



# Special Handling Unit: Procedures

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## Preamble

This document supplements Commissioner's Directive (CD) 708 – Special Handling Unit (SHU), and provides guidance and supporting information about the procedures related to the referral to, transfer to, maintenance at and transfer from the SHU.

## Responsibilities

### **Senior Deputy Commissioner**

The Senior Deputy Commissioner (SDC) chairs the case review meetings, and is the final decision maker on whether to transfer to, maintain at, or transfer inmates from the SHU.

In the absence of the SDC, the Assistant Commissioner, Correctional Operations and Programs (ACCOP) will perform the duties of the SDC, as the SDC's alternate.

### **National Advisory Committee**

The SDC establishes a National Advisory Committee (NAC) and ensures it is comprised of:

- a. an executive from National Headquarters (NHQ), normally the Director General, Security Branch, referred to as the Senior Advisor
- b. the file manager at NHQ, identified by the Senior Advisor
- c. Institutional Heads (IH) of maximum security institutions and Executive Directors (ED) of Treatment Centres. In the absence of an IH/ED, an alternate, at a level no lower than Assistant Warden/Senior Clinical Manager, will attend on their behalf
- d. the Director General, Preventive Security and Intelligence (PSI) Branch or delegate
- e. a representative from the Indigenous Initiatives Directorate (IID)
- f. a mental health representative from Health Services at NHQ
- g. a minimum of one person external to CSC, consistent with [subsection 4\(e\)](#) of the [Corrections and Conditional Release Act \(CCRA\)](#).

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Normally, all members of the NAC will attend the case review meetings, however, in the event that a NAC recommendation and SDC decision is required for an inmate outside the regularly scheduled case review meetings, IH/ED (or alternate) attendance may be reduced to the following:

- a. IH/ED of the sending institution
- b. IH/ED of the receiving institution
- c. at least one additional IH/ED.

All decisions relating to the transfer to and from the SHU will be made as per [CD 710-2 – Transfer of Inmates](#), with the necessary modifications dictated by CD [708 – Special Handling Unit](#) and this tool.

At the discretion of the Senior Advisor, a person may observe the inmate interviews, case review meetings, and/or the administrative meetings.

### **Eligibility Criteria**

An inmate will be considered for referral and transfer to the SHU if:

- a. there are reasonable grounds to believe that there is a risk of harm to the public, staff or inmate and it has been determined that they cannot be safely managed at any other maximum security institution or Treatment Centre and a transfer to the SHU is the only reasonable alternative, or
- b. they are identified as a radicalized offender and it has been determined that they cannot be safely managed at any other maximum security institution or Treatment Centre and a transfer to the SHU is the only reasonable alternative.

### **Transfer to and from the SHU**

#### **Placement to the SHU Directly from Provincial Custody**

An inmate may be placed directly from provincial custody to the SHU for the completion of their intake assessment if:

- a. convicted of a terrorism offence where the Custody Rating Scale yielded an assessment of maximum; or

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- b. it is determined that there are reasonable grounds to believe that a newly sentenced inmate cannot be managed in any other maximum security environment.

Staff from the sending Regional Headquarters (RHQ) will document the rationale and the recommendation for the inmate's placement in a memo to file, which will include, but not be limited to:

- a. the reason(s) why the intake assessment cannot be completed elsewhere
- b. the inmate's risk and needs, keeping in mind paragraph 4(g) and section 28 of the CCRA
- c. the consideration given to the inmate's state of health and health care needs, including mental health, as identified in the Preliminary Assessment Report
- d. the identification of any immediate needs in terms of security and suicide/attempted suicide/self-harm
- e. a statement presenting the specific considerations given to all other options and indicating why there are no alternatives.

The SDC will review RHQ's recommendation and the decision will be completed in a memo to file and shared with RHQ.

If the decision is to place the inmate at the SHU, the sending RHQ, if other than Quebec, will advise Quebec RHQ if there is new information regarding risk and needs that would impact the viability of the inmate's transfer. The sending RHQ is responsible for identifying a staff member to perform this task, and will ensure that the information is documented in a casework record.

The Parole Officer (PO) at the SHU will ensure that the intake assessment and Correctional Plan are completed pursuant to the provisions of [CD 705-6 – Correctional Planning and Criminal Profile](#) and that the inmate's security classification and penitentiary placement are determined pursuant to the provisions of [CD 705-7 – Security Classification and Penitentiary Placement](#).

The SDC is the final decision maker on the security classification and penitentiary placement of inmates placed directly from provincial custody to the SHU for the completion of their intake assessment.

### **Referral to the SHU**

In order to facilitate the inmate's safe reintegration, an inmate should not be referred to the SHU within six months of their statutory release or expiration of their sentence.

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The sending institution will conduct an initial assessment of the inmate against the SHU criteria, through a case conference or Correctional Intervention Board (CIB) meeting, which will include the IH, the Manager, Assessment and Interventions (MAI), the PO, a Security Intelligence Officer (SIO), a Health Services representative and other relevant staff, as appropriate.

- a. If the assessment determines that the established eligibility criteria are not met, the SHU referral process is terminated, and alternative options are explored. The sending institution will document the details of the case conference in a memo to file.
- b. If the assessment determines that the established criteria are met, the SHU referral process will proceed and the sending institution will document the details of the case conference in a memo to file.

The PO will commence the assessment for decision for an involuntary transfer to the SHU as per [Annex B](#).

The sending institution will complete a mental health assessment in accordance with the [Mental Health Guidelines](#). This assessment is required prior to referring the case to the Regional Deputy Commissioner (RDC).

The intent of the mental health assessment is:

- a. to ensure that relevant mental health information is considered
- b. to offer alternative options to a SHU transfer for an inmate with mental health needs, if appropriate
- c. to provide recommendations regarding behavioral and mental health interventions or other management strategies, as applicable.

If the inmate refuses to consent to the mental health assessment, the mental health professional will complete the assessment based on a file review, personal observation of the inmate (done at the time consent is refused), and information from collateral sources. The mental health professional will mention the inmate's refusal to consent and the subsequent limitations of the assessment in the report.

If the initial assessment determines that the established criteria are met, the sending institution will notify the MAI at the SHU, by email at [100-SHUREFERRALRENOIUSD@CSC-SCC.GC.CA](mailto:100-SHUREFERRALRENOIUSD@CSC-SCC.GC.CA) and conduct a case conference with the SHU MAI, other appropriate staff from the sending institution and RHQ, as necessary.

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- a. If the case conference determines that the established criteria are not met, the SHU referral process is terminated, and alternative options are explored. The sending institution will document the details of the case conference in a memo to file.
  - b. If the case conference determines that the established criteria are met, the SHU referral process will proceed and the sending institution will document the details of the case conference in a memo to file. The MAI at the sending institution will forward the memo to file, mental health assessment and any other pertinent information to the RDC for review.

If following the regional assessment, the RDC of the sending region:

- a. does not support the referral to the SHU, the process is terminated, RHQ staff will document the outcome of the RDC's review in a memo to file, and advise the sending institution accordingly.
- b. supports the referral to the SHU, RHQ staff will document the outcome of the RDC's review in a memo to file and advise the institution accordingly.

Following confirmation that the RDC supports the sending institution's recommendation, the sending institution will:

- a. finalize and lock the assessment for decision for transfer to the SHU as per Annex B
- b. complete the [Health Services Transfer Summary](#) (CSC/SCC 0377-1)
- c. provide information to the Victim Services Unit as per [CD 784 – Victim Engagement](#).

If the referral is supported, pursuant to [section 12](#) of the CCRR, the IH of the sending institution or designate will:

- a. meet with the inmate prior to the transfer to explain the reasons for the transfer, and pursuant to [CD 701 – Information Sharing](#), provide them with:
  - i. the assessment for decision
  - ii. the notice of involuntary transfer recommendation
  - iii. any other information that will be used in the decision-making process and was not previously shared with the inmate

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- b. advise the inmate of their right to legal counsel without delay
  - c. provide the inmate two **working days** to submit a rebuttal to the proposed transfer in person or in writing
  - d. advise the inmate that they will be provided the opportunity to respond to the proposed transfer, to NAC members at an upcoming interview
  - e. record in the notice of involuntary transfer recommendation if the inmate wants to meet with the NAC
  - f. advise the MAI to create the CSC Board Review/Decision Sheet
  - g. forward the assessment for decision, the notice of involuntary transfer recommendation and any other pertinent information to the file manager by email at [100-SHUREFERRALRENVOIUSD@CSC-SCC.GC.CA](mailto:100-SHUREFERRALRENVOIUSD@CSC-SCC.GC.CA), no later than 20 working days following the initial assessment, described in paragraph 15.

The Senior Advisor will, in writing, invite the inmate to an interview with select NAC members where they can respond to the proposed transfer to the SHU. The invitation will include the date of the interview and of the case review meeting and will be sent to the MAI at the sending institution.

At least 10 working days prior to the case review meeting, the MAI or PO at the sending institution will provide the inmate with the invitation from the Senior Advisor. The inmate is responsible for confirming, in writing, at least five working days prior to the case review meeting their:

- a. willingness to participate in the interview
- b. counsel's attendance at the interview and contact information to the MAI, if required.

The MAI or PO will request confirmation of counsel's attendance and will confirm contact information.

The MAI will advise the file manager of the inmate's decision to participate in the interview and provide their legal counsel's contact information, if applicable.

The inmate and/or their counsel may also submit written comments to the NAC and the SDC for consideration, through the MAI, at least two working days prior to the case review meeting.



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The interview will be conducted by at least two members of the NAC via videoconference. The NAC members will follow the interview procedures described in Annex F and share the details of the interview during the case review meeting.

The NAC members will review the information collected, and provide a recommendation to the SDC.

During the case review meeting, the PO from the sending institution will present a brief summary of the inmate's case and reason for the referral to the SHU.

The SDC will review and take into consideration all the information provided, including the findings and recommendations from the mental health assessment, the Indigenous Social History (ISH) (if applicable), the recommendation of the NAC members, and will render a decision on whether to approve or deny the transfer to the SHU.

- a. If the SDC denies the transfer, the SHU transfer process is terminated and the inmate will be provided with the written notice of the final decision via a CSC Board Review/Decision Sheet within seven working days of the decision being rendered.
- b. If the SDC approves the transfer to the SHU, the SHU transfer process proceeds and the inmate will be provided with the written notice of the final decision via a CSC Board Review/Decision Sheet within seven working days of the decision being rendered or at least two working days prior to the transfer. The inmate may waive the two working day period, in which case this will be documented in a casework record by the sending institution. The inmate will be transferred to the SHU at the earliest possible time.

Following the case review meeting, the PO will inform the inmate of the SDC's decision, verbally at the earliest possible time.

In either case listed above, the inmate will be advised in writing of their right to grieve the SDC's decision as per [CD 081 – Offender Complaints and Grievances](#).

### **Emergency Transfer to the SHU**

When an inmate is considered for an emergency transfer to the SHU, the MAI at the sending institution will hold a case conference with the MAI at the SHU, without delay.

The IH of the sending institution will consult with their RDC to determine the necessity to emergency transfer the inmate to the SHU.

If the RDC of the sending region does not support an emergency transfer but is supportive of a transfer to the SHU, the regular SHU referral process will be followed, as described in the [“Referral to the SHU”](#) section of this document.

If the RDC supports an emergency transfer, they must consult:

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- a. The RDC Quebec region; and
  - b. The Senior Advisor.

The RDC Quebec and the Senior Advisor will consider all the information provided and determine whether to support the emergency transfer.

- a. If the emergency transfer to the SHU is supported, the inmate will be transferred to the SHU at the earliest possible time.
- b. If the emergency transfer is not supported, the regular SHU referral process may be followed.

If an inmate has been emergency transferred to the SHU, pursuant to [section 12](#) of the [CCRR](#), not more than two working days following their arrival, the IH of the SHU or designate will:

- a. meet with the inmate to explain the reasons for the transfer, and pursuant to [CD 701 – Information Sharing](#), provide them with:
  - i. the assessment for decision
  - ii. the notice of involuntary transfer recommendation
  - iii. any other information that will be used in the decision-making process and was not previously shared
- b. advise the inmate of their right to legal counsel without delay
- c. provide the inmate two working days to submit a rebuttal to the proposed transfer to the sending institution by video or in writing. The MAIs at the SHU and the sending institution will coordinate this process.
- d. advise the inmate that they will be provided the opportunity to respond to the proposed transfer, to NAC members at an upcoming interview.
- e. record in the notice of involuntary transfer recommendation if the inmate wants to meet with the NAC
- f. advise the MAI at the sending institution to create the CSC Board Review/Decision Sheet.

The IH or designate at the sending institution will forward the assessment for decision, the notice of involuntary transfer recommendation and any other pertinent information to the NHQ file manager

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by email at [100-SHUREFERRALRENOIUSD@CSC-SCC.GC.CA](mailto:100-SHUREFERRALRENOIUSD@CSC-SCC.GC.CA), no later than two working days following the inmate's arrival at the SHU.

The Senior Advisor will, in writing, invite the inmate to an interview with select NAC members where they can respond to the proposed transfer to the SHU. The invitation will include the date of the interview and of the case review meeting and will be sent to the MAI at the SHU.

The MAI or PO at the SHU will provide the inmate with the invitation from the Senior Advisor at least 10 working days prior to the case review meeting. The MAI will ensure the inmate provides written confirmation, at least five working days prior to the case review meeting, of their:

- a. willingness to participate in the interview
- b. counsel's attendance at the interview and contact information to the MAI, if required.

The MAI or PO at the SHU will request confirmation of counsel's attendance and will confirm contact information.

The MAI at the SHU will advise the file manager of the inmate's decision to participate in the interview and provide their legal counsel's contact information if applicable.

The inmate and/or their counsel may also submit written representations to the NAC and the SDC for consideration, through the MAI at the SHU, at least two working days prior to the case review meeting.

The interview will be conducted by at least two members of the NAC in person or by videoconference. The members conducting the interview will follow the procedures described in Annex F and share the details of the interview during the case review meeting.

During the case review meeting, the PO from the sending institution will present a brief summary of the inmate's case and referral to the SHU.

The NAC members will review the information collected, and provide a recommendation to the SDC.

The SDC will review and take into consideration all the information provided, including the findings and recommendations from the mental health assessment, the ISH (if applicable), the recommendation of the NAC members, and will render a decision.

- a. If the SDC denies the transfer, the SHU transfer process is terminated and the inmate will be provided with the written notice of the final decision via a CSC Board Review/Decision Sheet within seven working days of the decision being rendered.

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- b. If the SDC approves the transfer, the SHU transfer process proceeds and the inmate will be provided with the written notice of the final decision via a CSC Board Review/Decision Sheet within seven working days of the decision being rendered.

In both cases listed above, the inmate will be advised in writing of their right to grieve the SDC's decision as per [CD 081 – Offender Complaints and Grievances](#).

## **Following an Inmate's Arrival at the SHU**

The PO at the SHU will:

- a. Within 25 working days of the inmate's arrival or, in the case of an emergency transfer, within 25 working days of the SDC's decision, discuss with the inmate specific behavioural objectives to support a transfer from the SHU and include the objectives in a Correctional Plan Update (CPU)
- b. Notify the inmate that their case will be reviewed within four months of the completion of the CPU or at the next closest case review meeting, whichever period is longer.

### **National Advisory Committee Subsequent Case Reviews**

Subsequent case reviews to determine whether the inmate will be maintained at, or transferred from the SHU will be conducted at least every four months, as per Annex C and Annex D. The inmate is entitled to an interview and to submit written representations prior to the SDC's decision.

Any extension of the review period beyond four months will be approved by the SDC. Grounds for an extension include:

- a. a need for more information,
- b. administrative reasons, or
- c. exceptional circumstances.

The SDC's decision to extend the review period will be recorded in a memo to file and include the time period of the extension and rationale. A copy will be provided to the inmate within five working days of signature.

The PO will complete an assessment for decision recommending the inmate be maintained at or transferred from the SHU and lock it in OMS, at least ten working days prior to the scheduled review.

When the PO is considering an inmate's transfer from the SHU, a case conference will occur with the proposed receiving institution(s) and/or Regional Treatment Centre(s). If, following the case

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conference, the proposed receiving institution(s) and/or Regional Treatment Centre(s) is supportive of the transfer, as per Annex E, a Management Plan must be completed. If the proposed receiving institution(s) and/or Regional Treatment Centre(s) is not supportive, they will complete a memo to file detailing their reasoning.

The Management Plan or reasons for not supporting a transfer will be documented in a memo to file within eight working days of the request, and the completing institution(s) and/or Regional Treatment Centre(s) will notify the Manager, Assessment and Interventions at the SHU when it is completed.

When the proposed institution is a Regional Treatment Centre, the Management Plan will include an evaluation of clinical information, how the Treatment Centre will address the inmate's mental health needs and identify the parent institution.

The Senior Advisor will, in writing, invite the inmate to an interview with select NAC members where they can respond to the proposed transfer to the SHU. The invitation will include the date of the interview and of the case review meeting and will be sent to the MAI at the SHU.

The MAI or the PO will provide the inmate with the invitation and the assessment for decision at least 10 working days prior to the case review meeting. The MAI will ensure the inmate provides written confirmation, at least five working days prior to the case review meeting, of their:

- a. their willingness to participate in the interview
- b. counsel's attendance at the interview and their contact information to the MAI, if required.

The MAI or PO will request confirmation of counsel's attendance and will confirm contact information.

The MAI will advise the file manager of the inmate's decision and provide their legal counsel's contact information if applicable.

The inmate and/or their counsel may also submit written comments to the NAC and the SDC for consideration, through the MAI at the SHU, at least two working days prior to the case review meeting.

The interview will be conducted by at least two members of the NAC in-person or by videoconference. The members conducting the interview will follow the interview procedures described in Annex F and share the details of the interview during the case review meeting.

During the case review meeting, the PO will present a brief summary of the inmate's case and the CMT's recommendation.

The NAC members will provide a recommendation to the SDC.

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The SDC will review and take into consideration all the information provided, including the findings and recommendations from the mental health assessment, the ISH (if applicable), the recommendation of the NAC members, and will render a decision.

- a. If the SDC's decision is to maintain the inmate at the SHU, a subsequent review period will be established (not to exceed four months), the inmate will be provided with the written notice of the final decision via a CSC Board Review/Decision Sheet within 20 working days of the decision being rendered.
- b. If the SDC approves to transfer the inmate from the SHU, the inmate will be provided with the written notice of the final decision via a CSC Board Review/Decision Sheet within seven working days of the decision being rendered. The inmate will be transferred from the SHU at the earliest possible time.

In both cases listed above, the inmate will be advised in writing of their right to grieve the SDC's decision as per [CD 081 – Offender Complaints and Grievances](#).

### **Follow-up Mental Health Assessments**

A mental health professional at the SHU will complete a review of the inmate's mental health status, in consideration of their general mental health as well as the impact of the SHU placement on their mental health, one year after their arrival at the SHU and every year thereafter. A shorter timeframe can be put in place when deemed necessary by a mental health professional, by a member of the NAC or the SDC.

### **Involuntary Transfers from the SHU**

If the CMT recommends an involuntary transfer from the SHU, the IH or designate will, pursuant to [section 12](#) of the CCRR:

- a. meet with the inmate prior to the transfer to explain the reasons for the transfer, and pursuant to [CD 701 – Information Sharing](#), provide them with:
  - i. the assessment for decision
  - ii. the notice of involuntary transfer recommendation
  - iii. any other information that will be used in the decision-making process and was not previously shared with the inmate
- b. advise the inmate of their right to legal counsel without delay

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- c. provide the inmate two working days to submit a rebuttal to the proposed transfer in person or in writing.
  - d. advise the inmate that they will be provided the opportunity to respond to the proposed transfer, to the NAC at an upcoming interview.

If the SDC approves to transfer the inmate from the SHU, the inmate will be provided with the written notice of the final decision via the CSC Board Review/Decision Sheet within seven working days of the decision or at least two working days before the transfer. The inmate may waive the two working day period, in which case this will be documented in a casework record by the SHU.

If the SDC denies the transfer from the SHU, the inmate will be provided with the written notice of the final decision via the CSC Board Review/Decision Sheet within seven working days of the decision being rendered.

The inmate will be advised in writing of their right to grieve the SDC's decision as per [CD 081 – Offender Complaints and Grievances](#).

If the CMT recommends that an inmate be maintained at the SHU and the SDC decides at the case review meeting that the inmate will be transferred involuntarily, a new assessment for decision is not required.

The senior advisor will complete the notice of involuntary transfer recommendation, advising the inmate they will be provided the opportunity to submit a rebuttal in person or in writing to the NAC and reminding the inmate of their right to counsel.

The PO at the SHU will provide the inmate with the notice of involuntary transfer recommendation.

In the event that new information is presented by the inmate, a case review meeting will be required.

The inmate will be provided with the written notice of the final decision via the CSC Board Review/Decision Sheet at least two working days before the transfer. The inmate may waive the two working day period, in which case this will be documented in a casework record by the SHU.

The inmate will be advised in writing of their right to grieve the SDC's decision as per [CD 081 – Offender Complaints and Grievances](#).

### **Security Confirmation Prior to Transfer from the SHU**

Following confirmation of a transfer date, the MAI at the SHU will request security confirmation from the IH/ED of the receiving institution/treatment centre and inform the NHQ file manager of any concerns or new information that would impact the transfer.

The NHQ file manager will share the concerns with the senior advisor and SDC. The SDC will consider the new information and render a decision to pursue or cancel the transfer.

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Following the transfer of an inmate from the SHU, the Institutional Head/Executive Director of the receiving institution/treatment centre will report on the inmate's reintegration when requested to do so.

### **Transfer from the SHU to Comply with a Court Order**

It may be necessary to transfer an inmate from the SHU to comply with a court order. In these situations, consultation throughout the process will occur at the institutional, regional and national levels.

The decision authority for a transfer to comply with a court order is delegated to the Institutional Head of the SHU.

If the sole purpose of the inmate's transfer is to attend court, the SHU and RHQ of the receiving region must confirm that there are no reasonable alternatives, such as videoconference, to the inmate attending in person.

The SHU and the RHQ of the receiving region must confirm that there are no reasonable alternatives to the inmate being transferred if the sole purpose is to facilitate a warrant for the inmate's arrest in the receiving province, at statutory release or upon warrant expiry.

Increased security measures may be necessary to safely manage the inmate at the receiving institution and/or Regional Treatment Centre; however, the inmate should only be transferred to the Structured Intervention Unit when it is determined that the legislative criteria outlined in [CD 711 - Structured Intervention Units](#) are met.



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## Contact

Placeholder for Generic Inbox

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## ANNEX A - CROSS-REFERENCES AND DEFINITIONS

### **CROSS-REFERENCES**

[CD 001 – Mission, Values and Ethics Framework of the Correctional Service of Canada](#)

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

[CD 566-6 – Security Escorts](#)

[CD 701 – Information Sharing](#)

[CD 702 – Aboriginal Offenders](#)

[CD 705-3 – Immediate Needs Identification and Admission Interviews](#)

[CD 705-6 – Correctional Planning and Criminal Profile](#)

[CD 705-7 – Security Classification and Penitentiary Placement](#)

[CD 706 – Classification of Institutions](#)

[CD 710-1 – Progress Against the Correctional Plan](#)

[CD 710-2 – Transfer of Inmates](#)

[CD 711 – Structured Intervention Units](#)

[CD 750 – Chaplaincy](#)

[CD 784 – Victim Engagement](#)

[CD 800 – Health Services](#)

### **DEFINITIONS**

**Administrative Meeting:** a meeting chaired by the Senior Deputy Commissioner attended by the NAC and other relevant CSC staff and/or external stakeholders to discuss the SHU processes and procedures.

**Case Management Team:** the individuals involved in managing an offender's case, which include at a minimum the Parole Officer and the offender, and in institutions, the Correctional Officer II/Primary Worker.

**Case Review Meeting:** a meeting chaired by the Senior Deputy Commissioner attended by the NAC and other relevant CSC staff where inmates cases are reviewed and a decision is made on whether they will be transferred to, maintained at or transferred from the SHU.

**Correctional Intervention Board:** a multidisciplinary team that approves interventions and contributes to recommendations or decisions for complex cases. The Interdisciplinary Mental Health Team is considered a component of the Correctional Intervention Board.

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**Emergency transfer:** the transfer of an inmate on an involuntary basis when there is immediate risk to the public, staff or inmates that cannot be managed within the current institution.

**Management Plan:** a summary of information that may result in the identification of a potential threat to the safety of the staff, the inmate, other individuals or the security of the institution and a strategy developed by the proposed receiving institution to address or manage the specific risk the inmate represents.

**Mental health assessment:** an evaluation of a person's mental, emotional and social functioning, inclusive of any additional factors that may be influencing institutional adjustment. The assessment process may include, but is not limited to, the gathering, integration and interpretation of psychological data through the use of tests, interviews, case studies, behavioural observations, collateral information, and file review, and specifically designed devices and measurement procedures. The type and nature of assessment are guided by the referral question and the needs of the offender. If the referral question involves security reclassification, the assessment will focus on the offender's functioning as it pertains to mental health and institutional adjustment and will identify those factors that can impact their adaptation and/or integration into a less structured environment.

**Mental health professional:** CSC staff and contractors who offer services for the purposes of improving an offender's mental health and are registered or licensed in Canada, preferably in the province/territory of practice. Individuals will operate within their scope of practice and competence. Examples include Psychologists, Psychiatrists, Physicians, Nurses, and Clinical Social Workers.

**Radicalized offender:** Ideologically motivated offender, who commits, aspires or conspires to commit, or promotes violent acts in order to achieve ideological objectives. An offender can be identified as a radicalized offender if they were:

- a) convicted of *Anti-Terrorism Act* (ATA) offences
- b) identified by partners or third party agencies (e.g. Royal Canadian Mounted Police (RCMP), Canadian Security Intelligence Service (CSIS), Canadian Border Services Agency (CBSA), etc.)
- c) identified internally by CSC.

**Reasonable grounds:** reasonable grounds are required to support a suspicion or belief. In order to be reasonable, the grounds must be:

- a) objective (e.g. what other staff members with similar training and experience consider reasonable)
- b) clear (e.g. based on verifiable facts or factors rather than just a subjective feeling, hunch or intuition)
- c) related to and supporting a conclusion of suspicion or belief.

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**Return/Reintegration Plan:** clear articulation of expectations of the inmate, including behavioural objectives, to be returned from the Special Handling Unit to the sending institution, where appropriate.

**Security confirmation:** a confirmation from the Institutional Head of the receiving institution and the Director, Preventive Security and Intelligence, that no new security information has arisen since the decision to transfer was made, that would have an impact on the safe integration of an inmate into a maximum security institution.

**Structured Intervention Unit:** stand-alone, multi-level security units within an area of a penitentiary designated by the Commissioner, with the exception of the SIU at the SHU, which is designated as maximum security. A Structured Intervention Unit (SIU), in designated institutions, provides an alternative institutional living environment only where an inmate cannot be maintained in a mainstream inmate population for institutional security or safety reasons, pursuant to [subsection 34\(1\)](#) of the CCRA.

**Without delay:** immediately unless there are compelling circumstances preventing immediate action and in those circumstances, the delay cannot be more than 24 hours.

**Working day:** A day of the week that is not a statutory holiday or weekend.

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## ANNEX B - ASSESSMENT FOR DECISION - TRANSFERS TO THE SPECIAL HANDLING UNIT – REPORT OUTLINE

### INTRODUCTORY STATEMENT/CASE STATUS

- a. provide a brief statement of the purpose of the report (e.g. type of transfer: involuntary/emergency, etc.):
  - ✓ to respond to reassessed security requirements
  - ✓ for public safety
  - ✓ for the security of the institution, staff or other inmates.
- b. indicate the length of sentence, current offence(s), outstanding charges or appeals, immigration/deportation/extradition status.
- c. factors that have prompted the proposed transfer, limited to the details of the precipitating incident(s) (e.g. time, place, damage to property or physical injury, and weapons used) as well as recent and relevant behaviour patterns that may have contributed to the recommendation to involuntary transfer.

### RISK ASSESSMENT

#### Risk Factors

Briefly analyze the inmate's risk factors, specific to the offence cycle as outlined in the Correctional Plan. Incorporate actuarial assessments (e.g. SIR-R1) and reintegration potential.

#### Inmate Security Classification Level Review (Refer to CD 710-6 – Review of Inmate Security Classification)

Confirm or complete (as required) an analysis of the security level assessment pursuant to section 18 of the CCRR. A statement will be made under each of the following:

- a. institutional adjustment
- b. escape risk
- c. risk to the safety of the public.

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## **OVERALL ASSESSMENT**

Provide an overall assessment incorporating the following elements:

- a. results of the case conferences/consultations (institutional, regional, and with the SHU).
- b. nature and gravity of the offence and the degree of responsibility of the inmate.
- c. victim concerns (if applicable).
- d. inmate engagement.
- e. outstanding factors requiring intervention.
- f. inmate's understanding of risk factors and offence cycle.
- g. Indigenous Social History (if applicable).
- h. for an inmate involved in a healing path, incorporate their understanding of the healing components of the Correctional Plan.
- i. an overview of the inmate's recent and relevant behaviour to date as well as an assessment of the inmate's potential for continued violent behaviour that poses serious risks to staff or inmates in another institution.
- j. the inmate's opinion of the involuntary transfer recommendation.
- k. existence of security information that relates to the present or previous incident(s) or to the existence of incompatibles or co-convicted at the present institution and the SHU (provide a rationale when any of this information cannot be shared with the inmate, or if only the "gist" of the information can be shared). If there are no concerns, a statement should be made to that effect.
- l. any pertinent results/recommendations from the psychological and/or psychiatric assessments and/or health care (any physical or mental health concerns precluding the inmate's transfer to the SHU).
- m. a detailed list of alternative options that have been explored, why they are not viable and why an involuntary transfer to the SHU is the only reasonable option.

## **DISSENTING OPINION**

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**RECOMMENDATION****RETURN/REINTEGRATION PLAN**

Expectations to be considered for a return to the sending institution.

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## ANNEX C - ASSESSMENT FOR DECISION - MAINTAINING AT THE SPECIAL HANDLING UNIT – REPORT OUTLINE

### INTRODUCTORY STATEMENT/CASE STATUS

- a. provide a brief statement of the purpose of the report.
- b. provide the reasons for transfer to the Special Handling Unit (SHU).

### OVERVIEW OF REVIEW PERIOD

The main purpose of this section is to report on the inmate's progress during the review period. Outline the following information:

- a. Indicate who met with the inmate and how frequently, and what the outcome(s) of the meeting(s) were in terms of cooperation and insight (include all interveners such as the PO, the Psychologist, the Psychiatrist, an Elder and the Indigenous Liaison Officer).
- b. In the case of Indigenous inmates, include comments from Elders and/or the Indigenous Liaison Officer on participation in cultural activities, or the inmate's lack of participation.
- c. Indicate what interventions/programs in line with the inmate's Correctional Plan have been attempted or have occurred, including daily activities, work, and school.
- d. Indicate if the inmate has incurred any disciplinary charges or been involved in any security incidents; if so, how many and for what.
- e. Indicate if the inmate has been transferred to the Structured Intervention Unit.
- f. Provide a synopsis of the inmate's mental health history, status, and treatment/interventions.
- g. Describe how the inmate has been interacting with staff and other inmates.
- h. Provide pertinent preventive security information.
- i. Indicate if the inmate is facing outstanding charges or is appealing their sentence and if a court appearance is required in person which would eventually necessitate a transfer.



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## **OVERALL ASSESSMENT**

- a. Provide an analysis of why it is necessary to maintain the inmate at the SHU, with a clear assessment of objectives, a timeline for their transfer from the SHU and the extent to which they have achieved any behavioural expectations.
- b. Consider elements of Indigenous Social History (if applicable).
- c. Provide a specific action plan for the inmate, outlining expectations over the next review period and long-term plan.

## **DISSENTING OPINION**

## **RECOMMENDATION/LENGTH SUBSEQUENT REVIEW PERIOD**

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## **ANNEX D - ASSESSMENT FOR DECISION - TRANSFER FROM THE SPECIAL HANDLING UNIT – REPORT OUTLINE**

### **INTRODUCTORY STATEMENT/CASE STATUS**

- a. Provide a brief statement of the purpose of the report.
- b. Indicate the length of sentence, current offence(s), outstanding charges or appeals, immigration/deportation/extradition status.

### **RISK ASSESSMENT**

#### **Risk Factors**

Briefly analyze the inmate's risk factors, specific to the offence cycle as outlined in the Correctional Plan. Incorporate actuarial assessments (e.g. SIR-R1) and reintegration potential.

#### **Inmate Security Classification Level Review (Refer to CD 710-6 – Review of Inmate Security Classification)**

Confirm or complete (as required) an analysis of the security level assessment pursuant to section 18 of the CCRR. A statement will be made under each of the following:

- a. institutional adjustment
- b. escape risk
- c. risk to the safety of the public.

### **INMATE'S RESIDENCY AT THE SPECIAL HANDLING UNIT**

- a. Summarize the critical incident(s) that resulted in the inmate's transfer to the SHU.
- b. Indicate when the inmate was transferred to the SHU, from which institution, and for how long they have been at the SHU.
- c. Provide a brief summary of inmate's behaviour while at the SHU, including any interventions in which they engaged. Include any pertinent preventive security information.

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## **PSYCHOLOGICAL OR PSYCHIATRIC OPINION**

Provide a synopsis of the inmate's mental health history and status, including relevant information from treatment and/or risk related to mental health assessments, as well as any recommendations for mental health interventions.

## **MANAGEMENT PLAN(S)**

Outline details of the proposed Management Plan(s) developed by the proposed receiving institution(s) and/or Regional Treatment Centre(s).

## **OVERALL ASSESSMENT**

**Provide an overall assessment incorporating the following elements:**

- a. why the inmate is deemed ready to transfer to a less structured environment
- b. the Correctional Plan objectives
- c. the inmate's state of health and health care needs
- d. the inmate's Indigenous Social History (if applicable) including how the proposed transfer will address their needs in this area.
- e. victim concerns (if applicable)
- f. gender considerations (if applicable)
- g. the inmate's opinion.

## **DISSENTING OPINION**

## **RECOMMENDATION**

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## ANNEX E - MANAGEMENT PLAN

### SECURITY CONSIDERATIONS

- a. Indicate any incompatibility issues.
- b. Indicate security threat group affiliation and any potential impact on unit placement, movement and incompatible gangs.
- c. Include Security Intelligence Officer comments or concerns.
- d. Indicate any other security considerations.

### MENTAL HEALTH CONSIDERATIONS

- a. If the inmate presents mental health concerns, add specific actions such as an immediate meeting with the mental health professional upon arrival to the receiving institution, completion of a mental health assessment, ensuring medications are continued, etc.
- b. If the inmate has a history of self-injury and/or attempted suicide, outline a specific plan to manage this risk.
- c. Outline specific range placement in consideration of individual mental health issues, if possible.

Where applicable, provide a strategy on how to manage the specific risk/need or concerns listed below.

### INDIGENOUS CONSIDERATIONS

- a. Indicate program availability at the institution that addresses their Indigenous specific needs.
- b. Indicate, if possible, range placement (i.e. placement in Pre-Pathways Unit).
- c. Indicate if sufficient Elder services and cultural ceremonies exist to support the inmate's needs
- d. Indicate community considerations when transferring to the receiving institution.

### OTHER RISK/NEEDS CONSIDERATIONS

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**Escape Risk** (if reason for transfer is escape)

- a. If the inmate was transferred to the SHU as a result of planning or attempting an escape, outline how this will be managed.

**Sexual Offending Concerns**

- a. Indicate an action plan to manage risk to staff and/or inmates, including specific PO assignment.
- b. Provide any limitations on employment, programming and movement (if applicable).
- c. Indicate methods to recognize and address the inmate's offence cycle.

**Radicalized Offenders**

- a. Outline a how the inmate's escape risk and their ability to recruit/radicalize others will be monitored and addressed.
- b. Provide ways to minimize any noted ability to circumvent traditional security measures.
- c. Indicate any communication limitations (if applicable).
- d. Also include as a separate bullet considerations for specific interventions (i.e. spiritual counselling).

**RECOMMENDATION**

Taking into consideration the above-noted information, indicate that you (as the proposed receiving institution) are supportive of the inmate's transfer to your institution.

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## ANNEX F - INMATE INTERVIEWS WITH THE NATIONAL ADVISORY COMMITTEE

### **Purpose of the Interview**

The interview is not a decision-making forum. The information discussed or presented is used, along with other documentation pertaining to the case, to make a recommendation to the SDC during the NAC meeting.

The interview provides the inmate the opportunity to:

- a. present a response to the maintain, transfer in or from the SHU recommendation.
- b. present and/or clarify any information they believe is relevant to their case and should be considered by the NAC and the SDC.
- c. challenge what they consider to be erroneous information contained in the documentation that the NAC uses to make its recommendation.

### **Request to Attend**

- The inmate, must confirm in writing, their willingness to participate in the interview, their counsel's attendance and contact information at least five working days prior to the case review meeting.
- The written notice to attend the interview must be submitted to the MAI or PO, who will advise the file manager of the request.

### **The Interview**

- The interview panel must consist of, at a minimum, two members of the NAC. A member of the NAC will be selected to lead the interview.
- The MAI will notify the NAC members, as soon as possible, of the scheduled interviews. The NAC members will familiarize themselves with the case and review prior decisions, as well as any new information pertaining to the case.

- 
- All persons who are present at the interview should identify themselves by name, position and/or their role in the NAC.
  - All interviews will be audio recorded.
  - At the beginning of the interview, an explanation of its purpose will be provided by the NAC member selected to lead the interview. The NAC member leading the interview will indicate to the inmate and/or their counsel that the interview is being conducted as per CD 708 – Special Handling Unit and is not a “hearing.” In describing the purpose of the interview, the NAC member may state, for example, that “We are here to consider any relevant information, either written and/or oral, that you would like to identify for consideration by the NAC. Your statements will be considered in the recommendations made to the SDC and reflected in the decision that is taken.”
  - It should be made clear that the focus of the interview is on those issues related to a recommendation to transfer to, maintain at, or transfer from the SHU to a regular maximum security institution. Other issues raised during the interview will be noted and referred to other sources for follow-up, as required.
  - The presiding member will inform the participants that a timeframe of 30 minutes has been established for the interview in order to allow all inmates to have a fair opportunity to make their representations.
  - The presiding member will also invite the inmate and/or their counsel to clearly outline the points that they wish to raise and to focus upon these points during the interview in order to avoid repetitions. If the same points are raised again, the presiding member should stop the discussion and refocus the interview.
  - The NAC members participating in the interview are not legally compelled to engage in discussion with the inmate and/or their counsel. They are there to listen to the representations being made and to submit them to the SDC for their consideration in the decision-making process.
  - Detailed notes should be taken by at least one member of the interview group. A summary of the interview notes will be introduced as part of the review of the inmate’s file by the NAC and will be considered in the recommendation made to the SDC. Results of the review of the representations made by the inmate and/or their legal counsel will be addressed as part of the decision record.

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### **Recording the Interview**

- The NAC members will advise the inmate and their legal counsel that the interview is being audio recorded.
- A written record of the interview will be made (see below).
- All interview information, including copies of the audio recording of the interview, must be retained for a period of two years after the decision is rendered.
- The written notes will be retained with the inmate's Case Management file. An electronic version of the audio recording will be kept by the institution and will be made available to the inmate upon their written request.



**INTERVIEW FORM**

Page: \_\_\_ of \_\_\_

**Name of Inmate:**

**FPS:**

**Interview Date:**

**Time:**

**Members who conducted the interview:**

**ILO Present:** Yes  No

**Elder Present:** Yes  No

**Lawyer Present:** Yes  No

**Written comments and/or documentation received:** Yes  No

**Notes/Summary of the Interview:**

Area for handwritten notes and summary of the interview, consisting of multiple horizontal lines.

## ANNEX G - DELEGATION OF AUTHORITY, TIMEFRAMES FOR DECISION AND NOTIFICATION

DECISION TYPE	TIMEFRAMES FOR DECISION	TIMEFRAMES FOR NOTIFICATION
<b>1. Transfers to the SHU:</b>		
<ul style="list-style-type: none"> <li><b>Involuntary transfer to the SHU</b></li> </ul>	<ul style="list-style-type: none"> <li>As soon as possible, within 45 calendar days of the inmate's receipt of the Notice of Involuntary Transfer Recommendation.</li> </ul>	<ul style="list-style-type: none"> <li><u>Approved</u>: Within seven working days of the decision being rendered, or at least two working days prior to the transfer. The inmate may waive the two working day period.</li> <li><u>Denied</u>: Within seven working days of the decision being rendered.</li> </ul>
<ul style="list-style-type: none"> <li><b>Emergency transfer to the SHU</b></li> </ul>	<ul style="list-style-type: none"> <li>As soon as possible, within 45 calendar days of the inmate's receipt of the Notice of Involuntary Transfer Recommendation.</li> </ul>	<ul style="list-style-type: none"> <li><u>Approved/Denied</u>: Within seven working days of the decision being rendered.</li> </ul>
<ul style="list-style-type: none"> <li><b>Direct placement to the SHU from provincial custody</b></li> </ul>	<ul style="list-style-type: none"> <li>Within 15 working days from the sentencing date, unless the inmate agrees to be transferred before. If the inmate is held in provincial custody pending the movement, they become subject to the Exchange of Services Agreement.</li> </ul>	<ul style="list-style-type: none"> <li>As soon as practicable.</li> </ul>
<b>2. Transfers from the SHU:</b>		
<ul style="list-style-type: none"> <li><b>Voluntary transfer from the SHU</b></li> </ul>	<ul style="list-style-type: none"> <li>As soon as possible, within 60 calendar days of the inmate's request being submitted.</li> </ul>	<ul style="list-style-type: none"> <li><u>Approved</u>: Within seven working days of the decision or at least two working days prior to the transfer. The inmate may waive the two working day period.</li> <li><u>Denied</u>: Within seven working days of the decision being rendered.</li> </ul>
<ul style="list-style-type: none"> <li><b>Involuntary transfer from the SHU</b></li> </ul>	<ul style="list-style-type: none"> <li>As soon as possible, within 45 calendar days of the inmate's receipt of the Notice of</li> </ul>	<ul style="list-style-type: none"> <li><u>Approved</u>: Within seven working days of the decision being rendered, or at least two working days prior to</li> </ul>

DECISION TYPE	TIMEFRAMES FOR DECISION	TIMEFRAMES FOR NOTIFICATION
	Involuntary Transfer Recommendation	the transfer. The inmate may waive the two working day period. <ul style="list-style-type: none"> <li>• <u>Denied</u>: Within seven working days of the decision being rendered.</li> </ul>
<b>3. Maintain at the SHU:</b>		
<ul style="list-style-type: none"> <li>• <b>Maintain at the SHU</b></li> </ul>	<ul style="list-style-type: none"> <li>• At the case review meeting, unless further clarification is required to make a decision. In these cases, the SDC may defer the decision for a period of normally no longer than two weeks.</li> </ul>	<ul style="list-style-type: none"> <li>• Within 20 working days of the decision being rendered.</li> </ul>