

---

Chapter: **Contingency Plans**

Classification: **Public Document**

Subject: **Death or Serious Illness of an Individual in Custody**

For: **All Custody**

  
Authorized by the Executive Director

---

## Policy

- 1 Deaths in custody will be reported immediately to the police, superintendent or youth custody manager and the appropriate Director, Correctional Services. Custody deaths are subject to investigations by the police and Provincial Medical Examiner, as well as an internal review.
- 2 Serious injury or illness of an individual while in custody will be reported immediately to the superintendent or youth custody manager or designate and the appropriate Director, Correctional Services. The superintendent, youth custody manager or designate, will ensure the next of kin is notified promptly.

## Authority

- 3 The authority and requirements regarding the death of an individual in custody are defined in section 50 of the *Correctional Services Act* and Sections 84, and 108 of the *Correctional Services Regulations* and Sections 6(2) and 11 of the *Fatality Investigations Act*.

## Emergency Services

- 4 When an incident occurs in the facility, ambulance personnel may remove the individual from the facility to perform lifesaving procedures.
- 5 The superintendent, youth custody manager or delegate will obtain the names and contact information of responding emergency personnel.

## Criminal Investigation

- 6 In the event of the death of an individual, either in a correctional facility or on an approved conditional release, the death will be reported
  - (a) in accordance with section 50 of the *Correctional Services Act*
  - (b) to the police
- 7 The superintendent, youth custody manager or delegate will ensure video and photographic

---

Chapter: **Contingency Plans**

Classification: **Public Document**

Subject: **Death or Serious Illness of an Individual in Custody**

For: **All Custody**

  
Authorized by the Executive Director

---

records are made of the scene.

### **Crime Scene Management**

- 8 Where health care or emergency services personnel pronounce an individual in a facility deceased, the body will not be removed from the scene until authorized by the medical examiner, and the police.
- 9 The scene of any incident that has resulted or may have resulted in the death of an individual will be considered a crime scene. The area will be secured, until police and medical examiners have completed their on-site investigation and have authorized release of the scene.

### **Documentation of Incident**

- 10 All facility staff involved will submit an information report to the superintendent, youth custody manager or delegate prior to the end of their shift.
- 11 Information reports submitted as a result of the death or serious illness will include
  - (a) name of deceased individual
  - (b) date, time and location of death or discovery of the deceased
  - (c) information on all life saving techniques used by staff and by responding emergency personnel
  - (d) circumstances which caused the death if known

### **Death of an Individual at a Community Hospital**

- 12 When an individual dies while under supervision at a community hospital, escorting staff will document the following
  - (a) names of the hospital staff present at time of death and/or who pronounced the death
  - (b) date, time and location of death
  - (c) date, time and name of superintendent, youth custody manager or delegate notified
  - (d) name and title of the individual assuming custody of the body (hospital staff or coroner)

---

Chapter: **Contingency Plans**

Classification: **Public Document**

Subject: **Death or Serious Illness of an Individual in Custody**

For: **All Custody**

  
Authorized by the Executive Director

- (e) date and time hospital staff or coroner assumed control of the body
- 13 Facility staff will remain with the body until:
- (a) the police have arrived and facility staff have been interviewed, or
  - (b) the hospital or coroner has assumed control of the deceased.

### **Death of an Individual Not in Custody**

- 14 When a correctional facility is made aware of the death of an individual who is not in custody (i.e., absent without leave, on temporary absence or reintegration leave, or an intermittent sentenced individual in the community), the superintendent, youth custody manager or delegate will ensure all notifications are conducted in accordance with this policy.
- 15 The superintendent, youth custody manager or delegate will ensure the individual's JEIN file is properly closed, including date, time, and location of the death as an activity note.

### **Death of an Individual in Custody – JEIN File**

- 16 The individual's JEIN file will be closed in accordance with Policy and Procedures Subject No. 25.00.00.

### **Notification of Partner Agencies**

- 17 Where a federally sentenced individual under Correctional Services Canada (CSC) authority becomes seriously ill or dies, the superintendent or delegate will contact CSC via the National Monitoring Centre (1-866-400-3765).
- 18 Where a person detained in accordance with the *Nova Scotia Correctional Services and the Canada Border Services Agency (CBSA) Arrangement* respecting the detention of persons under the *Immigration and Refugee Protection Act* becomes seriously ill or dies, the superintendent or delegate will immediately contact the Canada Border Services Agency, Border Operations Centre as follows
- (a) telephone 1-800-523-5072 or 1-613-960-6001
  - (b) secure fax 1-613-952-1700

---

Chapter: **Contingency Plans**

Classification: **Public Document**

Subject: **Death or Serious Illness of an Individual in Custody**

For: **All Custody**

  
Authorized by the Executive Director

---

(c) email [boc-cof@cbsa-asfc.gc.ca](mailto:boc-cof@cbsa-asfc.gc.ca)

19 In addition to the individual's name and date of birth, the superintendent or delegate will provide CSC or CBSA with the following information if

(a) seriously ill

- i. current location
- ii. apparent cause of serious illness, if known

(b) deceased

- i. location of death
- ii. date and time of death
- iii. apparent cause of death, if known

### **Notification of Next of Kin**

20 When an individual becomes seriously ill or when a death occurs, the superintendent, youth custody manager or deputy superintendent will accompany the facility chaplain to notify the individual's next of kin.

21 In the absence of the facility chaplain, a designated staff member will be accompanied by the spiritual advisor of the next of kin whenever possible. In the case of a death, a police chaplain may be contacted through the investigating agency to assist in delivering the notification with the staff member.

22 When the next of kin is located at a distance from the facility, the facility chaplain or the designated staff member will contact the individual's or the next of kin's spiritual advisor, if known, and request assistance in notifying the next of kin. In the absence of a known spiritual advisor, a local police agency may provide assistance.

(a) The superintendent, youth custody manager or deputy superintendent and/or facility Chaplin will follow up with the next of kin via telephone within 24 hours of notification.

23 In the case of serious illness, the facility chaplain or designate staff person will update the next of kin regularly. Where hospital or medical personnel are updating next of kin, the chaplain or designated facility staff member will maintain regular contact with the next of kin

Chapter: **Contingency Plans**

Classification: **Public Document**

Subject: **Death or Serious Illness of an Individual in Custody**

For: **All Custody**

  
Authorized by the Executive Director

as well.

- 24 When outside chaplains or spiritual advisors provide assistance, the facility chaplain or designated staff person will request documentation indicating the
- (a) date
  - (b) time
  - (c) nature of contact
- 25 Next of kin will be provided information in a compassionate and sympathetic manner. The individual notifying will not provide any conclusions or opinions on the nature of the illness or cause of death.
- 26 The superintendent or youth custody manager will forward a letter to the next of kin within one week of the onset of a serious illness or death. (See form [6.10.00-A](#) Sample Letter.)
- 27 All Correctional Services contact with next of kin will be documented in JEIN.

### **Disposal of Personal Effects**

- 28 In accordance with Sections 84(d) and 108(c) of the *Correctional Services Regulations*, the superintendent or youth custody manager will ensure the personal effects of a deceased are held in safe keeping for forwarding to the next of kin or, in the absence of next of kin, until dealt with as directed by the appropriate Director.

### **Standard Operating Procedures (SOP)**

- 29 The superintendent or youth custody manager will develop SOP to
- (a) ensure photographic and/or video records are made of the location where the death occurred
  - (b) establish procedures for notification of superintendent, police, medical examiner, chaplain, next of kin
  - (c) designate staff responsible to notify partner agencies i.e., CSC and CBSA
  - (d) establish procedures for forwarding personal effects of the deceased to the next of kin

---

Chapter: **Contingency Plans**

Classification: **Public Document**

Subject: **Death or Serious Illness of an Individual in Custody**

For: **All Custody**

  
Authorized by the Executive Director

- 
- (e) appropriate supports for involved staff and other individuals in custody as required