


Chapter:	<b>Admission and Discharge</b>	Classification:	<b>Public Document</b>
Subject:	<b>Transport to Court</b>		
For:	<b>Correctional Facilities</b>	 Authorized by Executive Director	

## 1. Policy

- 1.1 Transport from custody to court will be based on the authority of appropriate legal documents and conducted ensuring the continued security, the protection of the public and the good order of the correctional facility.
- 1.2 Individual's in custody will be transported to court in accordance with this policy and policy and procedures
- 1.2.1 21.01.00, [Custody Term \(Youth\)](#)
  - 1.2.2 25.00.00, [Custody Term](#)
  - 1.2.3 38.01.00, [Discharge from a Correctional Facility](#)
  - 1.2.4 38.02.00, [Adult Personal Property](#)
  - 1.2.5 38.03.00, [Young Person's Personal Property](#)


## 2. Authority to Transport

- 2.1 Superintendents will ensure that the transport of a person from custody to court is based on the order of a court of competent jurisdiction, in accordance with
- 2.1.1 a warrant of remand
  - 2.1.2 Due Course of Law remand
  - 2.1.3 a Transport Order pursuant to Section 527 of the *Criminal Code* (CC) procuring attendance
  - 2.1.4 a bail review in accordance with Section 525(1) CC and Section 142 of the *Youth Criminal Justice Act*
  - 2.1.5 surety rendered pursuant to Section 769 CC

## 3. Cancellation of Remand

- 3.1 Where a remanded person who has been transferred to court on a transport order, a DCL remand or a bail review and the court determines that the remand will be cancelled, correctional facility staff when notified of the cancellation will
- 3.1.1 review the JEIN and manual file to ensure there are no other active orders that would hold the individual in custody

Page 1 of 3	Dated Issued: December 7, 2018 Date of Last Revision: Current Revision Date: November 17, 2021	Subject No. 38.01.01
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- 3.1.2 add comments to the custody term referencing the cancellation of remand including
  - 3.1.2.1 date cancellation received
  - 3.1.2.2 cancelled order number
  - 3.1.2.3 reason for cancellation, e.g., DCL, rendered surety, bail, etc.
- 3.1.3 update the JEIN custody term information to reflect the new custody term end date


#### **4. Transport on Day of Release – 527 Order**

- 4.1 Pursuant to Section 527 CC regarding procuring attendance of an offender to court, Correctional Services has the legal authority and legal duty to ensure delivery of an individual to court on their earliest release date (ERD).
- 4.2 Sentence administration staff are required to
  - 4.2.1 contact Sheriff Services and
    - 4.2.1.1 arrange for transport
    - 4.2.1.2 advise of the 527 Order to Transport
    - 4.2.1.3 advise that this is the only legal document holding the offender
    - 4.2.1.4 advise that 527 Order to Transport expires at the end of the business day
  - 4.2.2 notify appropriate supervisor of Court Administration, in writing, that the 527 Order to Transport is the only remaining legal document holding the offender and failing any new remand or warrant of committal there are no warrants in the custody of correctional services requiring the individual's further detention

#### **5. Clothing**

- 5.1 All persons being transported to court will be required to wear their own personal clothing. Institutional clothing is prohibited for court attendance.

Page 2 of 3	Dated Issued: December 7, 2018 Date of Last Revision: Current Revision Date: November 17, 2021	Subject No. 38.01.01
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5.2 Where the individual's clothing has been apprehended, destroyed or unfit to wear, the superintendent will supply them with appropriate clothing, this does not include institutional clothing.

## 6. Standard Operating Procedures (SOP)

6.1 The Superintendent will establish in local SOP to identify correctional staff responsible to

6.1.1 ensure individual's in custody have appropriate clothing for attendance to court including

6.1.1.1 pants

6.1.1.2 shirt/top

6.1.1.3 footwear

6.1.1.4 coat, where required due to climate conditions

6.1.2 confirm, process and document details regarding cancellation of remand