



Department of Justice and Public Safety.
Adult Custody Services

Policy: **Release and Discharge C11**
Effective: February 2003
Revised: December 2022

MISSION STATEMENT

Adult Custody Services is committed to providing professional practices that respect human rights and ensure safety for all. To be successful we will deliver fair practices, incorporate transparent policies and procedures, ensure independent quality assurance processes, and provide program access that allows for educational, cultural, traditional, and faith-based services as well as mental wellness and community re-entry assistance.

PURPOSE

To establish procedural standards to ensure the Custody of a client who is surrendered:

- on order of a court of competent jurisdiction; or
- to due process of law.

LEGISLATIVE AUTHORITY

[Chapter – 26 Corrections Act of New Brunswick](#)

Corrections and Conditional Release Act <https://laws-lois.justice.gc.ca/eng/acts/C-44.6/>

SCOPE

This policy applies to all employees of the Adult Custody Services division of the Department of Justice and Public Safety.

POLICY GUIDELINES

Custody of a client will be surrendered on order of a court of competent jurisdiction, or due to process of law.

The releasing authorities are:

- National Parole
- Temporary Absence Program
- Judge's order
- Executive clemency
- Early release (expiration on Sunday or statutory holiday)
- Satisfaction of sentence
- Authorized transfer



**Department of Justice and Public Safety.
Adult Custody Services**

PROCEDURE

Released on Sunday or Statutory Holidays

Clients whose sentence expires on a Sunday or statutory holiday shall be discharged the previous day, including those who are serving an intermittent sentence or time in default of a fine.

Temporary Absence Certificate

A temporary absence certificate is not required.

Remain at Institution

Clients who desire to remain until the following day (Section 30 corrections Act) shall indicate their wishes in writing.

One-Day Sentence

A day is any portion of the day and clients may be released upon the completion of the admissions process.

Inter-provincial Request

Clients may be released to the custody of another province pursuant to Section 527 of the Criminal Code of Canada for the purpose of appearing as a witness. All costs and arrangements are the responsibility of the requesting jurisdiction.

Bail

Bail payments may be made directly to the institution. (Corrections Act, Chapter C-26, Section 30)

Log Entries

Log entries will show the time and date of all releases.

Property and Funds

All personal properties and money will be returned upon release.

Property Sheet

Property sheets and receipts will be signed by the clients, indicating they have received all their personal property and remaining monies from their trust account.

Transfers

Clients transferred to another institution are required to sign documentation indicating they have received personal money by form of Government cheque.

Victim Notification

Institutional Program Supervisors will within a minimum of five (5) days prior to discharge, notify the Victim Services Coordinators of a client's pending release where a "Victims Request for Information Form" is on file.



**Department of Justice and Public Safety.
Adult Custody Services**

National Sex Offender Registry

A copy of the copy of the Form 52 document, as well as a list of all National Sex Offender registry locations within the Province of New Brunswick shall be provided to all clients at least 10 days prior to their release.

All clients subject to this legislation shall be advised they are required to report within seven days.

The Sex Offender Registry Form shall be signed and witnessed.

A copy of the Sex Offender Registry Form shall be submitted to email nsornb.rnds@rcmp-grc.gc.ca or fax 506-452-3399 prior to the client's release.

Client Information System (CIS) Notification

The Client Information System (CIS) will send an e-mail notification to the Admissions Officer/Operational Support; Deputy Superintendent; and Correctional Case Manager; 72 hours pre-release, signaling there are outstanding custody orders that have not been entered into CIS.

The admissions officer/operational support member shall upon receipt of this notification review and confirm the:

- examination of the identified client's profile.
- clients release date.
- forward an e-mail notification to the Deputy Superintendent, the identified employee/group type outlining the review has been completed and if any action was necessary.

Checklist

The following items should be confirmed prior to discharge.

- calculation of release.
- a last review Justice Information System.
- personal property sheets reviewed and signed off; and
- any monies returned by Government cheque and signed for.

Transportation

Clients will be responsible for the cost and arrangement of their own transportation upon release. Clients who are not being picked up at an institution will be provided transportation to a local bus station. Transportation warrants will be provided only at the discretion of the Superintendent.

RELATED POLICY

C14 Victim notification
E1 Admissions
F9 Discharge Planning and Transitional Supports
Adult Institutional Policy Manual NB