



Department of Justice and Public Safety
Adult Custody Services

Policy: **Behavioural Management – Appeals of disciplinary action E16**
Effective: February 2022
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 outline the client Behavior Management process and definitions for appeals of disciplinary action which will act in accordance with the guiding principles of the Behaviour Management model.

LEGISLATIVE AUTHORITY

[Corrections Act N.B.](#)

17(1) *Where a superintendent has taken disciplinary action against an inmate, he shall advise the inmate of the inmate grievance procedure.*

17(2) *An appeal by an inmate from any penalty imposed under section 15 or subsection 16(1) shall be treated as an inmate grievance.*

SCOPE

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

POLICY GUIDELINES

Definition Appeal/grievance

A complaint by a client who feels they have been treated unjustly, or unfairly.

An appeal/grievance lodged by a client is to be communicated in writing to the Superintendent or delegate without delay.

PROCEDURE

Sergeant

If the client is found guilty of a Level I or Level II offence the sergeant will:

- explain the appeal /grievance process to the involved client; and
- ensure that the client thoroughly understands the appeal process and their rights.

Superintendent

Should a client register an appeal, the Superintendent or delegate will



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- meet with the client to hear their concerns, and.
- will then determine what steps need to be taken if an appeal is accepted or denied.

Clients

Where an appeal/grievance is not resolved to the clients' satisfaction, they may within ten (10) calendar days after the Superintendent's decision present their appeal/grievance in writing stating the grounds for the appeal to the Chief Superintendent of Adult Custody Services. The client must sign and date their letter.

Staff

When a staff member is requested by a client to assist in preparing the documentation for their appeal/grievance the staff member shall aid.

Director of Adult Custody Services

Within twenty (20) days the Director of Adult Custody Services following an investigation of the appeal/grievance shall communicate a formal written response to the client as to whether the appeal/grievance is justified and the reasoning for the decision.

Ombud

Notwithstanding any appeal/grievance process, the client is to be advised of their rights to make written or where appropriate, telephone complaints to the Office of the Ombud.

RELATED POLICY

D12 Conditions of Confinement
D27 SIU Segregation
E14 Behavioral Management - General
E15 Behavioral Management – Review Board
Adult Institutional Policy Manual N.B