

Chapter:	Disciplinary System	Classification:	Public Document
Subject:	Disciplinary Penalties		
For:	Correctional Facilities	 Authorized by Executive Director	

1. Policy

1.1 Penalties will be imposed on adults and young persons who have pled guilty, or been found guilty, of rule infractions upon completion of the disciplinary adjudication. See Policy and Procedures, Chapter 42.04.00, [Disciplinary Adjudication](#).

2. Authority

2.1 Penalties for rule infractions are imposed in accordance with Section 70(1) of the *Correctional Services Act* and sections 86(1) and (2) and 95 of the *Correctional Services Regulations*.

3. Workplace Violence Prevention Plan

3.1 This policy, in addition to any associated facility Standard Operating Procedures (SOP) is part of the Correctional Services Division's overall workplace violence prevention plan as required by section 7 of the Violence in the Workplace regulations.

4. Penalties – General

4.1 In accordance with Section 95(1) of the *Correctional Services Regulations*, penalties for breaches will be one of or a combination of any of the penalties permitted in Section 95(1) of the *Correctional Services Regulations*.

5. Penalties – Withdrawal of Privileges

5.1 Withdrawal in whole or in part of privileges may include restrictions on

- 5.1.1 recreation, excluding outside exercise which is not a privilege
- 5.1.2 canteen
- 5.1.3 visits
- 5.1.4 correspondence
- 5.1.5 telephone calls

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- 5.2 Privileges may be withdrawn in whole or part in accordance with the following restrictions
- 5.2.1 under Level I, the loss of privileges not to exceed three hours
 - 5.2.2 under Level II, the loss of privileges not to exceed five days for adult individuals or three days for youth
 - 5.2.3 under Level III, the loss of privileges not to exceed 7 days for adult individuals or 5 days for youth

6. Penalties – Performance of Work

- 6.1 Adjudicators may assign appropriate and reasonable extra work duties that are not part of the regular routine as a disciplinary penalty in accordance with section 95(1)(b) of the *Correctional Services Regulations*.


7. Penalties – Restorative Practices

- 7.1 A restorative justice process, may include
- 7.1.1 restitution of part or all of the costs to repair the damage done
 - 7.1.2 letter of apology
 - 7.1.3 written acknowledgment of inappropriate behaviour and action plan for change
 - 7.1.4 mediation
- 7.2 The adult or young person may pay for damages to facility, staff, and property with money from their trust account.

8. Penalties – Close Confinement

- 8.1 In respect to any one confinement
- 8.1.1 adults may be placed in close confinement in their dormitory, cell, or designated confinement units for no longer than 7 days
 - 8.1.2 young persons may be placed in close confinement for no longer than
 - 8.1.2.1 3 days for a Level 2 Disciplinary Report
 - 8.1.2.2 5 days for a Level 3 Disciplinary Report

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- 8.2 Those who have already been in close confinement prior to the adjudication will have those days counted towards any close confinement penalty imposed by the adjudicator.
- 8.3 Close confinement may be extended with the approval of the Executive Director (or a Director designated by the Executive Director in accordance with section 13 of the *Correctional Services Act*) for periods longer than 7 days for adults and 5 days for young persons as required by section 95(1)(d) of the *Correctional Services Regulations*.
- 8.4 Requests for extensions of close confinement will be accompanied by copies of the 24 hour and five-day reviews required by section 80 of the *Correctional Services Regulations*. See also Policy and Procedures Subject No. 43.00.00 [Close Confinement](#).

9. Penalties – Young Person Reset Program

- 9.1 Close confinement for young persons will only be employed to for the shortest duration possible to ensure the safety of the young person, staff, and the facility
- 9.2 When a young person receives a level 2 or 3 disciplinary report, the manager and the designated adjudicator will, in accordance with the Restorative Practice principles of the Nova Scotia Youth Centre (NSYC) utilize the [NSYC Reset Program](#), under the following guidelines:
 - 9.2.1 The young person will be secured in their room.
 - 9.2.2 Within 3 hours the OIC will complete the disciplinary report investigation and determine if the young person’s behaviour warrants the unlocking of the room door, end of close confinement, and the commencement of Day 1 of the Reset Program.
 - 9.2.3 If the OIC determines the young person is not ready to commence Day 1 of the Reset Program, the young person will be re-evaluated within 3 hours and every 3 hours thereafter.
 - 9.2.4 Within 24 hours, the designated adjudicator will determine the duration of the Reset Program to a maximum of
 - 9.2.4.1 3 days for a Level 2 Disciplinary Report
 - 9.2.4.2 5 days for a Level 3 Disciplinary Report

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10. Penalties – Remission Loss

- 10.1 Those eligible to earn remission, including those serving sentences in adult correctional facilities imposed under the Youth Criminal Justice Act, serving sentences in adult correctional facilities may be required to forfeit all or part of the remission currently credited.

- 10.2 Remission loss may be assessed by the adjudicator as follows
 - 10.2.1 Level I: no remission loss
 - 10.2.2 Level II: 0 to 5 days remission loss
 - 10.2.3 Level III: 6 to 10 days remission loss

- 10.3 Remission losses may be approved for periods longer than 10 days with the approval of the Director, Correctional Services responsible for adult correctional facilities. Such requests will be in writing and be accompanied with information on why a remission loss in excess of 10 days is warranted.