


Chapter:	Conditional Release	Classification:	Public Document
Subject:	Victims and Maintenance Enforcement		
For:	Adult Correctional Facilities, Youth Centres & Community Corrections	 Authorized by Executive Director	


1. Policy

- 1.1 It is the policy of Correctional Services, and consistent with the guiding principles of the *Youth Criminal Justice Act*, that victims will be consulted during the application process for unescorted conditional releases (CR), temporary absences (TA) or reintegration leaves (RL), where
- 1.1.1 the person is a victim of
 - 1.1.1.1 spousal or intimate partner violence
 - 1.1.1.2 family violence
 - 1.1.1.3 sexual offences
 - 1.1.1.4 human trafficking
 - 1.1.1.5 in cases of notoriety, victims of other forms of personal violence where the victim fears for their safety
 - 1.1.2 the victim has registered with the Division's Victim Notification Program
- 1.2 Correctional Services will consult with the Maintenance Enforcement Program during the application process for an individual in custody pursuant to an order was made pursuant to the *Maintenance Enforcement Act*.
- 1.3 Young persons will be informed that the victim(s) may be contacted during the preparation of a community investigation report. See Policy and Procedures, Subject No. 35.19.00, [Reintegration Leaves - Reintegration Leave Plan and Community Investigation](#).

2. Contact with Victim

- 2.1 When a victim has submitted a Request for Information form, in accordance with the requirements of Policy and Procedures, Subject No. 30.03.00, [Victims Request for Information](#), and 30.02.00, [High Risk for Domestic Violence \(HRDV\) cases – Notification of an Individual's Release from Custody](#) every effort will be made by the investigating case management officer or investigating probation officer to contact the victim in order to
- 2.1.1 advise them the individual is being considered for an unescorted conditional release, temporary absences or reintegration leave


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- 2.1.2 discuss any concerns the victim may have regarding pending release
- 2.1.3 advise them of the decision on the application
- 2.1.4 advise them of the dates and conditions of any approved unescorted conditional release, temporary absence, or reintegration leave

- 2.2 When contacting a victim, information should be gathered specific to the nature of the CR, TA or RL being applied for, including information regarding
 - 2.2.1 the status of any relationship between the victim and the individual in custody at the present time
 - 2.2.2 close contacts (e.g., friends and family) or any community affiliations (e.g., employment) that may bring the victim and the individual in custody into contact
 - 2.2.3 the impact of the offence on the victim
 - 2.2.4 whether a victim impact statement was submitted for sentencing or comments obtained for a Pre-Sentence Report and whether anything has changed since it was submitted
 - 2.2.5 any concerns for their safety, real or perceived, if the individual in custody is approved for a Conditional Release/Temporary Absence/Reintegration Leave
 - 2.2.6 whether the victim is seeking conditions to protect them from the individual in custody who may be released on a Conditional Release/Temporary Absence/Reintegration Leave (e.g., a no contact condition or an exclusion zone around to their residence, place of employment, etc.)

- 2.3 If the victim has not registered with the Division's Victim Notification program, the case management officer investigating the CR/TA or the probation officer investigating the RL will liaise with Victim Services to obtain the victim's information so contact can be made to determine their interest in participating in this process and to seek their input on any application.


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- 2.4 If the victim wishes to provide input and receive victim notifications, they will be advised to complete a Request for Information: Victim of Crime Form ([35.03.00-A](#))
- 2.5 Where the case has been designated as High Risk for Domestic Violence (HRDV), see Policy and Procedures, 30.01.00, [Case Coordination for Cases Designated as High Risk for Domestic Violence](#), the case management officer or probation officer will liaison with Victim Services regarding victim contact and providing their input regarding the proposed release and any victim safety concerns.
- 2.6 Where applicable, and particularly where children are involved, the facility social worker or probation officer investigating the RL will contact Department of Community Services, Family and Children Services, Children’s Aid Societies or other community agencies associated with the case.
- 2.7 During any contact with the victim, Correctional Services staff will ensure the victim is aware of the provincial Victim Services Program.

3. Additional Assessment Requirements

- 3.1 In addition to the other requirements for an application assessment, see Policy and Procedures 35.04.00, [Conditional Release Application Process](#) and 34.05.00, [Temporary Absence Application Process](#), or for a community investigation, see Policy and Procedures 35.19.00, [Reintegration Leaves – Reintegration Leave Plan and Community Investigation](#), the case management officer or probation officer will
- 3.1.1 review any “no contact order” or “no contact” conditions in any probation order currently in effect
 - 3.1.2 determine the status of any relationship between the applicant and the victim at the present time
 - 3.1.3 identify any risk to the victim, either real or perceived, if the applicant is approved for an unescorted conditional release, temporary absence, or reintegration leave
 - 3.1.4 recommend appropriate conditions for the release to mitigate any risk to the victim based on information obtained from the victim

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with respect to the risks posed to the victim if the application were approved

4. Notifications

- 4.1 Correctional Services will ensure notifications of applications and approved unescorted conditional release, temporary absence, or reintegration leave applications are done in accordance with Policy and Procedures
- 4.1.1 30.02.00, [High Risk for Domestic Violence \(HRDV\) cases – Notification of an Individual’s Release from Custody](#)
- 4.1.2 30.03.00, [Victims Request for Information](#)
- 4.2 The Youth Custody Manager will ensure the designated staff person at Head Office is contacted and notified of the date(s) and time(s) of any approved unescorted reintegration leave, a minimum of five business days prior to the approved reintegration leave.


5. Maintenance Enforcement

- 5.1 In the case of applications for employment purposes, maintenance enforcement staff will be consulted.
- 5.2 An individual released on conditional release or reintegration leave for employment for whom an order is in effect pursuant to the *Maintenance Enforcement Act* will have as a condition of the conditional release to pay a portion, the amount of which will be determined in consultation with maintenance enforcement staff, of their earnings towards the outstanding maintenance arrears.

6. Standard Operating Procedures

- 6.1 The superintendent or Youth Custody Manager will establish standard operating procedures (SOP)
- 6.1.1 to ensure that applicants for conditional releases, temporary absences and reintegration leaves will be informed of the

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6.1.2 requirement for victim and/or maintenance enforcement
 consultation during the investigation process
 for such matters as may be necessary for the local administration
 of this policy and procedure