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COMMISSIONER'S DIRECTIVE 710-8		In Effect: 2015-07-02 Last Review: 2014-04-01 Due for Review: 2017-07-02
Private Family Visits		
PROGRAM ALIGNMENT	Correctional Interventions	
OFFICE(S) OF PRIMARY INTEREST	Correctional Operations and Programs Sector	
ONLINE @	<ul style="list-style-type: none"> • http://www.csc-scc.gc.ca/policy-and-legislation/710-8-cd-eng.shtml • http://www.csc-scc.gc.ca/text/plcy/cdshtm/710-8-cd-fra.shtml 	
AUTHORITIES	<ul style="list-style-type: none"> • Corrections and Conditional Release Act (CCRA), sections 3, 3.1, 4, 15.1, 59, 60 and 71 • Corrections and Conditional Release Regulations (CCRR), sections 4, 54, 90 and 92 	
PURPOSE	<ul style="list-style-type: none"> • To outline the processes for the use of private family visit units 	
APPLICATION	Applies to staff involved in the management of private family visit units	
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RESPONSIBILITIES

1. The Institutional Head will implement a Standing Order for the use of private family visit units (familial and [individual time](#)) to ensure the safety of the participants and the security of the institution.
2. The Institutional Head may delegate the authority for approval of the private family visits.
3. The Institutional Head or designate will:
 - a. ensure processes are developed and implemented for the review and decision making of applications for the use of the units. When the private family visit unit is not being utilized for family visits, it may be authorized for individual time for inmates on a case-by-case basis
 - b. report to police any suspicions that a criminal act has occurred.
4. The Assistant Warden, Operations, will ensure:
 - a. [family violence](#) prevention information is available to all visitors
 - b. inmate and visitor(s) are advised of rules, regulations, behavioural expectations and responsibilities
 - c. follow-up is conducted with the inmate and/or visitor(s) after the use of private family visit units.
5. The Correctional Officer II/Primary Worker will:
 - a. process inmate applications within the timeframes prescribed

- b. in consultation with the Correctional Manager and in consideration of family violence, determine if a Community Assessment is required or if the evaluation of the source of support can be documented in the Assessment for Decision
 - c. conduct a follow-up interview with the inmate and, if required, with the visitor(s).
6. The Visit and Correspondence Officer will interview the visitor(s) prior to them leaving the institution.
7. All staff will immediately report to the Correctional Manager in charge of the institution any suspicion of abuse or criminal activity during the use of the private family visit units.

PROCEDURES

Private Family Visits Eligibility – Inmates

8. Inmates are eligible unless they are:
 - a. at risk for family violence
 - b. participating in unescorted temporary absences for family contact purposes
 - c. in a Special Handling Unit
 - d. recommended or approved for transfer to a Special Handling Unit, or
 - e. in disciplinary segregation at the time of the scheduled private family visit.
9. An inmate is not eligible to participate in private family visits with other inmates.

Private Family Visits Eligibility – Visitors

10. The following are eligible to participate in private family visits:
 - a. [immediate family](#)
 - b. individual with whom the inmate has a [close personal relationship](#).
11. Proof of a [common-law](#) relationship is the responsibility of the inmate and/or the visitor.
12. A [minor child](#) must be escorted by an [accompanying adult](#).

Approval Process

13. Upon receipt of the inmate's initial Application for Participation in the Private Family Visiting Program (CSC/SCC 0529), the Correctional Officer II/Primary Worker will:
- a. request, if required, a Community Assessment pursuant to [CD 715-3 – Community Assessments](#)
 - b. ensure the following are completed by the visitor(s):
 - i. Statement of Voluntary Participation and Consent for Private Family Visits (CSC/SCC 0531)
 - ii. if applicable, the Declaration of a Common-Law Union (CSC/SCC 0530E)
 - iii. Visiting Application and Information Form (Inmate) – Child Safety Waiver (CSC/SCC 0653-1e)
 - c. complete the Assessment for Decision, see [Annex B](#), within 30 days, or where a Community Assessment is required, within 60 days following submission of the inmate's application.
14. The Correctional Manager will:
- a. review submissions for the use of private family visit units
 - b. provide a recommendation to the decision maker on the appropriateness of the Application for Participation in the Private Family Visiting Program that he/she has identified as a concern and/or if deemed required, provide a recommendation on cases supported for private family visits.
15. Following the transfer of an inmate, the Correctional Officer II/Primary Worker will review the previously-approved private family visit and submit a recommendation to the Institutional Head or designate who will confirm through a CSC Board Review/Decision process, whether the private family visit will be implemented, modified or cancelled. Unless significant changes have occurred or the private family visit is not supported, a new Assessment for Decision as per Annex B is not required.

Duration and Frequency

16. The duration and frequency for the use of the private family visit units will normally be up to 72 hours, every two months unless otherwise specified in the Standing Order.

Safety Measures

17. During the use of the private family visit unit, regular contact will be made with the inmate and the visitor(s) in the least intrusive manner possible to ensure the security of the institution and the safety of the visitor(s) and the inmate.
18. The results of the post private family visit interview conducted with the visitor by the security staff will be documented in a Casework Record and any concerns will be immediately reported to the Correctional Manager in charge of the institution and communicated to the Correctional Officer II/Primary Worker. The Correctional Officer II/Primary Worker will communicate any concerns to the Parole Officer.
19. The Correctional Officer II/Primary Worker will interview the inmate and, if required, the visitor(s), within five working days and document within a Casework Record.

Refusal or Suspension of a Private Family Visit

20. A private family visit may be refused or suspended by the Institutional Head or designate if there are reasonable grounds to suspect:
 - a. that during the course of the private family visit, the inmate or visitor would:
 - i. jeopardize the security of the penitentiary or the safety of any person, or
 - ii. plan or commit a criminal offence
 - b. that restrictions on the manner in which the visit takes place would not be adequate to control the risk
 - c. other reasons as determined by the Institutional Head or designate.
21. Where a refusal or suspension is authorized, it may continue for as long as the risk continues, and:
 - a. the inmate and the visitor will be informed promptly, in writing, of the reasons for the refusal or suspension pursuant to [CD 701 – Sharing of Information](#)
 - b. upon receipt of the written notification, the inmate and the visitor will have five working days to make representations (verbally or in writing) to appeal the decision
 - c. upon receipt of the information presented by the inmate and/or the visitor, a review will be conducted within five working days
 - d. the inmate and visitor will be informed of the final decision within 15 working days of the date of the review. The notice will also inform the inmate of his/her right to grieve the decision pursuant to [CD 081 – Offender Complaints and Grievances](#).

22. Following a decision to refuse or suspend the private family visit and upon application from the inmate, a re-assessment of the risk will be completed:
- a. no less than every six months after the decision, or
 - b. as soon as possible, when new information is obtained that could change the decision.

ENQUIRIES

23. Strategic Policy Division
National Headquarters
Email: Gen-NHQPolicy-Politi@csc-scc.gc.ca

Commissioner,

Original Signed by:
Don Head

ANNEX A

CROSS-REFERENCES AND DEFINITIONS

CROSS-REFERENCES

[CD 081 – Offender Complaints and Grievances](#)

[CD 559 – Visits](#)

[CD 566-1 – Control of Entry to and Exit from Institutions](#)

[CD 566-7 – Searching of Inmates](#)

[CD 566-8 – Searching of Staff and Visitors](#)

[CD 566-9 – Searching of Cells, Vehicles and Other Areas](#)

[CD 701 – Sharing of Information](#)

[CD 715-3 – Community Assessments](#)

[CD 800 – Health Services](#)

[CD 860 – Inmate’s Money](#)

DEFINITIONS

Accompanying adult: within the context of bringing minor children into a penitentiary to visit an inmate, an accompanying adult can be anyone who has reached the age of majority of the province where the institution he/she wishes to visit is located, has completed a visiting application and been granted permission to come into the penitentiary, and has obtained a signed *authorization* from the custodial non-inmate guardian/parent.

Age of majority: the age at which a person is considered to be an adult by a province or territory where the institution someone wishes to visit is located.

Close personal relationship: (includes extended family members for Aboriginal offenders) exists between two individuals and is normally characterised by situations in which:

- a. both individuals shared a close familial bond
- b. one of the individuals contributed significantly to the moral or spiritual development of the other
- c. both individuals were engaged in a long-term living arrangement or partnership
- d. both individuals shared significant life experiences that resulted in an enduring bond of friendship and trust
- e. for Aboriginal offenders, extended family members may include family relations that exist by birth, as well as significant others who are not related by birth, but are given the title of grandparent, parent, brother, sister, aunt, uncle or other relative.

Common-law partner: a person who, at the time of the inmate's incarceration, had been cohabitating with the inmate in a conjugal relationship for at least one year.

Family violence: assault, abuse or other harm that occurs within the family relationships, such as physical assault, psychological/emotional abuse, deprivation and financial exploitation. It is any behaviour that leaves the victim feeling helpless and hopeless or takes away his/her dignity and self-respect. It also includes psychological trauma experienced by children who witness violence perpetrated against other family members.

Family Violence Risk Assessment: evaluates the level of risk an offender presents to his/her partner.

Immediate family: in respect of an offender, includes the following members of the offender's family:

- a. the offender's spouse or common-law partner
- b. a child of the offender or of the offender's spouse or common-law partner
- c. the father and mother of the offender or of the offender's spouse or common-law partner
- d. the spouse or common-law partner of the father or mother of the offender or of the offender's spouse or common-law partner
- e. the foster parent of the offender or of the offender's spouse or common-law partner
- f. a child of the offender's father or mother or a child of the spouse or common-law partner of the offender's father or mother.

Individual time: opportunity provided to the inmate through the use of the private family visit unit to assess the life skill development and how participation will assist in meeting the objectives of his/her Correctional Plan.

Minor child: any individual under the age of majority.

Private family visits: visits that occur in separate structures inside the perimeter of the institution where the inmate may meet authorized visitors in private to enhance daily living skills, maintain positive community and familial relationships and responsibilities (e.g. parenting skills), and/or lessen the negative impact of incarceration on family relationships.

ANNEX B**ASSESSMENT FOR DECISION FOR THE USE OF PRIVATE FAMILY VISIT UNITS –
REPORT OUTLINE****INTRODUCTORY STATEMENT/CASE STATUS**

- i. Provide a brief statement of the purpose of the report
- ii. Confirm the eligibility of the inmate and the proposed visitor(s), where an immediate family relationship does not exist, determine whether a “close personal relationship” exists, using the following sources of information:
 - √ the individual's cultural, ethnic or spiritual background
 - √ information provided by individuals
 - √ accounts from various individuals, including the inmate. Information provided by the inmate should be corroborated whenever doubt exists about the objectivity of the individual
 - √ file material
 - √ pre-sentence or pre-trial reports, Community Assessments, information about the inmate's family and social history or any other report or document
 - √ statements from credible persons who have first-hand knowledge of the relationship between the inmate and the visitor. Special effort should be made to contact individuals who may be able to clarify the cultural, spiritual or ethnic significance of the relationship of the inmate to the visitor, particularly leaders of the inmate's religious or ethnic community
 - √ Visits and Correspondence
 - √ history of visits, letters and telephone calls
 - √ information from Chaplains, Elders or spiritual advisors
- iii. New information related to the decision, received since completion of the Correctional Plan Update.

RISK ASSESSMENT

a. Risk Factors

- i. Briefly analyze the inmate's risk factors, specific to the offence cycle as outlined in the Correctional Plan. Incorporate actuarial assessments.

For use of the private family visit unit for familial purposes, incorporate the results of the [Family Violence Risk Assessment](#) and, where applicable, incorporate the following factors (the presence of one of the risk factors alone does not necessarily indicate that an inmate is at risk for family violence):

- √ history of prior participation in private family visits
- √ any present or past conviction for a violent crime against a family member
- √ history of violent behaviour against other persons
- √ history of childhood victimization or having been a witness to violence in the childhood home environment
- √ abusive, threatening or controlling behaviour towards family members during telephone calls, visits and/or private family visits
- √ information from the inmate, the inmate's family and/or other reliable sources such as the police, which indicate that the inmate has been abusive with family members
- √ family violence has been identified as a factor in the Correctional Plan and the inmate has not yet addressed it
- √ other factors related to family violence or abuse (this may include participation in family violence programming and the inmate's level of motivation).

For use of the private family visit unit for individual purposes, assess psychological factors including risk for self-injury/suicide and history of prior participation in the use of private family visit units.

OVERALL ASSESSMENT

Provide an overall assessment incorporating the following elements, as applicable and appropriate:

- i. consultation with the Security Intelligence Officer (e.g. incompatibles and affiliations) (if there are no concerns, a statement should be made to that effect)

- ii. recent professional opinions regarding the use of the private family visit unit such as physical or mental health care, psychological information, police comments and/or previous CSC/Parole Board of Canada decisions (if applicable)
- iii. current risk
- iv. outstanding factors requiring intervention
- v. an analysis of any risk behaviours or patterns observed during the sentence
- vi. inmate's understanding of risk factors and offence cycle, and how risk will be managed
- vii. elements of Aboriginal social history (if applicable)
- viii. for inmates following a healing path, incorporate his/her understanding of the healing components of the Correctional Plan
- ix. value to the inmate of maintaining ties with the visitor(s) and how it is suitable, stable and beneficial for both parties for the use of private family visit units (familial)
- x. inmate life skill development and how participation will assist in meeting the objectives of his/her Correctional Plan for the use of private family visit units (familial and individual)
- xi. where applicable, results of the Community Assessment.

DISSENTING OPINION

RECOMMENDATION

ANNEX C**AGE OF MAJORITY**

Province	Age of majority	Reference
Nova-Scotia	19	<u>Age of Majority Act, R.S.N.S., c. 4, s. 2(1)</u>
New-Brunswick	19	<u>Age of Majority Act, R.S.N.B. 2011, c. 103</u>
Newfoundland and Labrador	19	<u>Age of Majority Act, SNL 1995, Chapter A-4.2</u>
Québec	18	<u>Code civil, art. 153</u>
Ontario	18	<u>Age of Majority and Accountability Act, R.S.O., 1990, c. A7, s. 1</u>
Manitoba	18	<u>Age of Majority Act, R.S.M., c. A7, s. 1</u>
Saskatchewan	18	<u>Age of Majority Act, R.S.S. 1978, c. A-6, s. 1</u>
Alberta	18	<u>Age of Majority Act, R.S.A. 2000, c. A-6, s. 1</u>
British-Columbia	19	<u>Age of Majority Act, R.S.B.C. 1996, c. 7, s. 1</u>

N.B.: Some provinces and the territories are not listed, as CSC does not have institutions in those sites.