


Chapter:	Investigations, Inspections and Audits	Classification:	Public Document
Subject:	Appeal Process		
For:	Entire Division	 Authorized by Executive Director	

1. Policy

- 1.1 Superintendents and senior probation officers are responsible to ensure individuals are aware of the process for appealing decisions regarding
 - 1.1.1 conditional release
 - 1.1.2 decisions by a superintendent, e.g., transfers, remission loss, administrative close confinement
 - 1.1.3 decisions by a senior probation officer, e.g., refusal of request for new case manager
 - 1.1.4 disciplinary penalties


2. Authority

- 2.1 The authority and requirements for the appeal process is derived from
 - 2.1.1 sections 24, 71
 - 2.1.2 81 of the *Correctional Services Act*
 - 2.1.3 and the following sections of the *Correctional Services Regulations*
 - 2.1.3.1 sections 30 regarding process
 - 2.1.3.2 98(2)(a) to (c) regarding disciplinary penalties
 - 2.1.3.3 99 and 107 regarding conditional release decisions

3. Appeal Process

- 3.1 If the individual is not satisfied with the superintendent's or senior probation officer's response to their alleged complaint, see Policy and Procedures, Subject 5.04.00, [Complaint Process](#), or a conditional release decision, they may, within ten (10) business days, i.e., Saturdays, Sundays and holidays excluded, after receiving the reply from the superintendent or senior probation officer, refer the matter in writing by completing a **Notice of Appeal Form** (see form [5.05.00 - A](#)), to the Executive Director for review.
- 3.2 The Executive Director, following a review of the complaint, may refer the matter to a Director, Correctional Services, Manager, Community Corrections or a Manager, Policy and Programs for action.

Page 1 of 2	Dated Issued: September 1, 2007 Date of Last Revision: December 4, 2020 Current Revision Date: January 15, 2021	Subject No. 5.05.00
-------------	---	---------------------

Chapter:	Investigations, Inspections and Audits	Classification:	Public Document
Subject:	Appeal Process		
For:	Entire Division	 Authorized by Executive Director	

- 3.3 The Executive Director, a Director, Correctional Services, Manager, Community Corrections, or a Manager, Policy and Programs, as appropriate, within ten (10) business days from the date the complaint was received by the Executive Director, will
- 3.3.1 review the appeal and related documentation
 - 3.3.2 request additional information, if required
 - 3.3.3 investigate the alleged complaint
 - 3.3.4 respond to the individual in writing as to whether this complaint has been denied or upheld and the reason(s) for the decision
 - 3.3.5 forward a copy of the decision to the superintendent or senior probation officer
- 3.4 The superintendent or senior probation officer will
- 3.4.1 maintain a master file of all appeal decisions
 - 3.4.2 ensure a copy of the decision is placed on the individual's file

4. Justice Enterprise Information Network (JEIN)

- 4.1 The assigned case manager will record the appeal and outcome on JEIN under Offender Case Management (OCM) by updating the OCM activity code Comp, where the original complaint was recorded, see JEIN Help Menu, Corrections Guide/Custody Menu Subject: Offender Case Management, for specific instruction.

5. Standard Operating Procedures (SOP)

- 5.1 Superintendents will ensure that SOP are developed to
- 5.1.1 identify the procedure for communicating appeal process
 - 5.1.2 identify the procedure for forwarding appeals
 - 5.1.3 designate staff responsible to
 - 5.1.3.1 input appeal information on JEIN
 - 5.1.3.2 place appeal decisions on the individual's file
 - 5.1.3.3 assist those who request help with the appeal process

Page 2 of 2	Dated Issued: September 1, 2007 Date of Last Revision: December 4, 2020 Current Revision Date: January 15, 2021	Subject No. 5.05.00
-------------	---	---------------------