


Chapter:	Youth Sentence Administration	Classification:	Public Document
Subject:	Automatic and Optional Reviews of Youth Custodial Sentences		
For:	Community Corrections and Youth Correctional Facilities	 Authorized by Executive Director	

1. Policy

- 1.1 The Manager, Correctional Services responsible for the Nova Scotia Youth Centre will ensure reviews of custody sentences are conducted by the youth justice court in accordance with Sections 94(1) and (2) of the *Youth Criminal Justice Act* (YCJA).

2. Eligibility for Automatic Reviews of Custodial Sentences

- 2.1 The designated provincial director in accordance with Sections 94(1) and (2) YCJA, will ensure the automatic review of any custodial sentences that exceed one (1) year, from
- 2.1.1 the date of the most recent sentence in the case of a single sentence, including a new sentence on review
 - 2.1.2 the date of the first sentence in the case of multiple sentences equalling more than one year


3. Eligibility for Optional Reviews of Custodial Sentences

- 3.1 Young persons (YP) serving a sentence not exceeding one year may apply for a review at any time after the expiration of the greater of
- 3.1.1 thirty days after the date of the youth sentence
 - 3.1.2 one third of the period of the youth sentence
- 3.2 YPs serving a sentence exceeding one year may apply once only for an optional review. The application may be made either
- 3.2.1 at any time after six months after the date of the most recent youth sentence made in respect to the offence
 - 3.2.2 with leave of a youth justice court, at any other time, and where the court is satisfied that there are grounds for the review

4. Responsibilities of the Nova Scotia Youth Centre

- 4.1 The sentence administrator will
- 4.1.1 obtain a court date for the youth justice court review hearing from the court clerk, to be set no earlier than four (4) weeks from the date of the notice of review

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4.1.2 prepare the notice of the review in the appropriate form ([see form 20.02.00 - A](#))

4.2 The Sentence Administrator will distribute the notice to the YP, the YP's parent(s) or guardian, the probation officer (PO), the crown attorney and the court.

4.3 Designated NSYC staff will

4.3.1 complete a custodial progress report ([see form 21.07.00 - A](#))

4.3.2 ensure the custodial progress report is delivered to the designated PO at least fourteen (14) clear working days in advance of the court date for the review hearing

4.3.3 arrange for the transportation of the YP to attend court

5. Responsibilities of the Probation Officer

5.1 The designated PO will coordinate the preparation of a community assessment ([see form 20.02.00 - B](#)).

5.2 The PO will


5.2.1 complete the community report, as a supplement to the custodial progress report

5.2.2 where the community progress report will be forwarded to another probation office for submission to the court, forward the custody progress report to that office at least ten (10) clear working days in advance of the court date for the review hearing

5.2.3 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) YCJA at least five (5) clear working days in advance of the court date for the review hearing

5.2.4 forward a copy of the community progress report to the NSYC

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6. Standard Operating Procedures

- 6.1 The Manager, Correctional Services will establish local standard operating procedures (SOP) as required to ensure automatic and optional reviews of sentences occur in accordance with applicable legislation, Policy, and Procedures.