canada Border Services Agency. The toll free number is 0-800-240-0171 and is available Monday to Friday from 8:00 a.m. to 4:00 p.m.

## **Behaviour and Expectations**

You are expected to follow the rules of the institution, listen to and obey the instructions of staff. You are also expected to respect the dignity and rights of others, including other inmates, staff and visitors. If you do not follow the rules, you may be placed on misconduct. For a complete list of behaviours which may result in a misconduct, (see [Misconducts](#)).

Among other things, you are also expected to keep your cell/dorm area clean, your bed made and maintain personal hygiene and cleanliness. If this will be difficult for you because of a disability, please tell a staff member.

Aggressive behaviour, discrimination, harassment and intimidation of inmates will not be accepted. If you see or are subjected to inappropriate behaviour, speak to a staff member so that it can be addressed. Inmates who act this way may be put into maximum security or segregation, or sent to another institution.

Correctional Services will consider any relevant, legitimate Human Rights Code related reasons for inappropriate behaviour when taking action (e.g. a mental illness which may impact an inmate's understanding of their behaviour). If you have such needs, you should tell a staff member.

## **Canadian Red Cross**

Refugee claimants may contact the Canadian Red Cross (First Contact Program) at 0-866-902-4993. This number is toll free and available 24 hours a day, 7 days a week. Services are offered in several languages.

This number allows you to receive support as follows:

- Help with contacting your family members;
- Health care;
- Housing;
- Legal referrals;

- Referrals to shelters;
- Social services;
- The Refugee determination process; and
- Other available services and information on how to access these services.

## Canteen

You may use money from your trust account (see [Trust Account](#)) to buy canteen items. You will have the opportunity to buy canteen items once a week. You are allowed to spend up to \$60 each week. You need the Superintendent's permission to spend more than this.

Products offered through the Canteen Program include other choices to basic products that are provided by Correctional Services at no cost. Canteen items have fees and applicable taxes. For a list of the canteen items for sale at your institution, please ask a staff member.

There is a maximum number of hygiene items that you are allowed to buy or keep with you. See [Basic Hygiene Items](#) section for more information.

Please note that the institution is not responsible for loss or theft of your canteen items.

## Classification

When you are sentenced, a Classification Officer will meet with you to talk about where you should serve your sentence and to prepare a Classification Report. If you need help with this meeting because of a Human Rights Code ground (e.g., language barrier, physical disability, intellectual disability and mental illness, etc.), please let staff know and they will work with you to get you the help you need, (see [Human Rights](#)).

Classification staff can also help you choose programs to assist in your rehabilitation. In some cases, you may be able to remain in the same facility (i.e., institution, jail) or detention centre for program purposes instead of being transferred to another institution.

If you do not agree with your classification, you may put in a [Request Form](#) to the Superintendent. The Request Form will be given to the person you name on the form or redirected to the staff member that can help you, (see [Requests](#)). If you are not satisfied with the Superintendent's answer, you may write to the Regional Director (see [Institution Services Hierarchy and Mailing Addresses](#) section of the guide to get the mailing address for your region).

## Client Conflict Resolution Unit

The role of the Client Conflict Resolution Unit (CCRU) is to protect the human rights of inmates. The CCRU responds to human rights complaints from inmates based on the



prohibited grounds as outlined by the Ontario Human Rights Code (e.g., race, ancestry, sex, gender identity, religion, disability, etc., – see [Human Rights](#)).

If you believe that you have been discriminated against or harassed because of any of the prohibited grounds (see [Human Rights](#)), you may also call the CCRU at 0-866-535-0019 from Monday to Friday between 9:00 a.m. and 4:00 p.m. to speak to an Advisor. If an Advisor is not available, please try again or you have the option of leaving a message. Please note the CCRU is not able to return your calls in the institution.

You also have the option to write to the Client Conflict Resolution Unit at Ministry of Community Safety and Correctional Services, 25 Grosvenor Street, 16<sup>th</sup> Floor, Toronto, ON M7A 1Y6.

1. What kind of information is helpful to provide to the Advisors?

An Advisor decides if the complaint falls under the Human Rights Code related grounds.

The Advisor will then ask you if you have followed the internal complaint process (see [Complaints About the Institution](#)). If you have not, you will be referred back to the institution. If you have followed the internal process and your issue has not been resolved, the Advisor will proceed and ask for; your name, Offender Tracking Information System (OTIS) number, institution, details of your complaint including, who (e.g., name(s) of accused, witness names, where, what, when, etc.).

2. There are a few things the Advisor does after being contacted:

- determine if the complaint is related to Human Rights Code related grounds;
- identify if the internal complaint process was followed, and
- discuss the process and what the next steps will be with CCRU.

**Note:** CCRU will respond to your complaint and provide help where possible and follow up with the Superintendent or Designate on an informational basis only. If your complaint is related to a Human Rights Code related grounds, the information obtained is reported to the Superintendent.

3. Will CCRU investigate and work with inmates and staff to address concerns?

The CCRU does not have the authority or resources to investigate. The information is provided to the institution and the institution decides if an investigation or fact finding will be initiated. The institution provides the CCRU with a response and work together to address the concerns and make recommendation for a positive outcome.

4. Is a record of the call/complaint kept?

A record is kept of all calls.

5. Can information provided to the CCRU be kept private or confidential?

No, information given is not kept confidential; you will be advised by CCRU that the information provided will be sent back to the institution for follow up.

Leave a message if you cannot reach a CCRU Advisor by phone

There is a detailed voice message on the CCRU line that clearly indicates the unit is unable to make return calls to the institution. The message also asks you to leave a detailed message and to call back until you can speak with an Advisor.

## Complaints

If you need help filling out paperwork or understanding what is being communicated to you because of a literacy or a Human Rights Code ground (e.g., language barrier, physical disability, intellectual disability and mental illness, etc.), please let staff know and they will work with you to get you the kind of help you need (see [Human Rights](#)).

## Making a Complaint about the Institution

### Internal Options (Institution Complaints)

If your matter is related to a Human Rights Code related ground (see [Human Rights](#)).

If you have a problem, concern or complaint about the institution or its rules, there are a number of options available to you. As a general rule, you may want to consider trying to resolve your problem within the institution as a first step.

- If your matter is related to discrimination (i.e. differential treatment) or harassment (i.e. intentional behaviour that you feel is threatening or disturbing) by another inmate or staff that is unrelated to a [Human Rights](#) Code related reason (e.g., based on membership in a certain group, social category, personality conflict, etc.), you may use the options provided below and/or contact the [Client Conflict Resolution Unit](#) at 0-866-535-0019.
- You may put in a [Request Form](#) to the Superintendent, however if you want a response in writing it needs to be specified on the Request Form. The Operating Manager on duty will talk to you on behalf of the Superintendent. If you are not satisfied with the Operating Manager's response, you may ask to see the Superintendent.
- If you are not satisfied with the Superintendent's response, you may contact the Regional Director in writing to explain what steps you have taken to resolve your issue(s). For contact details, see [Institution Services Hierarchy and Mailing Addresses](#).
- If you are still not satisfied, you may write to a senior ministry official including the Assistant Deputy Minister, Institutional Services (see [Institution Services](#)

[Hierarchy and Mailing Addresses](#)) and the Deputy Minister, and/or the Minister of Community Safety and Correctional Services to ask for further review. The senior ministry official or designate will respond to you and the Superintendent of any action taken regarding your complaint. If you need assistance obtaining these addresses, staff will help you, (see [Requests](#)).

### External Options (Institution Complaints)

If you would feel more comfortable voicing your concerns to an external agency, the following options are available to you:

- If your concern is related to Human Rights Code discrimination or harassment, you can contact the [Human Rights Legal Support Centre \(HRLSC\)](#). The HRLSC is an independent organization of the Human Rights Tribunal of Ontario (HRTO) that offers free legal services to Ontarians and can be contacted by mail at Human Rights Legal Support Centre, 180 Dundas Street, West, 8<sup>th</sup> Floor, Toronto, ON M7A 0A1, by phone at 0-866-625-5179 or TTY 416-597-4903, TTY toll free 1-866-612-8627 (for inmates who are deaf, deafened, hard of hearing or who have speech related disabilities).

Public inquiries and information about HRLSC and the services they offer can be located on their website at <http://www.hrlsc.on.ca/en/welcome> or by phone at 416-597-4900, toll free 1-866-625-5179, TTY 416-597-4903, TTY toll free 1-866-612-8627.

- For more information about filing an application, the HRTO hearing process or to request a copy of an application form, you may contact the HRTO by mail at Human Rights Tribunal of Ontario, 655 Bay Street, 14<sup>th</sup> Floor, Toronto, ON M7A 2A3, by phone at 0-866-598-0322, TTY 416-326-2027 or TTY toll free 1-866-607-1240 (for inmates who are deaf, deafened, hard of hearing or who have speech related disabilities).
- You may also get help from other legal clinics, a private lawyer or a paralegal, or may choose to file an application on your own. You should be aware that there is a limitation period for filing a complaint (called an application) with the Human Rights Tribunal of Ontario (HRTO) based on the timing of the acts or omissions you are complaining about (see [Legal Services](#)). Generally, you have **one year** from the incident you are complaining about to file an application with the HRTO.

Public inquiries can also be made to the HRTO by mail (see above), by email at [hrtotdpo@ontario.ca](mailto:hrtotdpo@ontario.ca), through their website at <http://www.sjto.gov.on.ca/hrto/> or by phone at 416-326-1312, toll free at 1-866-598-0322, TTY 416-326-2027 or TTY toll free 1-866-607-1240.

- You may file a complaint with the Office of the Ombudsman Ontario (see [Ombudsman Ontario](#)).
- You may write directly to a Member of Provincial Parliament (MPP) or any Minister of the Crown. If you need help in getting mailing addresses and/or phone numbers, put in a [Request Form](#) and staff will help you.

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## Making a Human Rights Complaint

### Internal Options (Human Rights Complaints)

If you feel that you have been negatively impacted by a particular rule, requirement or standard because of a Human Rights Code related need or characteristic, treated differently, singled out, harassed, discriminated against, been the victim of reprisal or denied a human rights related accommodation, you have a number of options. You can:

- Put in a [Request Form](#) to speak to an Operating Manager or the Superintendent about your concern.
- Contact the Client Conflict Resolution Unit (CCRU) at 0-866-535-0019 who will work with you to address your concerns and make recommendations for a positive outcome. For more information, (see [Client Conflict Resolution Unit](#)).
- If you are not satisfied with the way your concern was resolved or dealt with by the Operating Manager, Superintendent or CCRU, you may contact the Regional Director, in writing, telling what steps you have taken (see [Institution Services Hierarchy and Mailing Addresses](#)).
- If you are still not satisfied after contacting the Regional Director, you may write to the Assistant Deputy Minister (ADM) of Institutional Services, MCSCS. The ADM will let you and the Superintendent know about any action that may be taken to address your complaint (see [Institution Services Hierarchy and Mailing Addresses](#)).

### External Options (Human Rights Complaints)

If you would feel more comfortable voicing your concerns about your Human Rights Code discrimination and harassment to an external agency, you can:

- File a complaint (called an application) with the Human Rights Tribunal of Ontario (HRTO) directly. Generally, you have **one year** from the incident you are complaining about to file an application with the HRTO. If you would like a copy of the application form, please submit a [Request Form](#).
- For more information about the application or hearing process, you may contact the HRTO by mail at Human Rights Tribunal of Ontario, 655 Bay Street, 14<sup>th</sup> Floor, Toronto, ON M7A 2A3, by phone at 0-866-598-0322, TTY 416-326-2027 or TTY toll free 1-866-607-1240 (for inmates who are deaf, deafened, hard of hearing or who have speech related disabilities).

Public inquiries can also be made to the HRTO by mail (see above), by email at [hrto.tdpo@ontario.ca](mailto:hrto.tdpo@ontario.ca), through their website at <http://www.sjto.gov.on.ca/hrto/> or by phone at 416-326-1312, toll free at 1-866-598-0322, TTY 416-326-2027 or TTY toll free 1-866-607-1240.

**Note:** You can ask the Human Rights Legal Support Centre (HRLSC) for help in making an application to the HRTO (see below). You may also get help from other legal clinics, a private lawyer or a paralegal, or may choose to file an application on your own.

- Contact the [Human Rights Legal Support Centre \(HRLSC\)](#), an independent agency that offers free human rights legal services to Ontarians and can help you file an HRTO application. The HRLSC can provide services in 140 languages and can be contacted by mail at Human Rights Legal Support Centre, 180 Dundas Street, West, 8<sup>th</sup> Floor, Toronto, ON M7A 0A1, by phone at 0-866-625-5179 or TTY 416-597-4903, TTY toll free 1-866-612-8627 (for inmates who are deaf, deafened, hard of hearing or who have speech related disabilities).

Public inquiries and information about HRLSC and the services they offer can be located on their website at <http://www.hrlsc.on.ca/en/welcome> or by phone at 416-597-4900, toll free 1-866-625-5179, TTY 416-597-4903, TTY toll free 1-866-612-8627.

Telephone lines are open:

Monday, Tuesday, Wednesday and Friday: 9:00 a.m. – 5:00 p.m.

Thursdays: 2:00 p.m. – 6:00 p.m.

Phones are busiest on Thursdays between 2:00 p.m. to 4:00 p.m.

- File a complaint with the Office of the Ombudsman Ontario (see [Ombudsman Ontario](#)).

## **Making a Complaint against Police**

If you are unhappy with the services or conduct of an individual officer or police service, there is a process for formal complaints. There are a few different options to file a complaint depending on the police service involved and/or the nature of complaint. These options are as follows:

### **Using the Human Rights System to make a Complaint against Police**

- If you feel that you were discriminated against by the police (e.g. racial profiling), you may choose to go through the human rights system and file a complaint (called an application) with the Human Rights Tribunal of Ontario. For more information, see [Making a Human Rights Complaint](#) section.

### **Making a Complaint about Municipal Police Services or Ontario Provincial Police (OPP)**

- You may send a written and signed complaint to any police station associated with the police service that you are complaining about. In order to get the mailing address for the police station, put in a [Request Form](#) and staff will help you. The Chief of Police will forward your complaint to the Office of the Independent Police Review Director (OIPRD); or

- You can send a written and signed complaint directly to the Office of the Independent Police Review Director (OIPRD) and/or request a copy of a Complaint Against the Police Form. The OIPRD is the agency that receives, manages and oversees all complaints about police in Ontario (including municipal and regional police services and the OPP). Complaints can be about the conduct of a particular officer or the policies and services of a police service. Generally, complaints should be filed with the OIPRD within **six months** of the incident. The OIPRD can be contacted in writing to the Office of the Independent Police Review Director, 655 Bay Street, 10<sup>th</sup> Floor, Toronto, ON M7A 2T4 and by calling 0-877-411-4773 or TTY: 1-877-414-4773 (for inmates who are deaf, deafened or hard of hearing or who have speech related disabilities).

**Note:** The OIPRD has prepared a green information booklet that contains a complaint form and a self-addressed envelope. You may get this booklet by asking staff or submitting a [Request Form](#).

Public inquiries about the OIPRD, including accessing information about their services and complaint process can be made through mail (see above), located on their website at [www.oiprd.on.ca/](http://www.oiprd.on.ca/), by email at [OIPRD@ontario.ca](mailto:OIPRD@ontario.ca) or by calling toll free at 1-877-411-4773 or TTY 1-877-414-4773.

### **Making a Complaint about the Royal Canadian Mounted Police (RCMP)**

- You can send a written and signed complaint to any RCMP detachment; or
- You can send a written and signed complaint directly to the Civilian Review and Complaints Commission (CRCC) for the RCMP. Generally complaints should be filed with the Commission within **one year** of the incident. The CRCC can be contacted in writing to The Civilian Review and Complaints Commission for the RCMP, National Intake Office, P.O. Box 88689, Surrey, BC V3W 0X1, by calling toll free at 0-800-267-6637 or TTY: 1-866-432-5837 (for inmates who are deaf, deafened or hard of hearing or who have speech related disabilities).

**Note:** The CRCC has prepared a formal complaint form. In order to get a copy of their complaint form, you can submit a [Request Form](#). A printable version can be located on their website at <https://www.crcc-ccetp.gc.ca/pdf/complaintplainte-en.pdf>.

Public inquiries about the CRCC, including accessing information about their services and the complaint process can be made through mail (see above), located on their website at <http://www.crcc-ccetp.gc.ca/en> or by calling toll free at 1-800-665-6878 or TTY: 1-866-432-5837.

### **Making a Complaint against First Nations Police**

- You can file a complaint against the First Nations Police in person, in writing or by telephone. The complaint must be filed with the Chief of Police of the First Nations Police Service where the constable is employed or the service provided. If you do not agree with the Chief of Police's decision, you may complain to the

Band Council. If you need help finding the mailing address of the police service, you can submit a [Request Form](#) and staff will help you.

### **Making a Complaint against Other Police Agencies**

- If you have a complaint against a police agency from another province, a private police force (e.g., Canadian National Railway Police Service, Canadian Pacific Police Service, the Canadian Border Services Agency, the Canadian Forces Military Police, etc.) you may contact the police agency directly to find out how to make a complaint or have a lawyer do it for you. Put in a [Request Form](#) and staff will assist in getting these mailing addresses and/or phone numbers for you.

### **Making a Complaint with the Ombudsman of Ontario**

The Ombudsman's Office investigates and resolves public complaints about the decisions or actions of the Ontario government, including actions that relate to the care and custody of inmates.

- Staff can provide you with a pre-addressed, confidential envelope to contact the Ombudsman's Office by mail if you wish to put your concern in writing. Letters will be addressed to the Office of the Ombudsman of Ontario, Bell Trinity Square, 483 Bay Street, 10<sup>th</sup> Floor, South Tower, Toronto, ON M5G 2C9. You also have the option to call the Ombudsman's Office at 0-800-263-1830 or TTY: 1-866-411-4211 (for inmates who are deaf hard of hearing or who have speech related disabilities) from Monday to Friday between 9:00 a.m. to 4:00 p.m.

Public inquiries and information about the Ombudsman's Office including access to forms can be made by request in writing (see above) and/or located on their website at <http://www.ombudsman.on.ca/Home.aspx>, by sending an email to [info@ombudsman.on.ca](mailto:info@ombudsman.on.ca) or calling toll free at 1-800-263-1830 or TTY: 1-866-411-4211 from Monday to Friday between 9:00 a.m. to 4:00 p.m.

### **Making a Complaint against Canada Border Services Agency**

The Canada Border Services Agency (CBSA) is a federal agency that is responsible for border enforcement, immigration enforcement and custom services.

- Complaints can be submitted by writing to the Recourse Directorate, Canada Border Services Agency, Ottawa, ON K1A 0L8.

Public inquiries can be directed to CBSA by mail (see above), by email [contact@cbsa-asfc.gc.ca](mailto:contact@cbsa-asfc.gc.ca) or by accessing their website at <http://www.cbsa-asfc.gc.ca/menu-eng.html>.

## Contraband

Money or anything that you did not say you had when you arrived at the institution or that was not given to you or that is changed from its original form is contraband. All contraband will be removed. Depending on what the contraband is, it may be thrown out, placed in your property or given to the police. Possession of contraband may result in a misconduct (see [Misconducts](#)).

Possession of contraband may also be a criminal offence. The institution may contact police if there is belief that a criminal offence has taken place.

## Deaf, Deafened and Hard of Hearing Inmates

If you are deaf, deafened or have difficulty hearing, you should let the staff know. Special arrangements called accommodation, (e.g. American Sign Language (ASL)/Langue des Signes Quebecoise (LSQ) interpretation services, if you use sign language – see [Human Rights](#)) will be made to help you. If you use sign language, the Superintendent can find staff or volunteers who sign to answer your questions and can help you with information about trial, parole hearing, misconduct interview, programming, or to understand what is being communicated to you. The Superintendent can also obtain a TTY telephone to allow you to make toll free or collect calls to people in the community. If you wish to use a TTY telephone, you should tell a staff person who can help you to put in a [Request Form](#).

If you know that another inmate is deaf, deafened or has hearing difficulties, you should tell the staff.

**Note:** Institutions have an operating inmate telephone system and/or a local telephone system that can accommodate the TTY/Teletypewriter equipment. Each region has a TTY/Teletypewriter(s) for shared use in their region. Once an inmate has put forward a request (see [Request Form](#)), the TTY equipment will be sent to the institution as soon as possible.

## Diets

Correctional Services recognizes that some inmates will require special diets for:

- Medical treatment (e.g., diabetic, heart disease, pregnancy, etc.);
- Religious requirements (e.g., Kosher, Halal, etc.); and/or
- Lifestyle convictions (e.g., vegetarian, vegan).

Upon admission, you will be asked by admitting and discharge (A and D) staff or a health care professional whether or not you need a special diet for medical, religious or lifestyle reasons. Not following the diet may result in the diet being reviewed and/or discontinued.



If you have not been given a chance to request a special diet or tell staff of your special diet requirements during your admission or your initial health assessment, you may make a request using a [Request Form](#). In your request, it will be useful to provide the details of this diet and the reason why it is needed (i.e., medical, religious, lifestyle, etc., - see [Human Rights](#) for a full list of Human Rights Code related grounds). The form will be forwarded to an authorizing official (i.e., Superintendent, health care staff, or Chaplain).

Let staff know if you have any accommodation needs in order to make a request (e.g., communication supports or alternative formats required for a disability, language barrier, etc.).

## Direct Supervision

Direct Supervision Units have been common in North America for the past 40 years. These types of units increase safety for you, other inmates, staff and volunteers. Direct Supervision Units offer improved settings from typical institutional types of units. The Unit Officer is in the unit at all times for all daily routines. There is soft seating, more access to yard and T.V. and extra chances for programs – school, counselling, one on one programs, recreation, etc. The better you behave, the more access you will have to other items as well, such as games and additional canteen items. But there are also penalties to not following the rules, up to and including removal from a Direct Supervision Unit.

*How can I get placed into a direct supervision unit?*

When you first arrive at an institution that has Direct Supervision units, you will be interviewed to determine where you will be housed. Several factors will be taken into consideration, which include your behaviour with the police, your behaviour on admission, your agreement to follow the rules, criminal history, current charges, institution discipline during previous stays, and any court ordered programming that may be related to your stay and our current available housing.

For more information on Direct Supervision Units and how you qualify, you should put forward a [Request Form](#) to speak to a Classification Officer.

Possible Direct Supervision Unit Privileges (based on good behaviour):

- access to and from cells
- extra canteen items
- access to more off unit programs
- extra television set
- access to Recreation Program
- extra visits per week
- basketball in fresh air yard

- open access to fresh yard
- soft seating

### *Direct Supervision Rules*

These are the rules and expected behaviour of all inmates. They are placed into classes according to the safety and security problems that their violations present, for example:

- Class 3 Rules: If broken, would disrupt the daily operations of the facility.
- Class 2 Rules: If broken, would negatively affect the safety and security of the facility, staff, inmates or the orderly operation of the facility.
- Class 1 Rules: If broken, would seriously endanger the safety and security of the facility, staff or inmates.

If you break a rule, the Unit Officer will determine the consequences.

Your placement may change as a result of your rule violation. If this happens, you may be moved to a more restrictive housing unit (Indirect Supervision Unit) with fewer privileges than what you had on a Direct Supervision Unit.

## **Discharge Planning**

Some institutions have a Discharge Planner who can help you get ready for release. In institutions where there is no Discharge Planner, Classification staff or the Social Worker can help you. Please ask correctional staff and they will tell you who to see.

If you have to report to a Probation and Parole Officer after your release from the institution, you should see the Institution Liaison Officer (ILO) who will provide you with the address of the probation office that you have been assigned to as well as some reporting directions.

If you need help with the discharge process because of Human Rights Code related grounds (e.g., language barrier, physical disability, intellectual disability and mental illness, etc.), please let staff know and they will work with you to get you the kind of help you need (see [Human Rights](#)).

## **Destination on Release**

When you are being released and need help with your travel plans and/or transportation needs, you should put in a [Request Form](#) to see a Discharge Planner at least two weeks before your release date.

Some institutions may need more time to make arrangements. Staff can tell you how much time is needed in your institution.

If you are released on parole, the Ontario Parole Board must approve your travel plans before you leave the institution. The Board must also approve any changes in your plans. An institution Liaison Officer will advise you of your Parole eligibility date.

## Earned Remission

Sentenced inmates can earn a maximum of 15 days taken 'off' their sentence (remission) for every month in custody. This means a sentenced inmate can earn up to about one third off of their overall sentence.

If you have not lost any of your earned remission (e.g., for misconducts) you may be released after serving two thirds of your sentence.

This applies to all inmates sentenced for federal or provincial offences.

## Loss of Earned Remission

You can lose some or all of your earned remission as a form of discipline for committing a misconduct (i.e., if you do not obey institution rules and regulations, etc.). This will be decided at a misconduct interview.

Unless you lose the right to earn remission due to a misconduct, you may still earn remission while you are in close confinement (segregation).

You may earn remission while you are in a hospital for treatment. However, you will probably not earn full remission if reports from the hospital say that your behaviour has been poor and you are placed on misconduct.

If you lose earned remission because of a misconduct, you may write to the Assistant Deputy Minister, Institutional Services (see [Institution Services Hierarchy and Mailing Addresses](#)) and ask that some or all of it be given back. In your letter, you must explain why your remission should be given back and give as much information about your case as possible.

If you need help with this letter because of Human Rights Code related grounds (e.g., language barrier, physical disability, intellectual disability and mental illness, etc.), please let staff know and they will work with you to get you the kind of help you need (see [Human Rights](#)).

## Family Support Orders

If you are serving a sentence for not making court ordered payments for family support you will not be able to earn remission or be granted an unescorted Temporary Absence. To be released before the date the sentence ends you must pay the entire amount you owe. You may not make a partial payment and be released early.

## Fines

If you are brought to an institution or detention centre for not paying a fine, you may pay the full amount when you arrive. You may also pay the amount owing at any time.

Let staff know if you want to pay a fine. If you don't have enough money to pay the fine yourself, family, friends or other people you know in the community may pay it for you.

You may use the collect pay telephones or put in a [Request Form](#) to contact them. Fines can only be paid by cash, bank or postal money order or certified cheque.

If you need help to put in a form or help in organizing payment because of Human Rights Code related grounds, please let staff know and they will work with you to get you the kind of help you need (see [Human Rights](#)).

## **Fire Alarms and Evacuation**

Do not panic when you hear an alarm. Remain where you are and wait quietly for instructions from staff. Follow these instructions quickly, quietly and in an orderly manner.

To make sure the institution can be quickly and safely evacuated, drills (e.g. fire drills) are done on a regular basis. Treat drills as if they are real and follow staff instructions.

If you need help when this happens because of Human Rights Code related grounds (e.g., because of a disability or language barrier, etc.), staff will take measures to ensure your safety during an evacuation. If you require an accommodation due to a Code related need(s) and have not already told staff when you entered the institution, please do this as soon as possible.

## **Freedom of Information and Protection of Privacy**

The Ministry of Correctional Services Act allows the ministry to collect information about you for many reasons. These include assessment, classification, health care, supervision, transfer, misconducts, program development, release planning, temporary absence and parole.

Under the Freedom of Information and Protection of Privacy Act (FIPPA), you may ask to see or obtain copies of your correctional records.

To see records in your correctional file, you must send a [Request Form](#) to the Clerk of Records. The Clerk of Records will decide if the information may be given to you or if you must apply to the Freedom of Information and Protection of Privacy Office.

You may also apply directly to the Freedom of Information and Protection of Privacy Office by writing a letter or completing an Access/Correction [Request Form](#). Ask the staff if you want a form. If you are writing a letter, you need to give your full name and date of birth and clearly state what information you want.

You must pay a \$5 fee before your application may be sent to the Freedom of Information and Protection of Privacy Office. This fee cannot be refunded, waived or paid at a later date.

Your letter or Access/Correction [Request Form](#) must be sent to the Inmate Trust Clerk at your institution. The Clerk will pay the \$5 fee and the cost of the money order with money from your trust account. Your application will then be sent to the Freedom of Information and Protection of Privacy Office.

In some cases, the Freedom of Information and Protection of Privacy Office may charge you a fee to prepare the records. If there is a fee, you will be told the amount. The fee must be paid before the records are provided.

The Freedom of Information and Protection of Privacy Office can refuse to give you certain information. This decision may be appealed. To do this, you must write to the Information and Privacy Commissioner of Ontario (IPC) or use an appeal form available from IPC. You will have 30 days to appeal (in writing) after you receive a decision letter.

The IPC charges an appeal fee of \$10 for personal information (e.g., your medical record) and \$25 for general information (e.g., institution rules and regulations). The fee must be sent with the application and cannot be refunded, waived or paid at a later date.

Your appeal letter must be sent to the Inmate Trust Clerk at your institution so that the fee and the cost of the money order can be taken from your trust account. When the fee has been paid, your appeal will be sent to the Information and Privacy Commissioner of Ontario.

If you need help with the application or appeal process because of Human Rights Code grounds (e.g., language barrier, physical disability, intellectual disability and mental illness, etc.), please let staff know and they will work with you to get you the kind of help you need (see [Human Rights](#)).

Public inquiries to the IPC can be made by writing to the Information and Privacy Commissioner of Ontario, 2 Bloor Street, East, Suite 1400, Toronto, ON M4W 1A8 or through their website at [www.ipc.on.ca](http://www.ipc.on.ca) or by phone toll free number 1-800-387-0073 (within Ontario) or TTY: 416-325-7539.

**Note:** The ministry will not release personal information about you unless the law allows its release. It is up to you to tell your family and friends where you are. It is also up to you to deal with any problems you have in the community (e.g., debts or family matters, etc.).

## Fresh Air and Exercise

Fresh air or outside exercise is normally offered every day. The Superintendent may cancel it due to bad weather or a security concern.

## Gifts

No gift will be accepted for you unless it is approved by the Superintendent. If the Superintendent approves a gift, it will be checked by staff and placed with your personal property. The gift will be given to you when you are released from the institution.

Gifts of money may be placed in your trust account to use while you are in the institution. You will be given any money remaining in your trust account when you are released.

## Human Rights

### The Ontario Human Rights Code

The Ontario Human Rights Code (the Code) is a provincial law that gives every person equal rights and opportunities without discrimination in certain areas such as jobs, housing and services. The Human Rights Code's goal is to protect each person's human rights and prevent discrimination and harassment based on one or more of the following prohibited grounds:

- age
- **ancestry** – family descent (includes Aboriginal ancestry)
- **colour** – associated with race
- **citizenship** – membership in a state or nation
- **creed** – religion or faith
- **disability** - covers a broad range and degree of conditions, some visible and some not visible. A disability may have been present from birth, caused by an accident, or developed over time. They may be physical, mental or intellectual disabilities, mental disorders, hearing or vision disabilities, epilepsy, drug and alcohol dependencies, environmental sensitivities, and other conditions.
- **ethnic origin** – social, cultural or religious practices drawn from a common past
- **place of origin** – country or region
- **family status** – a parent/child relationship
- **gender identity** – a person's sense of being a man or a woman, both or neither (includes people who self-identify as trans)
- **gender expression** – how a person publicly expresses their gender
- **marital status** – applies equally to common-law, same-sex and opposite-sex relationships; includes widowhood, separation, divorce
- **race** – common descent and external features such as skin colour, hair texture, facial characteristics
- **sex** – discrimination can be sexual in nature, or because of pregnancy. This ground includes the right to breastfeed in public areas or in the workplace
- **sexual orientation** – includes lesbian, gay, bisexual, heterosexual, two-spirited, questioning, etc.

**Note:** Although language is not specifically identified as a prohibited ground, it may be covered under the grounds of ancestry, ethnic origin, place of origin and in some circumstances, race.

Caring for and supervising inmates is a kind of service under the Human Rights Code therefore, Correctional Services is legally required to ensure that inmates are cared for and supervised in a way that does not discriminate. As an employer, the ministry must also ensure that its workplaces are free from discrimination.

An overview of important human rights principles is provided below but, if you want more information, ask staff or submit a [Request Form](#) to get a copy of the Human Rights Code (e.g. institution library if available). A printable version of the Human Rights Code can be obtained at <http://www.ontario.ca/laws/statute/90h19>.

## **Discrimination and Harassment**

Discrimination can take on many forms.

Discrimination can happen when a person or group treats another person differently because they have a particular Code related characteristic or need (e.g. because they are Muslim, Black or have a disability). This kind of discrimination is often based on stereotypes, assumptions or negative attitudes about a group of people who share a particular Code identity. In order to prevent this kind of discrimination from occurring, it is important to always assess people individually based on their unique needs, circumstances and merits.

For example, a group of inmates of the same race are yelling at each other in the yard. An inmate of that race is standing nearby but he isn't yelling at anyone. A Correctional Officer (CO) comes and gives a misconduct to all of the inmates in the area, even the inmate who wasn't involved. He tells the CO that he wasn't the one yelling, but he thinks he was lumped in with the other inmates who were not following the rules, just because he has the same skin colour as them and was standing near them.

The CO should not assume that the inmate who wasn't yelling at anyone was acting up because of how the other inmates were behaving because they are all the same race. In order to make sure the inmates rights are not violated, the CO needs to look at the incident carefully and figure out (on an individual, case-by-case basis) who should get a misconduct.

Discrimination can also result in situations where everyone is treated equally. This is because, by treating everyone the same, we may be ignoring the individual needs and circumstances which may cause those individuals to experience the treatment differently than it was intended.

In other words, sometimes a rule, standard or requirement that appears to be neutral can have a disproportionately negative impact on a people with a particular Code protected characteristic.

For example, an inmate with a mental illness who cannot understand/appreciate the consequences of their actions may be disproportionately impacted by a requirement that inmates accept responsibility for their actions as part of the disciplinary process.

Sometimes, in order to ensure that people have an equal result, we have to treat people differently– in a way that accounts for their individual needs, circumstances and

merits. The special arrangements or adjustments that we make in order to ensure that people receive an equal result are called accommodations.

For example, for dinner the kitchen is serving pork chops. Even though all the inmates are provided with a meal, some inmates may not be able to eat pork chops for religious reasons or medical reasons (e.g., disability). These inmates are negatively impacted by the dinner menu. In order to make sure that everyone has something to eat, those inmates must be accommodated, i.e. given an equivalent meal that they are able to eat.

For more information, see [Accommodation](#) section below.

Harassment refers to a course of comments or actions based on one or more of the prohibited grounds listed above that are unwelcome or should be known to be unwelcome.

For example, a trans inmate who self identifies as a woman and goes by the name Tasha is repeatedly referred to by COs using the pronoun he and the name she was given at birth (Todd). The COs continue to do this even after she has asked them to stop and to use her preferred name and pronoun. Tasha files a complaint with the Human Rights Tribunal of Ontario alleging harassment based on gender identity and gender expression.

## **Accommodation**

Under the Human Rights Code, the ministry has a legal duty to accommodate the human rights related needs of inmates unless it can be shown that costs would be too great or that there are health and safety risks that cannot be minimized.

For example, an inmate whose first language is Urdu and does not understand or speak English very well needs a translator to translate the misconduct proceedings to Urdu. The ministry would make every attempt to accommodate this person in a timely manner.

For more information, please see the section called [Requesting an Accommodation](#) (below).

## **Requesting an Accommodation**

If you have a need related to a Human Rights Code ground that requires an accommodation (e.g., translation services or materials in a different language, large print reading material because of vision loss, an alternative hygiene product because of an allergy or a special diet because of religion, etc.), you can fill out a [Request Form](#).

On the [Request Form](#), you should make it clear that your request is related to a Human Rights Code ground (e.g., religion, disability, gender identity, etc.). For more information, please see [Requests](#) and [Reprisal](#) sections of this guide.



## Reprisal

The Human Rights Code protects individuals against reprisal or the threat of reprisal trying to enforce their human rights (for example, by raising a human rights complaint or requesting an accommodation). In other words, you should not be punished or retaliated against for raising a human rights related concern, making a complaint, requesting an accommodation or witnessing discrimination or harassment.

If you feel that you have experienced reprisal for trying to enforce your human rights, you can make a complaint (see [Making a Human Rights Complaint](#)).

## The Canadian Charter of Rights and Freedoms

Inmates also have rights under the Canadian Charter of Rights and Freedoms. The Canadian Charter of Rights and Freedoms (the Charter) is the special section of the Constitution of Canada that sets out the basic rights and freedoms enjoyed by persons in Canada.

The Charter is there to protect you; it makes sure that the government (including government actors, like Police Officers, Correctional Officers, Immigration Officers, etc.) do not pass laws or act in ways that abuse the rights and freedoms of individuals.

The Charter contains fundamental freedoms, democratic rights, mobility rights, equality rights and a number of legal rights that may be important to you. For example, among other protections, everyone has the right to:

- life, liberty and security of the person, and to not be deprived of these except under special circumstances;
- be secure against unreasonable search or seizure;
- not be arbitrarily detained or imprisoned; and
- not be subjected to any cruel or unusual treatment or punishment.

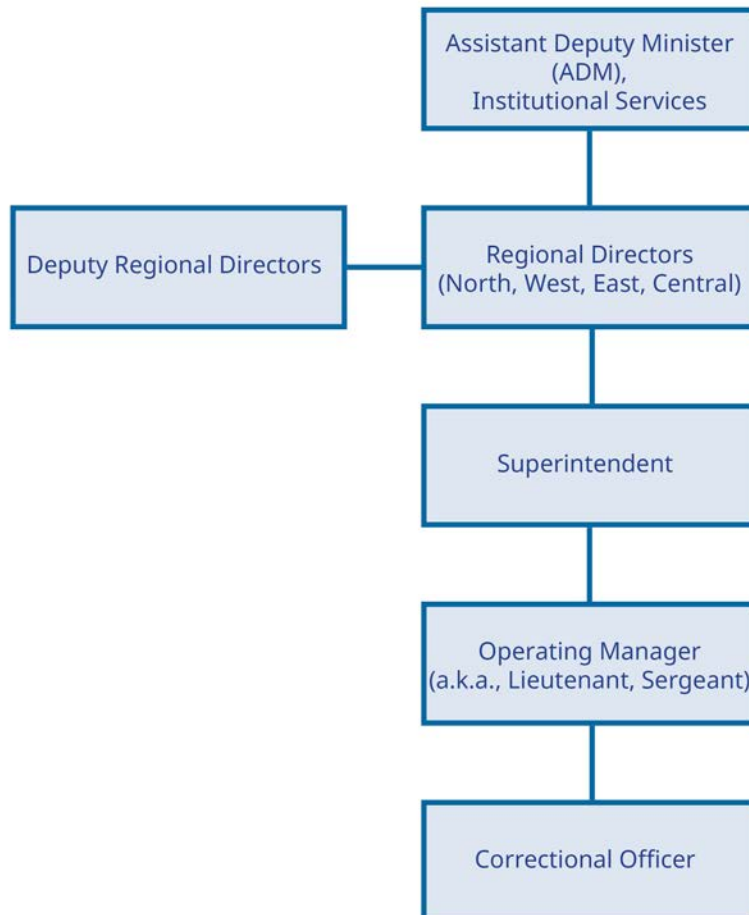
If you feel that these or any of your other Charter rights have been violated, you can seek a legal remedy through the court system. For more information, contact your lawyer, (see [Legal Services](#)).

If you would like to get a copy of the Charter or other information on this subject, please submit a [Request Form](#).

For more information about the Constitution Act, see <http://laws-lois.justice.gc.ca/eng/const/page-15.html>.

## Institution Services Hierarchy and Mailing Addresses

The following illustrates the basic reporting structure for Correctional Services Institutions:



### Assistant Deputy Minister and Regional Directors Mailing Addresses

Mailing addresses for the Assistant Deputy Minister and Directors for each region - North, East, West, and Central.

Office of Assistant Deputy Minister, Corrections - Institutional Services  
 25 Grosvenor Street, 17th Floor  
 Toronto, ON M7A 1Y6

Director, Northern Regional Office  
 200 First Avenue W., 4<sup>th</sup> Floor  
 North Bay, ON P1B 3B9

Director, Western Regional Office  
150 Dufferin Avenue, Suite 704  
London, ON N6A 5N6

Director, Eastern Regional Office  
25 Heakes Lane  
Kingston, ON K7M 9B1

Director, Central Regional Office  
2301 Haines Road, Suite 201  
Mississauga, ON L4Y 1Y5

## Immigration Detention

If you are being held at the correctional institution for immigration purposes and have questions about your application or case status, please contact Citizenship and Immigration Canada at 0-888-242-2100 or TTY: 1-888-576-8502 (for inmates who are deaf, deafened or hard of hearing or who have speech related disabilities). The toll free number is available Monday to Friday from 8:00 a.m. to 4:00 p.m. If possible, please have the reference number associated with your application ready.

If you have questions or information about your immigration detention, you may contact staff at the Canada Border Services Agency (CBSA) at 0-800-240-0171. The toll free number is available Monday to Friday 8:00 a.m. to 4:00 pm. You can also write the CBSA by addressing a letter to Access to Information and Privacy Coordinator, 333 North River Road, 14<sup>th</sup> Floor, Tower A, Vanier, Ontario K1A 0L8.

Public inquiries can contact the CBSA directly at 416-401-8516 or for information concerning the Access to Information and Privacy request process can be sent by mail (see above), email to [ATIP-AIPRP@cbsa-asfc.gc.ca](mailto:ATIP-AIPRP@cbsa-asfc.gc.ca), visiting the CBSA website <http://www.cbsa-asfc.gc.ca/menu-eng.html>.

## Library Books and Magazines

Inmates have a general right to read and access information that is commonly available to the public and are encouraged to do so. That being said, restrictions may apply where there is reasonable cause to believe that the material would impact the security, safety and good order of the institution.

Staff will tell you if there is a library at the institution. Where there is a library available, inmates should have weekly access to reading materials on the living unit (or another location) or through library parades. Staff will let you know the maximum number of reading materials that you can borrow at one time.

If there is no library program available at your institution or if you want a particular book or special reading material, you may put in a [Request Form](#). Staff will tell you to whom you should address your Request Form. You should make it clear if your request is related to the Human Rights Code (e.g., language barrier, physical disability i.e., need large print or braille versions etc. - see [Human Rights](#)).

Some newspapers and magazines may be purchased through the institution canteen. To buy a newspaper or magazine that is not on the canteen list, you must make arrangements through a third party (e.g., family member, friend, etc.), to subscribe and pay for the newspaper or magazine. The third party is responsible for providing the publisher with:

- registration of the subscription,
- the correct address of the institution,
- payment,
- cancellation of subscription (if necessary), and
- an address change if you transfer or are released from an institution.

If you wish to buy some reading material that is not available through canteen, you must write to the Superintendent and indicate the name of the reading material you wish to receive and the name and contact telephone number of the third party who is going to arrange to buy it. Once you have received permission, you must tell the third party that the subscription has been approved and ensure that the third party is aware of their responsibilities. You will not be allowed to accept newspapers and magazines that have not been approved. The publisher will send the newspaper or magazine directly to you.

## Mail

On admission, you are given paper to send one letter at no cost (i.e. for free). Every week after that, you will receive more paper to send two letters at no cost. If you want to write more than two letters a week, you must buy the extra writing paper, envelopes and stamps through the canteen. Additional paper and letters at no cost to you, may be allowed with the permission of the Superintendent. There is no limit on the number of letters you may receive but the Superintendent may place a limit of the number of letters you may keep in your cell. Extra letters may be placed in your property. If you wish to have mail you have received placed in your property you must put in a [Request Form](#). Staff will tell you to whom you should address your Request Form.

You may not have large packages, books, magazines, stickers, food items or Polaroid pictures mailed to you. Items that are saturated with perfume or other odours may not be delivered to you but may be sealed and placed in your property. Items that may contain a biohazard will also be sealed and placed in your property. These include letters with lipstick kisses or other items that may contain a biohazard.

The Superintendent will refuse to send a letter to a person who you are not allowed to contact (e.g., victims, persons with restraining orders, etc.). Police may be advised if the law or a court order has been violated.

Most letters you send must not be sealed before you put them in the mail collection box. The only letters you may seal are letters to your lawyer, the Ombudsman Ontario, the Correctional Investigator of Canada, the Information and Privacy Commissioner of Ontario, the Ontario Human Rights Commission, the Human Rights Tribunal of Ontario,

the Human Rights Legal Support Centre, the Office of the Independent Police Review Director, the Senior Medical Consultant, Manager of Corporate Health Care and the Client Conflict Resolution Unit. If you want to write to any of these offices, ask staff for help (see [Mail Between You and Your Lawyer](#), [Privileged Correspondence](#)).

If you have Human Rights Code related needs (e.g., language barrier, physical disability, intellectual disability and mental illness, etc.) that impact your ability to read or write a letter, you should talk to a staff member. Staff will work with you to get you the kind of help you need (see [Human Rights](#)).

## **Mail and Security**

Institution staff can check letters you write or receive. The Superintendent can refuse to send a letter that affects the security of the institution, threatens someone or incites hate or violence. If this happens, the staff will tell you why your letter was not sent. The letter will be returned to you. You may either rewrite it or have it stored with your property.

If someone sends you a letter that is threatening, contains bad language or incites hate or violence, the letter will be returned to the person who mailed it. The Superintendent will write and tell the person why the letter is being returned. You will be told if a letter is not given to you.

## **Letters to Government Officials**

You may write to the Minister, Deputy Minister or other senior ministry staff. You may also write to members of the Ontario Legislative Assembly and the Parliament of Canada. If you would like to write to a government official, please ask a staff member to provide you with their mailing address. These letters will be checked for contraband, threats, bad language and unsuitable content. If your letter contains any of these, it will be returned to you. All other letters will be sent without delay and without changes.

## **Mail Between You and Your Lawyer**

Letters to your lawyer should be sealed before they are put in the mail collection box. Correspondence from your lawyer will not be read by staff however, for security reasons (e.g. if there is reason to believe that the letter poses a security risk, contains contraband like paper clips and/or staples, etc.) it will be opened and inspected in front of you and a staff witness. Any contraband will be removed. If there is reasonable and probable grounds to believe that a letter coming from your lawyer contains material that is not solicitor-client privileged, the Superintendent or the Superintendent's designate may read the letter.

## **Privileged Correspondence**

Privileged correspondence is legally protected, confidential correspondence that should only be read by the person it is meant for.

This includes correspondence with the Ombudsman Ontario, Correctional Investigator of Canada, Information and Privacy Commissioner of Ontario, the Human Rights

Tribunal of Ontario, the Human Rights Legal Support Centre, the Ontario Human Rights Commission, the Office of the Independent Police Review Director, the Senior Medical Consultant, Manager of Corporate Health Care and the Client Conflict Resolution Unit (CCRU).

These letters should be sealed by you before they are put in the mail collection box. Ministry staff will not open them. The Ombudsman Ontario has supplied pre-addressed, confidential envelopes for filing complaints. You may get one by putting in a [Request Form](#). For police complaints, you may ask the staff for a Complaint Against the Police Form. To write to the CCRU, use a plain envelope. If there are other forms you need (e.g., Human Rights Tribunal of Ontario applications), ask staff for help and they will provide you with the forms.

## Misconducts

All inmates must obey the rules of the institution and the Regulations under the Ministry of Correctional Services Act. As per Regulation 778, Inmate Misconduct section 29 (1): An inmate commits a misconduct if the inmate:

- a. wilfully disobeys a lawful order of a Correctional Officer or Operating Manager;
- b. commits or threatens to commit an assault upon another person;
- c. make a gross insult, by gesture, use of abusive language, or other act, directed at any person;
- d. takes or converts to the inmate's own use or to the use of another person any property without the consent of the rightful owner of the property;
- e. damages any property that is not owned by the inmate;
- f. has contraband in their possession or attempts to or participates in an attempt to bring contraband in or take contraband out of the institution;
- g. creates or incites a disturbance likely to endanger the security of the institution;
- h. escapes, attempts to escape or is unlawfully at large from an institution;
- i. leaves a cell, place of work or other appointed place without proper authority;
- j. gives or offers a bribe or reward to an employee of the institution;
- k. counsels, aids or abets another inmate to do an act in contravention of the Act and regulations;
- l. refuses to pay a fee or charge that the inmate is required to pay under the Act or regulations;
- m. obstructs an investigation conducted or authorized by the Superintendent;
- n. wilfully breaches or attempts to breach any other regulation or a written rule, of which the inmate has received notice, governing the conduct of inmates; or
- o. wilfully breaches or attempts to breach any term or condition of a temporary absence.

If you are found guilty of a misconduct, you may be disciplined and may face a disciplinary measure. These measures may be a loss of earned remission (see [Earned Remission](#)), a loss of the right to earn remission, a loss of privileges, change in program or activities, or close confinement (segregation).

If the misconduct is also a criminal offence, the police will be called and the police or Crown Attorney may decide to charge you. You may still be found guilty of the misconduct even if the police charge you.

If you are accused of committing a misconduct, you will have the opportunity to explain your actions and your version of events at a misconduct interview. You should make it clear in your defence if your misconduct allegation is related to Human Rights Code needs (see [Human Rights](#)).

Segregation is not to be used to discipline and/or manage inmates with mental illness, unless the Ministry can demonstrate that alternatives to segregation have been considered and rejected because they would cause an undue hardship (including for reasons related to health and safety concerns). However, in an emergency situation, it may be necessary to use segregation.

Cases of misconduct will be assessed and informal or formal disciplinary measures addressed on an individualized, case by case basis. Where relevant and appropriate, consideration must be given to any Human Rights Code related factors that would:

- a. mitigate the severity of the misconduct or the inmate's responsibility for it; or
- b. cause the inmate to be adversely impacted by a particular disciplinary measure if imposed (e.g., close confinement, loss of privilege, change in programs and or activities, disruption of accommodation).

In the above cases, alternatives including therapeutic options and treatment plans (especially where mental illness is present) and risk mitigation strategies, must be explored and only rejected where it is determined that they would amount to undue hardship. The process of exploring alternatives must be done prior to the disposition (i.e., conclusion that segregation is the only viable option) and will include consultation with clinical staff.

Every time an inmate's segregation placement is reviewed and assessed, alternatives and mitigation strategies must be explored again in light of the current circumstances. If required, new Human Rights Code related accommodations or modifications to existing accommodations must be implemented short of undue hardship.

A manager will investigate and meet with you before the misconduct interview to learn your version of what happened. You will also be told that you have the right to:

- a. deny the misconduct;
- b. request someone to help you at the misconduct interview;
- c. appear in person at the misconduct interview and explain your actions;
- d. prepare a written statement to be given to the person conducting the interview of the misconduct;

- e. call witnesses;
- f. question the person who placed you on the misconduct; and
- g. appeal the results of the interview.

If you wish to have someone help you at the interview you must tell the Operating Manager why you want help when you are interviewed. You should make it clear if your need for help is related to Human Rights Code grounds (e.g., language barrier, physical disability, intellectual disability and mental illness, etc.) that impacts your ability to understand your rights and responsibilities or to participate in the process (see [Human Rights](#)). Possible accommodations may include support persons, sign language interpreters, translators, communication supports or alternate formats. If accommodation is not provided, a rationale should be provided to you verbally and if possible in writing.

You will be told the results of the misconduct interview.

If you do not agree with the Superintendent or designate's decision, you may write to the Assistant Deputy Minister, Institutional Services (see [Institution Services Hierarchy and Mailing Addresses](#)) and ask for a review if:

- you feel that the Superintendent or designates decision was not in line with the procedures set out in the Regulation; or
- you have been disciplined by having to give up (forfeit) a portion or the whole of your remission or by having your ability to earn remission suspended.

## Parole

### National Parole

If you are serving a sentence of two years or more, you must write directly to the local office of the Parole Board of Canada for information about parole. Staff can give you the mailing address.

For general inquiries, you can write to the Parole Board of Canada, Communications Division, 410 Laurier Avenue West, Ottawa, ON K1A 0R1.

Public inquiries, comments or questions to the Parole Board of Canada and their services can be made through written requests (see above), by accessing website [www.pbc-clcc.gc.ca](http://www.pbc-clcc.gc.ca), sending an email to [info@PBC-CLCC.gc.ca](mailto:info@PBC-CLCC.gc.ca) or calling directly 1-613-954-7474.

### Ontario Parole (Sentences of Less than Two Years)

Parole is a form of release that lets you finish the rest of your sentence in the community under a set of conditions.

### Eligibility for Parole

You are eligible for parole at 1/3 of your sentence. This date is known as your Parole Eligibility Date. By law if you are serving a sentence of six (6) months or more you will



be automatically scheduled for a parole hearing. If you are serving a sentence of less than six (6) months, you must apply for parole.

You can also apply for parole any time where special or compelling circumstances exist, for example, if you have medical or mental health-related issues, require unique employment and education programs, if compassionate reasons are present or if you have other Human Rights Code related needs that cannot be accommodated in an institutional setting. To request early consideration, you should put in a request to see the Institution Liaison Officer (ILO).

If you do not want to go ahead with parole (and your parole board hearing) and are serving a sentence of six months or more, you may give up (i.e. waive) your right to a parole hearing by completing a form available through the ILO. You may change your mind at any time, and request that the waiver be removed by writing to the Ontario Parole Board (OPB) and the OPB will proceed to give you a parole hearing.

If you are serving a short sentence (i.e., less than six months), which may not allow enough time to process a parole application, you may wish to apply for a temporary absence. For information on temporary absences, you can request to speak to the Temporary Absence Coordinator at your institution or refer to the [Temporary Absence Program](#) section of this Guide.

## Preparing for Parole

If you require help related to a Human Rights Code grounds for your hearing, (e.g., language barrier, hearing, speech, physical disability, or intellectual disability, etc., - see [Human Rights](#)).

A very important part of the Board's consideration in making a decision on parole is the plan that you complete and submit in preparation of your hearing. If you need help to complete this plan because of Human Rights Code grounds (e.g., language barrier, physical disability, intellectual disability and mental illness, etc.), please let staff know and they will work with you to get you the kind of help you need (see [Human Rights](#)).

The Parole Board will look at:

- your criminal history;
- the reasons for and type of offences;
- your participation and progress in programs and your institutional behaviour;
- where you are going to live and what you plan to do with your time if released; and
- the impact your offences have had on the victim(s) and the community.

You must remember that just because you are eligible for parole does not mean you will get it. Parole is never guaranteed.

Before your parole hearing, the Institution Liaison Officer (ILO) will interview you in order to prepare for your parole plan. This report will contain information about your plans upon release. Upon receipt of the parole plan, a Probation and Parole Officer will

be responsible to investigate your plan and prepare a Pre-parole Report for the Board. For this, they may contact family, friends, employers, etc. to verify information. You will be asked where you plan to live, work or go to school and who you plan to live with if you get parole. You should try to have this information and any supporting documents (e.g., letters offering you a job, a place to live or other assistance) available for your interview with the ILO. The Board will review this information along with other documents they receive. You will be given at least forty eight hours notice before your parole hearing.

## The Parole Hearing

The parole hearing will take place in your institution, in person or by video. On the day of your hearing, two Board members will review your file. In your file is your release plan, your institutional reports, your community assessment and your criminal history. The Board members will also ask you questions to help them make their decision. The purpose of the hearing is not to put you on trial again for your offences. Instead the Board wants to discuss your offences with you and how you plan to keep yourself from committing a crime in the future. Be prepared to answer questions about the decisions you made that got you into trouble.

The victim may attend the parole hearing to observe or present a victim statement. You may have a support person (e.g., family member, friend, lawyer or community support) attend to assist you at the hearing or with the follow-up. You may request this assistance from the OPB.

At the end of the hearing, the Board can make one of three decisions.

1. **Parole Deferred:** The Board members need more information in order to make a decision, and will delay the decision to another day. You will be given the new date in writing.
2. **Parole Granted:** You are granted parole and the Board will let you know your release date and the conditions of your parole. You will be given a copy of the parole decision at the hearing. You will also sign a parole certificate before you leave the institution that you must keep it with you at all times while on parole. The certificate will list the conditions of your release. If your behaviour changes while still in the institution or you stop going to institutional programs, your parole can be cancelled before you are released. The Board can also cancel your parole if it gets new information that contradicts the information you provided at the parole hearing.
3. **Parole Denied:** If you are not given parole, you will be told why the parole was denied and given a copy of the parole decision at the hearing. If you disagree with the Board's decision, you may write to the Associate Chair, Ontario Parole Board, requesting a review of the decision. In your letter, you must explain the reason(s) you are asking for a review of the decision and provide any new information that may affect, or change the Board's previous decision. Letters should be addressed to Office of the Associate Chair, 250 Dundas Street West, Suite 605, Toronto, Ontario, M7A 2T3.

Public inquiries can be made by mail (see above), by calling 416-325-4480 or visiting their website at [www.opb.gov.on.ca](http://www.opb.gov.on.ca).

## Supervision During Parole

While on parole, you will be supervised by a Probation and Parole Officer until the end of your sentence. This means that you give up the remission (good time) you earned before your release.

## Pardons (Record Suspensions)

You may apply for a record suspension if you do not commit any other offences during a set time. The length of time varies from five to ten years depending on your criminal history.

You can get application forms and information booklets from a post office, a police station, any office of the Parole Board of Canada or by writing to Record Suspension Section, Clemency and Investigations Division, Parole Board of Canada, 410 Laurier Avenue West, Ottawa, Ontario K1A 0R1.

## Personal Care

### Basic Hygiene Items

While you are in a Correctional Services facility, you are expected to keep an acceptable level of hygiene and grooming. If you need help to care for yourself because of a disability, please tell a staff member.

You will be given basic hygiene items at no cost (i.e., for free). These items include a toothbrush, toothpaste, soap, shampoo, comb, deodorant, razor and shaving cream, and if required, feminine hygiene products.

There is a maximum number of hygiene items that you are allowed to buy or keep with you. Staff will let you know how many hygiene items you are allowed to have. Additional items will be placed with your personal property. If you are found to be over the limit, you may be placed on misconduct (see [Misconducts](#)).

If you need alternatives to the basic items provided or, if you need to buy and keep more items than the limit allows, for a Human Rights Code related reason (e.g., because of disability, religion, gender identity, etc.), please talk to a staff member (see [Human Rights](#)).

You will also have reasonable access to other hygiene and grooming services such as haircuts, hair colour or nail care. Please see [Hair Length and Facial Hair](#) section of this guide or talk to staff to get more information.

### Clothing

All inmates have to wear institution clothing while in the institution. You will be responsible for the care and upkeep of your issued clothing. Your clothing must not be

altered or damaged. The number of items issued at one time and the schedule for clothing exchange will vary from institution to institution. Ask a Correctional Officer if you have questions about your clothing.

If your clothing is altered or damaged or you are found to have more institution clothing than is issued by the facility, you may receive a misconduct (see [Misconducts](#)).

If you have to go to court, you will be given your own clothes. If your clothes are not suitable for court (e.g., if they are torn or damaged), you may request to have clothing provided by the institution or brought in by family, friends or community supports. If necessary, clothing may also be given to you for your release. If you are in an institution for a long time, you may ask your family, friends or other support persons to bring a change of clothes for you. Correctional staff can help you arrange this.

Your own clothing is usually exchanged on a one for one basis unless approved by the Superintendent. To request additional clothing, you must make a request to the Superintendent.

If you have any Human Rights Code needs related to clothing (e.g., if you are pregnant and need bigger clothing or if you require a head covering for religious reasons, gender identity, etc.), please let a staff member know and they will ensure that these needs are addressed (see [Human Rights](#)).

### **Clothing Exchanges**

Clothing and property brought in by a visitor will be searched. If contraband is found, the police may be contacted and the visitor will lose their visiting privileges and may face criminal charges. If criminal activity is suspected, the police will be advised.

### **Hair Length and Facial Hair**

You must keep your hair neat and clean. If you work in the kitchen, you will have to wear a head cover.

You are entitled to basic hair cutting services for which you have to pay. You must get permission and pay to colour your hair.

You must get permission from the Superintendent if you want to make a big change in your hair style or facial hair. If your appearance has been altered, you may need to take another identification picture.

If you have Human Rights Code related reasons to keep your head or facial hair a certain style or length (e.g., because of your race, ancestry, religion, gender identity or gender expression, etc.), you should talk to staff.

### **Personal Property and Cash**

You cannot give cash or personal property to another inmate while you are in a Correctional Services facility without the written permission of the Superintendent.

The institution will usually store only the property you are admitted with. You must ask the Superintendent's permission before any other property may be brought in for you. If you have too much property, the staff can ask you to have some of it picked up by relatives, friends, or supports in the community.

Upon your release, you must pick up your property and any money you have in your trust from the institution that you have been released from. You may pick up your property during regular business hours. After 90 days, your property will be destroyed in accordance with ministry regulations.

## Probation

You must be interviewed by the Institution Liaison Officer (ILO) if:

- You are on probation when you are admitted; or
- Your probation starts after your institution sentence ends.

If you will be on probation when you are released, the ILO will request information from you on your destination address and will tell you which probation office to report to and when so you will not be charged with failing to report. A contact number and address will be provided to you, should you not already have it.

## Programs

The programs offered to inmates may vary from institution to institution (e.g., select rehabilitative programs and life management skills such as budgeting, resume writing, etc.) and may depend on your classification (e.g., whether you are sentenced, on remand or on an immigration hold, etc.). For a list of the programs available for your classification at your institution, please ask a Correctional Officer or program staff.

If you would like to register for a program or would like to be removed from the program you are in, please put in a [Request Form](#) to talk to the program staff. You should put in a Request Form if you have any Human Rights Code related needs which may impact your ability to fully participate in programming or which requires accommodation (see [Human Rights](#)). Staff will tell you whom to send your Request Forms to.

## Aboriginal and Cultural Programs and Services

Correctional Services offers a range of Aboriginal programs to Aboriginal inmates who are interested in learning about their Aboriginal teachings and traditional practices. The Aboriginal programs offered to inmates may vary from institution to institution and may depend on your classification (e.g., whether you are sentenced, on remand or on an immigration hold). For a list of the Aboriginal programs available to you or, if you would like to be transferred to an institution that offers these programs, please ask a Classification Officer, a Native Inmate Liaison Officer (NILO) or a member of the program staff.

Correctional Services also provides Aboriginal spiritual services to inmates including access to an Elder or other traditional practices. If you are interested in Aboriginal spiritual care services, talk to a NILO or spiritual care provider.

Your institution may also have culturally based programs available. If you require specific culturally based programming, you may put forward a [Request Form](#) to speak to a Chaplain or Classification Officer.

## **Educational Programs**

Correctional services offer a number of educational programs in the institutions. They are listed below. If you want to take a course or need more information on educational programs, you should put in a [Request Form](#).

If you need help with this form because of literacy or [Human Rights](#) Code related needs, talk to the staff.

### **Literacy, Upgrading and English as a Second Language Programs**

Teachers or volunteer tutors may offer one to one or group instruction.

### **Correspondence Courses**

Where available, you may take secondary school courses through the Independent Learning Centre. The courses are available in English and French. These courses will help you earn credits that will go towards your secondary school education when you are back in the community.

Preparation courses (English as a Second Language, Adult Basic Education and Adult Basic Literacy) may also be available. Teachers in the community mark and return the lessons.

### **Secondary School Programs**

Some institutions have teachers who teach courses for credit. Some also offer refresher courses for credits already earned.

### **Recreation Programs**

Some institutions offer recreation programs. These may include physical activities, arts and crafts, board games, and similar activities. The recreation programs offered to inmates may vary from institution to institution and may depend on your classification (e.g., whether you are sentenced, on remand or on an immigration hold). For a list of the recreation programs available for your classification at your institution, please ask a Correctional Officer or a member of the program staff.

If you would like to register for a recreation program or would like to be removed from the program you are in, please put in a [Request Form](#) to talk to the program staff. You should put in a [Request Form](#) if you have any Human Rights Code related needs which may impact your ability to fully participate in programming or which require

accommodation (see [Human Rights](#)). Staff will tell you to whom you should address your Request Form(s).

## Volunteer Programs

All institutions have volunteers from the community who help run programs for inmates. The volunteer programs offered to inmates may vary from institution to institution and may depend on your classification (e.g., whether you are sentenced, on remand or on an immigration hold, etc.). If there is no list of programs in your living unit, please ask a Correctional Officer or any other staff member about the volunteer programs at your institution.

If you would like to register to join a volunteer program or would like to be removed from the program you are in, please put in a [Request Form](#) to talk to the program staff. You should put in a Request Form if you have Human Rights Code related needs which may impact your ability to fully participate in programming or which require accommodation (see [Human Rights](#)). Staff will tell you to whom you should address your Request Forms.

## Work Programs

All sentenced inmates must work or take part in institution programs. If you require to be accommodated for Human Rights Code related needs, advise staff.

Remanded inmates may volunteer to work in the institution.

Work programs vary from institution to institution. Speak to a Correctional Officer to find out what is available for you.

## Requests

If you have any questions or concerns, talk to a Correctional Officer. If the Correctional Officer cannot help you or you need more information, you may fill out a Request Form. The Request Form will be given to the person you name on the form or redirected to the staff member who can help you. If you require accommodation for Human Rights Code related needs, see [Human Rights](#).

If you have a Human Rights Code related need (e.g., language barrier, physical disability, intellectual disability and mental illness, etc.) that impacts your ability to fill out a Request Form, you should talk to a staff member. Staff will work with you to get you the kind of help you need (see [Human Rights](#)).

## Segregation

You can be placed in segregation if:

- you are in need of protection;
- it is necessary to protect the security of the institution or the safety of other inmates;
- you are alleged to have committed a misconduct of a serious nature;
- you request to be placed in segregation; or
- you are found guilty of misconduct.

Those who need to be isolated for medical reasons, for example, those with a contagious disease, may be placed in medical segregation.

## Your Rights

If you are placed in segregation:

- You have, as much as possible, the same rights and privileges as all other inmates such as health care and programs within the institution.
- If you do not understand why you have been placed in segregation, or if you need help to participate in the segregation review process (for example, making a request to the Superintendent or designate, participating in interviews about alleged misconduct, having conversations with the health care staff or the Superintendent or designate), you may ask for help.
- At any time during the segregation review process you may make a submission (opportunity to offer information) to the Superintendent or designate either in person or in writing.

## Review and Reporting Requirements

- When you are first placed in segregation, you will be advised about the reasons for your placement.
- Your segregation status will be reviewed within 24 hours, and you will be advised why you are in segregation, and if segregation is no longer needed, you will be removed from segregation.
  - If you are in segregation for an alleged serious misconduct you will be provided with a Misconduct Notice Form.
  - If you are in segregation as discipline for being found guilty of misconduct, you will be provided with an Inmate Notification of Misconduct Disposition Form.
- Your segregation status will be reviewed at least once in every 5 day period to determine whether your continued segregation is warranted.



- If you are in segregation for a continuous period of 30 days, a review of the reasons for continued segregation must be conducted. A review must be conducted after every 30 day period you remain in segregation. This review will include and document:
  - Your mental health status and/or Human Rights Code related needs.
  - What alternatives to segregation have been considered and rejected, as well as any segregation review plan and/or treatment plan to help you get out of segregation.

If you are in segregation for a continuous period of 30 days:

- The Superintendent will report to the Assistant Deputy Minister of Institutional Services the reason(s) for your continued segregation, including what alternatives to segregation have been considered and rejected and whether there is a treatment plan to help you get out of segregation.

If you are in segregation for more than 60 days (total) in one year:

- The Superintendent will notify the Assistant Deputy Minister of Institutional Services.

## **Mental Health and Segregation**

Segregation is not to be used to discipline and/or manage inmates with mental illness unless the Ministry has first considered and rejected alternatives to segregation to the point of undue hardship.

If you have mental health concerns or mental illness:

- As part of your care, you will be assessed as soon as possible after you are placed in segregation.
- The assessment will determine how to best meet your mental health needs and recommend mental health services that are specific to you.
- You will be re-assessed at least every 5 days to determine your mental health needs. Changes to your Treatment Plan will be made, if needed.
- Physicians, psychiatrists and other clinical staff (such as psychologists, psychometrists, mental health nurses, nurses and social workers) will work as a team to provide mental health services that are specific to you on an ongoing basis.

Your health is important! You have the right to refuse to be assessed by clinical staff, however; you are strongly encouraged to participate and provide accurate information about your health and mental health. Mental health services are available in your institution. All health care conversations and records are confidential unless there is a risk to your health and safety or the health and safety of others.

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## Services

### Food Services

The ministry bases its menus on Eating Well with Canada's Food Guide. All facilities are to have the same ministry menu.

If you have comments about a meal, speak to the staff on duty when the meal is served. If you have Human Rights Code related concerns (e.g., if you need a different meal (see [Diets](#)) because of your religious/spiritual beliefs or medical requirements, you should make a request using a [Request Form](#).

### French Language Services

All institutions in the province are required to offer services in French. If you want to receive French language services, you should tell staff and/or put forward a [Request Form](#).

### Health Care Services

The institution's Health Care Manager or Senior Nurse oversees health care matters for inmates. Questions or concerns about your health care can be directed to the Health Care Manager or Senior Nurse.

Correctional Services have Nurses, Family Doctors, and Psychiatrists in institutions. They may also have Mental Health Nurses, Social Workers, Psychologists, Chaplains, and Native Liaison Officers who each may contribute to your well-being. If needed, you may be referred to other kinds of health care providers or specialists. In some cases, certain medical appointments may be given by Telemedicine, where you and the doctor communicate by video.

While you are in the institution, health care staff is available to help you understand your health options so that you can make informed decisions about your health care. It is important that you tell the health care staff about your health (e.g., current and past illnesses and conditions, medications, drug and alcohol use, surgeries, etc.) as it will help them with your care and treatment. The information you share is confidential between you and health care staff, and is kept in a separate Health Care Record, rather than with your general institution file.

### Medications

Health care staff will ask what medications you were taking before coming to the institution and the pharmacy and doctor who gave you the prescriptions. Health care staff will try to contact your pharmacy or doctor to confirm the information. The institution's doctor will review your medication(s) and prescribe necessary medication based on their assessment of your health needs. A similar medicine might be substituted for your regular medication.

Normally you cannot keep your medicine with you. Nurses usually give out medication twice a day, either in your cell or on the range. You are not allowed to share your medication. If someone is pressuring you to give them your medication, health care

may be able to change the form it takes, how you get it, or even the medication itself. If you are discovered to be sharing your medications with others or not taking your medications at the time they are administered, nurses will request that the need for the medication be re-evaluated by the physician. The risk of harm for someone else taking your medication may be higher than your need for the medication and the doctor may decide to order an alternative medication or discontinue the medication.

Medication that you had with you when you arrived will be stored in your personal property, and should be returned to you when you leave. The only exception is methadone. Methadone is not stored in your personal property; it is destroyed and therefore, is not returned to you.

### **Infections**

To reduce the risk of spreading infections (e.g., colds, flu, skin infections, hepatitis, etc.), you should:

- wash your hands with soap and water often and especially before eating and after touching door handles, sinks, showers, and using the toilets;
- not share personal items (e.g., clothes, bedding, towels, clothing, combs, brushes, shaving equipment, toothbrush, etc.);
- cover your broken skin, such as sores and cuts; and
- ask to see health care if you have any cough, fever, sores, rashes, or other signs of infection.

Condoms and dental dams are available at all facilities through health care.

You can ask to be tested for infections like HIV, hepatitis, and sexually transmitted infections (STIs). If you have an STI or HIV, treatment will be provided.

### **Tolerance to drugs and risk for overdose**

Your body's tolerance to certain medications and drugs goes down quickly when you stop using them, even after a few days. This means you can overdose if you take your normal amount, especially for opioids (like morphine, oxy, heroin, fentanyl) and downers such as benzos (like valium, ativan, and Librium, etc.). Be careful with your dose. Mixing drugs, including alcohol, increases your chance of overdose. If you do use, be careful and consider using less than normal, not using alone, and asking someone to check in on you.

In some cases you might be able to get treatment in an institution for problems with drugs and alcohol. You can ask health care staff what your options are for individual or group support.

Only medications distributed and approved by the institution health care staff are allowed for use (see [Contraband](#), [Misconduct](#)).

## **Mental Health**

During the admission process, it may be determined that you would benefit further from a mental health assessment and you may be referred to a mental health provider. Depending on your needs, a Care Plan and or Treatment Plan may be designed to support you while you are in an institution.

If you want to see a psychiatrist or other specialist, you can put forward a [Request Form](#) or let staff know. Normally, you must be referred to the psychiatrist or other specialist by the institution doctor.

## **Mental Health and Segregation**

Being placed in segregation can affect a person's health. Therefore, regular assessments will be done to review your mental health status (see [Segregation](#)). It is also important that you tell health care or correctional staff you are experiencing any concerns related to your physical or mental health to make sure additional support can be provided.

The segregation section of this guide outlines an inmate's rights during segregation, (see [Segregation](#)).

## **Second Opinions**

If you are concerned about your medical treatment, you may request a second medical opinion. If the institution doctor supports your request, you will not have to pay the costs. If the doctor does not agree with your request, you may have to pay some or all of the costs not covered by OHIP (e.g., transportation and escort costs, etc.).

Information from a second opinion will be given to health care staff at the institution and will be placed on your medical file.

## **Your Health Care Information**

For your privacy, your health information is confidential and kept in a separate Health Care Record, rather than with your general institution file. Your health information can be shared only with health care providers who are involved in your care, and in rare situations with a person who is authorized by law to see it. Your Health Care Record goes with you when you are transferred to other correctional institutions. If you are transferred into federal custody, a summary of your health care and at least the past 14 weeks your medical file is sent with you.

From the time you are released from custody, your Health Care Record is kept for a period of 50 years, and is then destroyed.

If you feel your privacy rights have been violated under the Personal Health Information Protection Act, you may file a complaint with the Information and Privacy Commissioner of Ontario (IPC), (see [Freedom of Information and Protection of Privacy](#)). The Personal Health Information Protection Act (PHIPA) is available at:

<http://www.ontario.ca/laws/statute/04p03>. You can also find more information about PHIPA at the IPC website.

If you wish to see your Health Care Record you may put in a [Request Form](#) to the Health Care Manager or Senior Nurse. If your request is denied, you may submit a formal request to the Ministry's Freedom of Information and Protection of Privacy Office.

If you think your Health Care record contains incorrect or incomplete information, you may request to put a note in your record explaining what you feel is not correct and why.

## **Legal Services**

If you want legal advice, you may hire and pay for your own lawyer or apply for legal aid through Legal Aid Ontario.

If you would like to hire and pay for your own lawyer, the Law Society of Upper Canada's Lawyer Referral Service can help put you in touch with a lawyer who practices the kind of law that you need. The toll free number 0-800-268-8326 or TTY: 1-416-644-4886 (for inmates who are deaf, deafened or hard of hearing or who have speech related disabilities), is available from Monday to Friday from 9:00 a.m. to 5:00 p.m.

Free legal assistance (legal aid) is provided to low income people through Legal Aid Ontario. To apply for legal aid, please ask a staff member or contact Legal Aid Ontario directly at 0-800-668-8258 or TTY: 0-866-641-8867 (for inmates who are deaf, deafened or hard of hearing or who have speech related disabilities). This toll free number is available from Monday to Friday from 8:00 a.m. to 5:00 p.m. Legal Aid Ontario is able to provide services in over 200 languages. For more information on solicitor-client correspondence privileges, (see [Mail](#)).

If you are representing yourself, the institution can assist you with telephone, fax or mail access to the courts and parties such as the Crown so that you can serve and file court materials. Speak to a Correctional Officer if you intend to represent yourself.

For any [legal services](#), you should make it clear if you need assistance because of a Human Rights Code related ground (e.g., language barrier, physical disability i.e., need large print or braille versions, etc., - see [Human Rights](#)).

## **Outstanding Criminal Charges**

If you have any outstanding criminal charges, you should consider discussing those with your lawyer or legal representative. Your lawyer or legal representative may be able to provide you with more information and/or have those charges brought before the local court. You may be transferred to another institution to attend court on outstanding charges depending on the location of the court dealing with those charges.

## **Spiritual, Religious or Faith Based Services**

All inmates have a right to spiritual and religious care from a faith group of their choice.

Therefore, Correctional Services provides multi-faith spiritual and religious services to inmates and allows all faith groups (where available in the community) to come to the institutions.

Please talk to the staff (i.e., Chaplain if available) who can give you more information and help you fill out a [Request Form](#) for this service.

## Translation Services

Please let the staff know if you need a translator for your trial, parole hearing, misconduct interview, and programming or to understand what is being communicated to you. You should also tell the staff if you know of an inmate who cannot speak or understand English.

For specific information on French Language Services, please see the [French Languages Services](#) section of this guide.

## Telephone Calls

You may use the pay telephones to make outgoing collect calls or to call toll free numbers. If you are making a collect call, the person you call must agree to accept the charges. If there is no collect pay telephone at your institution or if the person you are calling does not have a home phone, you may fill out a [Request Form](#) and staff will assist you with making the call.

Telephone access times will vary from institution to institution. To learn about access times at your institution, ask a Correctional Officer.

The telephone system puts a 20 minute limit on all calls made on the pay phone system. After that time the call automatically ends.

The telephone system does not allow 3-way calls. It will automatically hang-up if a 3-way call is attempted.

Your telephone privileges may be suspended or limited if you abuse the phone system, call people that the courts have ordered you to have no contact with, or for security reasons.

Because of the way phone systems are designed, collect calls made to cell phones may not always go through. This is not something that is under ministry control.

TTY telephones are available in Ontario's institutions. A TTY telephone is an electronic device that allows persons who are deaf, deafened or hard of hearing and/or who have speech related disabilities to communicate via text over a telephone line. If you are deaf, deafened or hard of hearing and/or have a speech related disability and want to make a call, staff can help you get access to the TTY telephone. If you wish to use a TTY telephone, you should put in a [Request Form](#).

**Note:** Institutions have an operating inmate telephone system and/or a local telephone system that can accommodate the TTY/Teletypewriter equipment. Each region has a TTY/Teletypewriter(s) for shared use in their region. Once an inmate has put forward a request, the equipment will be sent to the institution as soon as possible.

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## Temporary Absence Program

The Temporary Absence (TA) Program allows eligible inmates to leave the institution to go to work or school, receive medical treatment, visit family, and take part in community programs and other important activities. Any inmate sentenced to less than 2 years may apply for a Temporary Absence Permit (TAP).

If you are serving an intermittent sentence you may apply for the Intermittent Community Work Program. Ask to speak to a TA Coordinator for more details (see [Requests](#)).

Remand and federal inmates are only granted escorted TAs for medical and compassionate purposes. Before applying, you should talk to the TA Coordinator about your plans, (see [Requests](#)).

If your discharge date is on a Friday, Saturday, Sunday or statutory holiday, you might be able to leave sooner by applying for a Community Reintegration Temporary Absence Pass. Ask to speak to a Discharge Planner for more details, (see [Requests](#)).

The Superintendent is responsible for all TAs of less than 72 hours duration. The Superintendent also determines if a TA will be staff escorted, unescorted, or escorted by a volunteer.

The Ontario Parole Board (OPB) is responsible for decision-making about applications for all unescorted TAs of 72 hours or more in duration.

The TA Coordinator works with OPB on all unescorted TAs that last for 72 hours or longer.

The TA Coordinator/Committee will review your application and make a recommendation to the Superintendent/Ontario Parole Board (OPB). The Superintendent/OPB may approve or deny your TA, (see OPB [Temporary Absence Appeals](#)).

You should identify to your TA Coordinator if your request for TA is related to Human Rights Code grounds (e.g., religion, disability, gender identity, etc., - see [Human Rights](#)).

## Conditions and Penalties

While on TA, you are still serving your sentence. You must always carry your TA permit and follow all the TA terms and conditions. You must also comply with any special conditions set by the Superintendent or OPB. If you do not, the Superintendent or OPB has the right to cancel your TA. You may also be placed on misconduct or charged in court with a provincial offence.

## Electronic Supervision Program

Electronic Supervision uses special technology to track an inmate's movements to ensure they are following with the conditions of their TA. It is a special condition the Superintendent or Ontario Parole Board puts on some TAs. This is not available in all

institutions or communities. If you are on Electronic Supervision, you will have to pay a fee depending on the type of sentence.

## Temporary Absence Appeals

The Superintendent's decision to deny a TA is final. However, if circumstances significantly change and/or new information is available, you may re-apply for a TA.

If you want to appeal a TA decision made by OPB, you may write to the Chair of OPB and indicate the reasons for the request along with any new information to support the request. Staff can give you the address.

If you disagree with the Board's decision, you may write to the Associate Chair, Ontario Parole Board, requesting a review of the decision. In your letter, you must explain the reason(s) you are asking for a review of the decision and provide any new information that may affect, or change the Board's previous decision. Letters should be addressed to:

Office of the Associate Chair  
250 Dundas Street West, Suite 605  
Toronto, ON, M7A 2T3.

Public inquiries can be made by mail (see above), by calling 416-325-4480 or visiting their website at [www.opb.gov.on.ca](http://www.opb.gov.on.ca).

If you need help applying for this appeal because of Human Rights Code grounds (e.g., language barrier, physical disability, intellectual disability and mental illness, etc.), please let staff know and they will work with you to get you the kind of help you need (see [Human Rights](#)).

## Transfers

After you have been sentenced and interviewed by Classification, you may be transferred to another institution to attend programs, receive treatment or work in the institution. If your next court date is not for some time, you may be transferred to another institution to wait for your trial. This happens when some institutions are crowded and others have empty beds.

### Involuntary Transfers

You may be transferred to another institution to address security or behavioural concerns in your current institution. Unless this is an emergency transfer, you will be advised before it happens and be given an opportunity to explain why you should not be transferred. You should make it clear if your need to stay at the current institution is related to Human Rights Code related grounds (e.g., distance to community services for people with disabilities, access to culturally relevant programming, etc., - see [Human Rights](#)).



## Requesting a Transfer

If you want to be transferred to another institution, you must write to the Superintendent. You must give the reasons in your letter. You should make it clear in your letter if your need to be transferred is related to Human Rights Code related grounds (e.g., disability, distance to community services, access to culturally relevant programming, etc., - see [Human Rights](#)). The Superintendent will review your request and give you an answer.

If you need help with this request due to Human Rights Code related reasons, please talk to staff and they will work with you to get you the kind of help you need (see [Human Rights](#)).

## Treatment and Treatment Centres

Treatment programs are available at some ministry institutions. The ministry also has three special treatment centres.

To be sent to a treatment centre, you must undergo a special classification process. This lets staff know if you are suitable for treatment or if you need an assessment before going to another institution.

If you want more information or have any questions about treatment programs, please put in a [Request Form](#) to the classification staff.

If you are identified as an inmate with mental health concerns and/or mental illness, a Treatment Plan and/or a Care Plan may be designed to address your needs during your period of incarceration.

### Algoma Treatment and Remand Centre

The treatment programs at this facility are for problems such as anger management, domestic violence and drug and alcohol abuse. You must apply to go to the Algoma Treatment and Remand Centre for treatment.

### Ontario Correctional Institute

Ontario Correctional Institute (OCI) offers treatment programs for problems such as criminal thinking, substance abuse, emotion management and sexual offending. If you have six (6) months or more remaining in your sentence before discharge you are eligible to apply to OCI. Institutional classification staff can assist you with the application process. You must apply to go to OCI for treatment.

### St. Lawrence Valley Correctional and Treatment Centre

If you have psychiatric problems and need a secure setting during your assessment and treatment, you may be eligible to serve your sentence at St. Lawrence Valley Correctional and Treatment Centre. If you have any questions and/or concerns, you can speak to a health care professional on staff or put forward a [Request Form](#) and request to speak to the Classification Officer.

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## Trust Accounts

The Superintendent holds the money you had on admission in a trust account for you. Money you receive while in an institution is added to this account. You can use the money in your trust account to buy items from the canteen (see [Canteen](#)).

Money will not be taken from your trust account without your approval. You cannot take money from your trust account without the Superintendent's permission. You cannot transfer money from your account to another inmate's account while you are in an institution unless the Superintendent approves it. With the Superintendent's approval, you may send support payments to your family or dependents.

If you wish to make large deposits to or withdrawals from your trust account, you must get permission from the Superintendent first. This will allow the institution time to make any necessary arrangements.

When you are released from the institution, you will be given the money in your trust account. If you are released from another location (e.g., at court), you have 90 days to claim your money and personal property or make arrangements for someone else to claim it (see [Personal Property and Cash](#)). After 90 days, if you do not claim the money in your trust account it will be deposited in the Consolidated Revenue Fund of the Province of Ontario in accordance with ministry regulations.

## Visiting

### Visiting Privileges

No one can visit the institution without the approval of the Superintendent. The visiting hours allow reasonable access by family and friends. Public transportation and the times of institution programs and activities were considered when setting the visiting hours.

Please ask staff if you want information about visits including the visiting hours, rules about visits and the identification that visitors need to be allowed to visit you. Please note that visiting hours vary on or around statutory holidays. Provide staff with advance notice (verbal and [Request Form](#)) if your visitor requires accommodation due to disability (e.g., mobility, deaf, deafened, hard of hearing, vision, etc.).

During reasonable hours, you will be allowed visits from your lawyer, a religious or spiritual leader, Probation and Parole Officer, a volunteer, community support person and other authorized persons.

During an emergency, the Superintendent can suspend all visiting privileges.

### Denying or Stopping Visits

A visit may be denied or stopped in the following situations:

- if the visitor appears under the influence of drugs, alcohol or other substance;
- if there is not enough space available;

- the inmate or visitor refuses to submit to search procedures;
- the visitor refuses or fails to produce acceptable personal identification or presenting false identification;
- the inmate or visitor breaks institution rules;
- the inmate or visitor is being disruptive to others in the visiting area and/or their conduct or behaviour threatens the security, safety and good order of the institution;
- where there is a judicial order restraining contact between the inmate and visitor; or
- when the inmate refuses the visit.

Depending on the reasons for denying or stopping the visit, the Superintendent may deny future visits from that person for a set period of time or indefinitely.

## **Video and Audio Monitoring and Recording**

Certain areas in ministry institutions and vehicles are monitored by Closed Circuit Television Cameras and/or Video and Audio monitoring and recording equipment for your safety and security. Where an area is being monitored, signs will be posted to identify that this type of equipment is in use.

## **Voting**

Eligible inmates are allowed to vote in federal, provincial and municipal elections. When there is an election, advance notice will be posted in your living unit telling you who may vote and how. If you need help to vote (e.g., disability related accommodation needs) or have any questions, ask a staff member. It is the inmate's responsibility to inform themselves about the candidates.