



Chapter:	YCJA Orders	Classification:	Public Document
Subject:	Release to Conditional Supervision		
For:	Community Corrections and Youth Correctional Facilities	 <small>Authorized by Executive Director</small>	

1. Policy

1.1 Designated Nova Scotia Youth Centre (NSYC) staff and the probation officer (PO) will prepare reports and supporting documentation, including recommended conditions for supervision for all young persons (YP) who are suitable for release on conditional supervision or who will be released on conditional supervision in accordance with Sections 96(1) or 105(2) of the *Youth Criminal Justice Act (YCJA)*.

2. Authority

- 2.1 Conditional supervision is a type of custody and supervision order where the conditions are set by the Court and applies to the following YCJA sentences
- 2.1.1 custody and conditional supervision orders pursuant to section 42(2)(n) YCJA for first degree murder, second degree murder, or presumptive offences
 - 2.1.2 intensive rehabilitative custody and supervision (IRCS) orders pursuant to section 42(2)(r) YCJA in accordance with Policy and Procedures Subject No. 20.07.00, *Intensive Support and Supervision*
 - 2.1.3 deferred custody and supervision orders made pursuant to section 42(2)(p) YCJA in accordance with Policy and Procedures Subject No. 20.00.00, *Deferred Custody and Supervision Orders*
 - 2.1.4 conditional supervision orders as a result of an optional or automatic review in accordance with Policy and Procedures Subject No. 21.07.00, *Automatic and Optional Reviews of Youth Custodial Sentences*
 - 2.1.5 conditional supervision orders made pursuant to an application by the provincial director in accordance with Section 96(1) of the YCJA

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3. Release to Conditional Supervision - Nova Scotia Youth Centre Responsibilities

- 3.1 No later than one month prior to the YP's scheduled release on conditional supervision designated NSYC staff will
- 3.1.1 notify the YP's assigned probation officer
 - 3.1.2 obtain a court date for the YP to be brought before the youth justice court for hearing to set the conditions
 - 3.1.3 notify the YP, the YP's parents, the probation officer and the crown attorney of the hearing date on the Notice of Review form (see form 20.02.00 - A)
 - 3.1.4 have a progress report in the approved form (see form 21.07.00 - A) prepared in conjunction with the community assessment for the purposes of updating the court and where applicable, recommending possible conditions for a conditional supervision order

4. Release to Conditional Supervision - Probation Officer's Responsibilities

- 4.1 The assigned probation officer will complete a community assessment (see form 20.02.00 - B).
- 4.2 The probation officer will
- 4.2.1 complete the community report, as a supplement to the custodial progress report
 - 4.2.2 where the community progress report must be forwarded to another probation office for submission to the court, forward the progress reports to that office at least ten (10) clear working days in advance of the court date for the review hearing
 - 4.2.3 submit the community and custodial progress reports and a copy of the presentence report to the youth justice court in accordance with Section 40(5) of the YCJA at least five (5) clear working days in advance of the court date for the review hearing
 - 4.2.4 forward a copy of the community progress report to the NSYC
- 4.3 The probation officer and the youth correctional facility will collaborate in the preparation of reports to avoid duplication.

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5. Application by Provincial Director to Release the Young Person to Conditional Supervision

- 5.1 Where the intent is to seek a conditional supervision order from the youth justice court in accordance with Section 96 (1) of the YCJA, because the release of the YP would be in the interests of the YP or of society, designated NSYC staff will provide notice of review to the youth justice court (see form 20.02.00 - A)
- 5.2 Where the court has approved a review date, the procedures outlined in sections 3 and 4 of this policy will apply.

6. Reporting upon Release and Level of Supervision

- 6.1 When the YP is scheduled for release on conditional supervision, the YP will be required to report to a probation officer within one business day upon release from custody, as determined by the YP's youth worker, in consultation with the probation officer.
- 6.2 Unless supervised at the intensive support and supervision level in accordance with Policy and Procedures Subject No. 20.07.00, *Intensive Support and Supervision*, all YPs released from custody on conditional supervision will be supervised under the reintegration standards in accordance with Policy and Procedures, Subject No. 20.06.00, *Reintegration Supervision* for a period of 90 days or until the end of the sentence, whichever comes first.

7. Breaches of Conditional Supervision Orders

- 7.1 Breaches of conditional supervision will be processed in accordance with Policy and Procedures, Subject No. 20.04.00, *Conditional Supervision, Breach Process*.