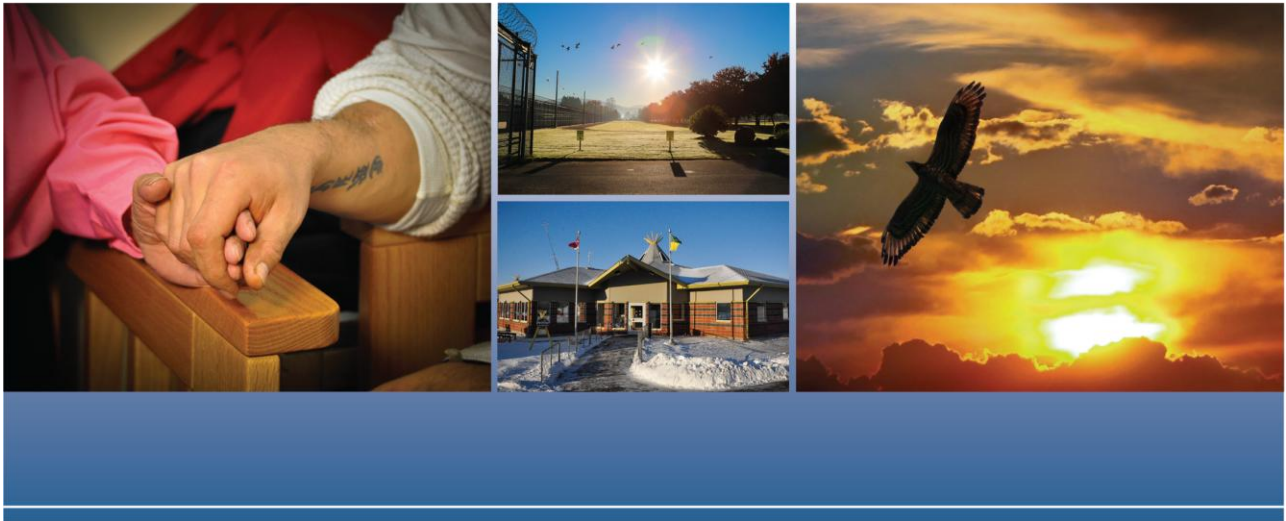


CORRECTIONAL SERVICE CANADA

CHANGING LIVES. PROTECTING CANADIANS.



Death of a Person in the Care and Custody of Correctional Service of Canada:

A Guide for Family and Friends

October 2017

Contents

Introduction 3

Notification 3

CSC’s Institutional Family Liaison Officers 4

CSC’s Regional Family Liaison Coordinator 4

Making arrangements 4

Community resources 6

Circumstances of death in custody 6

Death due to natural cause 7

Death due to non-natural cause 7

Reports, reviews and investigations 7

Getting information about the circumstances of death 8

Conclusion 11

Annex A: 12

A checklist to guide you through the process: 12

Annex B: 13

Key Words 13

The laws, regulations, and policies governing CSC’s activities 16

Introduction

The Correctional Service of Canada (CSC) understands that it can be a difficult and emotional time when a family member or friend dies in prison. As a family member or friend you may have been named by the deceased person as their designated contact in the case of an emergency.

The guide will provide you with:

- information on CSC's notification process following a death in custody;
- information on CSC's Institutional Family Liaison Officers and Regional Family Liaison Coordinators and the help they can provide to guide you through what to do next (for example respecting religious rituals, claiming the body, making funeral arrangements);
- a brief understanding of the different scenarios surrounding a death in custody;
- an explanation of CSC's role, policies and any investigative processes;
- guidance on how you can get the information you are seeking, and
- a checklist to guide you through this process (Annex A).

This document was written to help you through this time. It gives you resources and contacts to consult, and offers help in making immediate decisions following the death. It will also help you to establish contact with an Institutional Family Liaison Officer who can assist you to understand what happens next and answer your questions and provide you with information about the circumstances leading to the individual's death. There may be times however where CSC is unable to share certain information right away, due to privacy laws or pending investigations.

CSC staff will make every effort to assist you at this difficult time; however, the guide nor CSC staff should be considered a replacement for getting advice from a lawyer, financial advisor, spiritual leader, funeral home director or grief support within the community.

Notification

CSC determines who to contact in the event of a death in custody based on who the deceased person has named a designated contact. All individuals under the care and custody of CSC are asked to identify a designated contact (emergency contact, personal representative or next-of-kin) who CSC can call in the event of an emergency.

In some cases a person who is in the care and custody of CSC may choose to identify different people to be contacted for different situations. CSC understands that situations like this can create problems among family and friends; however CSC respects the direction provided by the individual who is in their care and custody and therefore will notify the named contact person on file. CSC's policy requires that designated contact information be updated every 45 days.

If there is no designated contact, CSC staff will attempt to contact one person who would be considered as next-of-kin. A common place CSC may look for the name of next-of-kin is the deceased person's visitor list.

Should additional people contact CSC for information, CSC while respecting privacy law and CSC policy may be able to provide some information, however this will be determined on a case-by-case basis.

It is rare where the deceased person asked that in the event of their death CSC not contact anyone, but this does happen. An example of a situation where this may happen is where an individual has been estranged from their family. In these cases we will respect the wishes of the deceased person and will not make contact with the designated contact.

If you are the designated contact CSC will notify you, regardless of the cause of death. Every CSC institution has a process in place to make sure that this is done as soon as possible. Typically, CSC will contact you by telephone the same day the death occurs. They will also provide you with contact information for the Institutional Family Liaison Officer on site. Understanding this news can result in many questions; an Institutional Family Liaison Officer will reach out to you the following day. The Officer will give you as much information as possible and can schedule an alternate time to talk and address any follow-up questions that you may have.

CSC is very concerned when someone dies and they seek to honour the deceased person’s end-of-life wishes. As the designated contact you will receive a letter of condolence from CSC. Once you are notified of the death, you can also share the information with family and friends.

After CSC has notified you, a news release may also be issued with general information about the person’s death. The type of information that will be shared beyond the individual’s name could include: where they were incarcerated, the cause of death, their age and details related to their sentence. In addition, the news release will also state that the next-of-kin, the police and coroner have been notified and that circumstances around the incident will be reviewed.

CSC’s Institutional Family Liaison Officers

CSC understands that you may have many questions. Each of CSC’s facilities has trained staff members, referred to as Institutional Family Liaison Officers, available to help you when there is a death in custody. After you’ve been notified by an institutional staff member, you will be put in touch with the Institutional Family Liaison Officer.

CSC’s Regional Family Liaison Coordinator

In addition, to the Institutional Family Liaison Officer, CSC also has a Regional Family Liaison Coordinator. They are a CSC staff member located at the Regional Headquarters office who is also available to provide you with additional assistance should you encounter any difficulty in getting information during this time.

Regional Family Liaison Coordinator / Regional Administrator, Communications and Executive Services (RACES) Contact Information

| Region | Telephone number | Email# |
|-----------------|-------------------------|--|
| <i>Atlantic</i> | 506-851-2833 | Gen-NHQ-citizen_engagement_des_citoyens@csc-scc.qc.ca |
| <i>Quebec</i> | 450-967-3304 | |
| <i>Ontario</i> | 613-545-8311 | |
| <i>Prairies</i> | 306-659-9228 | |
| <i>Pacific</i> | 604-870-2505 | |

Making arrangements

Deceased person’s final wishes:

The Institutional Family Liaison can share with you any end-of-life wishes that the deceased person may have expressed, such as a ‘Do Not Resuscitate Order (DNR) or a willingness to participate in an organ donor program, religious rituals and funeral arrangements or if they have given someone their power of attorney. Having this information may help you to make your decisions about any final arrangements.

Cultural or Religious Rituals: The deceased person may have expressed wishes to CSC staff regarding any cultural or religious rituals or affiliations they would like honoured. The Institutional Family Liaison will share this information with you to assist in respecting the deceased person's end-of-life wishes.

If you know the deceased person's spiritual or cultural practices follows time-sensitive traditions or cultural or religious requirements, you should immediately tell the Institutional Family Liaison Officer. If timing is not a factor, then you may make the arrangements following the release of the deceased person's body.

If you don't know the deceased person's spiritual preferences and how to honour them, CSC's Chaplaincy Services or Indigenous Elders may also provide guidance to help you understand any religious affiliations, rituals and any arrangements the deceased person may have made or requested be carried out. They may also advise on meeting any religious requirements and planning funeral arrangements.

CSC will also assist you where possible to make sure cultural or religious rites, rituals and/or practices are followed as set out by the deceased person's faith community. If the deceased person's tradition requires for a ceremony to happen shortly following death, the Institutional Family Liaison Officer will inform you that a ceremony can take place before CSC releases the body and allow you and others the opportunity to attend.

Funeral: The designated contact, next-of-kin or an otherwise authorized person may claim the body and take responsibility for funeral arrangements, however only after the coroner allows the release.

In the event that there is a cost associated to transporting the deceased person's body to a funeral home in their hometown or that of the next-of-kin, funds from the Inmate's Trust Account will be used. Where there are insufficient funds to cover these costs CSC will cover this cost at the public's expense. Funeral costs are generally covered by the next-of-kin or the deceased person's estate. The Institutional Family Liaison Officer can provide you with information about funeral homes.

If next-of-kin are not able to manage funeral arrangements, CSC can cremate the body and the Institutional Family Liaison will arrange with the next-of-kin on how to claim the ashes.

If no one claims the body, CSC will arrange for a burial or cremation. CSC will place a marker with deceased person's name on it in a public cemetery close to the CSC institution where the deceased person was in custody.

Although Canada Pension Plan (CPP) benefits are stopped while an individual is in custody, financial assistance may be available to cover funeral costs under the death benefit. This is a one-time payment to the estate on behalf of a deceased person. For additional information on death benefits, please visit the Government of Canada's website (www.canada.ca/en/services/benefits/publicpensions/cpp/cpp-death-benefit)

Personal belongings: CSC will arrange and pay for delivery of the deceased person's personal belongings left in their care, to the designated contact. The deceased person's estate, which may also include their funds remaining in the person's 'Inmate Trust Account', may be subject to taxation. The timing for the release of personal belongings may vary based on the circumstances and therefore is subject to the Institutional Head's authorization as per CSC's policy CD566-12 (www.csc-scc.gc.ca/acts-and-regulations/566-12-cd-eng.shtml) and [section 119 of the CCR](http://laws-lois.justice.gc.ca/eng/regulations/SOR-92-620/section-119.html) (<http://laws-lois.justice.gc.ca/eng/regulations/SOR-92-620/section-119.html>)

CSC does its best to carry out the deceased person's end-of-life wishes; however, each province has rules and laws about dealing with wills and estates. CSC encourages you to seek independent legal advice and suggest you should call a lawyer or someone at the Law Society or Legal Aid in the province you live. This will ensure you get the proper assistance with questions you may have about the deceased person's estate, especially if they had personal belongings or assets in the community to be given away.

In situations where the deceased person has passed "intestate", which means they did not have a will, provincial law where they were in custody will determine how the estate is to be handled.

Community resources

CSC's Institutional Family Liaison Officers can also help you find support resources in your community, including an interpreter, or member of your faith community.

Community resources, such as the following may be helpful to you. They may also be able to refer you to a more local support service:

- Funeral homes
- Bereaved Families of Ontario (www.bfo-ottawa.org) (613) 567-4278
- Community faith groups
- Canadian Families Correctional Network (CFCN) (www.cfcn-rcafd.org)
- Canadian Association of Elizabeth Fry Societies(www.elizabethfry.ca) Toll-free: 1-800-637-4606
- Hospice Societies
- John Howard Society of Canada (www.johnhoward.ca) (613) 384-6272
- Native Friendship Centres (<http://nafc.ca/en/friendship-centres>)
- Office of the Correctional Investigator (www.oci-bec.gc.ca) Toll-free: 1-877-885-8848
- St Leonard's Society of Canada (www.stleonards.ca) (613) 233-5170
- **Dial 211** to get help with knowing what community crisis /grief and bereavement supports are available in your city
- **Dial 911** for Emergency services

Circumstances of death in custody

Certain information is available to you as the designated contact or next-of-kin, such as whether the death was expected or unexpected and if the cause of death was due to natural or unnatural causes. CSC understands that you will want to know what happened to cause the death. In most situations the circumstances around a death in custody are related to natural causes. However, there are times when an individual dies in custody due to a non-natural cause. CSC has positive processes in place to try to prevent circumstances such as violence, drugs and suicide that could lead to a non-natural death. Some of the ways we do this is by providing mental health treatment, ensuring suicide watches are in place, and making sure we have highly trained correctional and health services staff. CSC reviews all deaths, and when necessary they are investigated. If an investigation is required you will be informed by letter, which will include contact information for the Institutional Family Liaison Officer and Regional Family Liaison Coordinator.

There are two scenarios under which an individual could pass away in the care and custody of CSC. They are death by natural causes and death by non-natural causes. Information may be shared differently for each situation, as there are different processes involved in reviewing them.

Death due to natural cause

A death due to natural cause can happen when there is for example a terminal illness, medical complication, or cardiac arrest. When a death is due to natural cause, CSC conducts a mortality review. The mortality review is when CSC's Health Services Sector at National Headquarters in Ottawa reviews the deceased person's health care and correctional records. The mortality review process is described in more detail later on in the guide.

Death due to non-natural cause

A death due to non-natural cause is when a death is sudden or there may have been trauma, injury, overdose or suicide. In these cases, a National Board of Investigation (NBOI) is brought together to investigate the facts and circumstances around the death. The NBOI process is described in more detail later on in the guide.

In some cases a death may occur while an individual is in hospital or hospice. Family and friends should be aware of what to expect when visiting an individual before they pass in the hospital. In most situations a guard may be posted outside the individual's room and they may also be in restraints.

When entering the hospital or hospice, individuals are asked again to name a designated contact so that information can be shared between the hospital or hospice staff and the designated contact. Every effort is made to inform the designated contact of the transfer to the medical facility before it happens, but CSC staff may not be able to inform them as quickly as possible in all cases (for example, if the move to hospital was sudden or if the individual asks that CSC not inform anyone of their illness).

When an individual passes away while in the hospital an autopsy may be required under circumstances where the cause of death may not be known.

So why do an investigation?

Investigations tell the circumstances leading to the death and also lay out the actions taken at the time of death. The reports may not always be readily available, as in some cases investigations take a considerable amount of time to complete and some information in the reports may also be subject to privacy laws. The laws and policies that govern deaths in custody are described in Annex A of this guide.

Reports, reviews and investigations

There are several reviews and reports that can be completed after an individual's death in CSC's care and custody.

The availability of a report is often dependent on a variety of circumstances, such as the required time to complete a review, respecting privacy laws, pending investigations and the receipt of the Coroner or Chief Medical Examiner reports; however CSC will make every effort to share information as it becomes available. Requests for information and reports can be discussed with your Institutional Family Liaison Officer or directed to CSC's Access to Information and Privacy Division. The process for making a request is outlined in greater detail under the section on '[Getting information about the circumstances of death](#)'.

Mortality Review

A mortality review is conducted in the case of a natural death. This includes a review of the deceased person's health care and correctional files by the Registered Nurse in partnership with the National Medical Advisor (a physician). The review is started as soon as possible after death and looks into the medical care provided in the CSC institution and the circumstances leading up to death. The review looks into the events, overall care, quality of life and the clinical care the person received before death by natural causes.

The review may lead to recommendations on future practices and procedures, and can lead to improvements in CSC's quality of healthcare. This report can assist you in understanding medical circumstances that may have contributed to the death, in addition to any recommendations that CSC may consider in light of its findings.

Mortality review reports can be provided to next-of-kin, but they must come through the Access to Information and Privacy (ATIP) Division of the Correctional Service of Canada as the vehicle for providing the report falls under section (8)(m) of the Privacy Act.

If during a mortality review any findings show the death was not due to natural causes, CSC's Incident Investigations becomes involved. This situation could result in a National Board of Investigation review.

National Board of Investigation

If a death is considered non-natural, a National Board of Investigation (NBOI) will take place. CSC will inform you as the designated contact about the investigation and keep you up to date.

A National Board of Investigation usually has four members: a National Investigator as Chairperson of the Investigation; a CSC staff member who has expertise in parts of the incident under investigation; plus a member of the community independent of CSC to ensure the transparency of the investigative process.

There are several stages to the investigation process that can impact when information becomes available to you. The Board members travel to the site where the death took place. They look through documents, interview people, review files, including medical and watch institutional video footage as part of their process. They also examine how staff and management followed CSC's policy and practices in the case.

The purpose of the investigation is to consider and report on the facts and circumstances around the death. After the investigation, CSC completes a final report. The final report may take about 10 to 12 months to finalize for release.

National Boards of Investigations can include recommendations to prevent similar incidents from happening. CSC is committed to learning from a death in custody, and recommendations can lead to changes in how CSC works. This report can provide with information about the circumstances where a death was due to unnatural causes.

If the National Board of Investigation findings show the death was due to natural causes, then a mortality review may be conducted.

Getting information about the circumstances of death

CSC's national investigation staff may conduct an incident investigation, a mortality review or a National Board of Investigation. The Institutional Family Liaison Officer will guide you on how you could go over any report findings and get other information you may be looking for, keeping in mind that some information may be protected by the *Privacy Act* (www.laws-lois.justice.gc.ca).

In some cases correctional staff and community medical staff may not be able to give you all the information you are looking for, specifically if the person who died did not provide consent to share the information around their health or death. This also may happen if certain information needs to be withheld because it could:

- put at risk the safety of any person
- put at risk the security of a penitentiary

- jeopardize any lawful investigation
- compromise the dignity of the deceased person

You can receive a copy of any final CSC reports by putting forward a request to CSC's Access to Information and Privacy Division. Please note that the reports are subject to the provisions of the Access to Information and Privacy legislation, and therefore you can expect that some information will be redacted.

Staff can help with this request. You can submit a request:

- Informally, through a written or verbal request to your CSC staff contact or Family Liaison Officer; or
- Formally, by submitting a request to [CSC's Access to Information and Privacy \(ATIP\) Division \(www.csc-scc.gc.ca/atip/007006-0003-eng.shtml\)](http://www.csc-scc.gc.ca/atip/007006-0003-eng.shtml);

Requests can be submitted to the following address:

Access to Information and Privacy Division
Policy Sector
Correctional Service Canada
340 Laurier Avenue West
Ottawa ON K1A 0P9

Or by facsimile: 613-995-4412

Or by email: csc.atip-aiprp.scc@csc-scc.gc.ca

- Please note that a fee does not apply to the designated contact or family making a request for information in relation to the death of an individual while in the care, custody or supervision of CSC.

The province where the death occurred may have rules to determine whether there is an inquest to take place. Coroner's or Medical Examiner offices are managed by the provinces and have separate rules. You can contact the **Office of the Chief Coroner / Medical Examiner** in your province to access their reports, recommendations and CSC's responses. The following is a provincial listing of websites to help you contact them or you may also ask your Institutional Family Liaison Officer for help.

Office of the Chief Coroner / Medical Examiner in your province:

- [Office of Chief Medical Examiner – Alberta \(https://justice.alberta.ca/programs_services/fatality/ocme/Pages/default.aspx\)](https://justice.alberta.ca/programs_services/fatality/ocme/Pages/default.aspx)
- [Office of Chief Coroner – British Columbia \(http://www2.gov.bc.ca/gov/content/life-events/death-and-bereavement/coroners-service\)](http://www2.gov.bc.ca/gov/content/life-events/death-and-bereavement/coroners-service)
- [Office of Chief Medical Examiner – Manitoba \(https://www.gov.mb.ca/justice/family/chief.html\)](https://www.gov.mb.ca/justice/family/chief.html)
- [Office of Chief Coroner – New Brunswick \(http://www2.gnb.ca/content/gnb/en/services/services_renderer.14198.Coroner_Services.html\)](http://www2.gnb.ca/content/gnb/en/services/services_renderer.14198.Coroner_Services.html)
- [Office of Chief Medical Examiner – Newfoundland Labrador \(http://www.justice.gov.nl.ca/just/departement/branches/division/division_ocme.html\)](http://www.justice.gov.nl.ca/just/departement/branches/division/division_ocme.html)
- [Office of Chief Medical Examiner – Nova Scotia](#)

[\(http://novascotia.ca/just/cme/\)](http://novascotia.ca/just/cme/)

- [Office of Chief Coroner – Ontario](http://www.mcscs.jus.gov.on.ca/english/DeathInvestigations/office_coroner/coroner.html)
(http://www.mcscs.jus.gov.on.ca/english/DeathInvestigations/office_coroner/coroner.html)
- [Office of Chief Coroner – Prince Edward Island](http://www.gov.pe.ca/jps/coroner)
(<http://www.gov.pe.ca/jps/coroner>)
- [Office of Chief Coroner – Quebec](https://www.coroner.gouv.qc.ca/)
(<https://www.coroner.gouv.qc.ca/>)
- [Office of Chief Coroner – Saskatchewan](https://www.saskatchewan.ca/government/government-structure/boards-commissions-and-agencies/office-of-the-chief-coroner)
(<https://www.saskatchewan.ca/government/government-structure/boards-commissions-and-agencies/office-of-the-chief-coroner>)
- [Office of Chief Coroner – Northwest Territories](http://services.exec.gov.nt.ca/service/4)
(<http://services.exec.gov.nt.ca/service/4>)
- [Office of Chief Coroner – Nunavut](http://www.gov.nu.ca/justice/programs-services/office-chief-coroner)
(<http://www.gov.nu.ca/justice/programs-services/office-chief-coroner>)
- [Office of Chief Coroner – Yukon](http://www.justice.gov.yk.ca/offices/2139.html)
(<http://www.justice.gov.yk.ca/offices/2139.html>)

Conclusion

When someone dies under CSC's care, the staff is committed to helping family and friends find their way through this situation. CSC recognizes the importance of providing a contact such as an Institutional Family Liaison Officer. To ensure that you always have a point of contact, CSC's Regional Family Liaison Coordinators are also available to support you in accessing information and resources.

Annex A:

A checklist to guide you through the process:

To help guide you through the process and what CSC will do and what you will need to do we have provided a simple checklist with links to resources and space to keep track of notes, such as contact names, telephone numbers and dates.

| What does CSC do? | Record of Notes |
|---|-----------------|
| <ul style="list-style-type: none"> ○ A CSC Institutional staff member will contact the designated contact to notify them of the individual's death, in addition to notifying the police and the coroner. | |
| <ul style="list-style-type: none"> ○ CSC's Institutional Family Liaison Officer will contact you following the initial notification of death to answer your questions and provide you with information, as it becomes available. | |
| <ul style="list-style-type: none"> ○ CSC will issue a news release regarding the death of the individual. | |
| <ul style="list-style-type: none"> ○ You will need to understand if the individual had any timely religious requirements they wanted fulfilled. | |
| <ul style="list-style-type: none"> ○ CSC's Institutional Family Liaison Officer will help you to make arrangements to claim the body of the deceased. | |
| <ul style="list-style-type: none"> ○ CSC's Institutional Family Liaison Officer will guide you through the process for the release of the deceased's personal belongings that are held with CSC. | |
| What do you do? | |
| <ul style="list-style-type: none"> ○ You will need to get a death certificate, cancel any pensions or benefits, notify Canada Revenue Agency of the death, make any life insurance claims that are available and close out any personal accounts and subscriptions. <i>Here is how you can do this:</i> The Government of Canada's web site has information that can help you identify what to do when someone dies, including how to: <ul style="list-style-type: none"> • Get death certificates • Cancel pensions and benefits • Cancel personal identification • Notify the Canada Revenue Agency (CRA) of the death • Check eligibility for survivor and death benefits • Close personal accounts and cancel subscriptions • Make a life insurance claim <p>You can visit or call: www.canada.ca/en/employment-social-development/services/benefits/family/death.html <ul style="list-style-type: none"> • For services in English: 1-866-461-FCAC (3222) • For services in French: 1-866-461-ACFC (2232) • For calls from outside Canada: 613-960-4666 </p> | |
| <ul style="list-style-type: none"> ○ You will need to make funeral arrangements: <ul style="list-style-type: none"> • <i>In the event that there is a cost associated to transporting the deceased person's body to a funeral home in their hometown CSC will cover this cost.</i> • <i>Funeral costs are generally covered by the next-of-kin or the deceased person's estate. The Institutional Family Liaison Officer can provide you with information about funeral homes.</i> • <i>If next-of-kin are not able to manage funeral arrangements, CSC can cremate the body and the Institutional Family Liaison will arrange with the next-of-kin on how to claim the ashes.</i> | |

Annex B:

Key Words

Commissioner

CSC is headed by the Commissioner of Corrections, who is directed by the Minister of Public Safety and Emergency Preparedness.

Commissioner's Directives and Guidelines

Commissioner's Directives (www.csc-scc.gc.ca/acts-and-regulations/005006-0001-eng.shtml) are policies and guidelines that give direction on many areas of corrections.

As defined in the *Corrections and Conditional Release Act (CCRA, ss. 97 and 98)*, the Commissioner may make rules for the management of the Service and for carrying out provisions and regulations as directed by the law.

Commissioner's Directives

- 98 (1) The Commissioner may designate as Commissioner's Directives any or all rules made under section 97.

Accessibility

- (2) The Commissioner's Directives shall be accessible to offenders, staff members and the public.

Coroner/Chief Medical Examiner

A person who is in a provincial position and external to CSC, in charge of an inquest into a person's death.

Correctional Service of Canada (CSC)

The Correctional Service of Canada (CSC) is the federal government agency responsible for administering sentences of a term of two years or more, as imposed by the court. CSC is responsible for managing institutions of various security levels and supervising offenders under conditional release in the community.

Corrections and Conditional and Release Act (CCRA)- S.C. 1992, c. 20 (Section 96) (<http://laws-lois.justice.gc.ca/eng/acts/C-44.6/page-11.html?txthl=death#s-96>)

An Act that governs corrections, conditional release and detention of offenders, and establishes the Office of the Correctional Investigator. Statutes of Canada 1992, Chapter 20 Section 96 (y) and (z.1) are specific to death in custody.

Corrections and Conditional Release Regulations (CCRR)- SOR/92-620 (Section 116) (<http://laws.justice.gc.ca/eng/regulations/SOR-92-620/page-10.html#h-64>)

Regulations for corrections and the conditional release and detention of offenders. Statutory Orders and Regulations Section 92-116 is specific to death in custody.

Office of the Correctional Investigator

Acts as an ombudsman for federal offenders. The primary function of the office is to investigate and bring resolution to offender complaints. The office has a responsibility to review and make recommendations on CSC's policies and procedures where there are complaints, and suggest changes to how CSC works.

Custody

Being kept in prison.

Death – natural causes

A death due to natural cause can occur due to a terminal illness, medical complication, or cardiac arrest.

Death – non-natural causes

A death due to non-natural cause is when death was sudden or attributed to trauma, injury, overdose or suicide.

Death in hospital or hospice

In some cases, individuals are transferred to a hospital or hospice and pass away in the care of medical staff.

Designated Contact

The person an offender has named as their emergency contact, their personal representative or next-of-kin.

Do Not Resuscitate (DNR)

According to the Hospice Palliative Care Guidelines for Correctional Service Canada (July 2009), a valid DNR order in CSC will be applied only when an offender meets the following conditions: (1) diagnosed with a life-threatening, non-curable illness, for which the prognosis is death within a period of time as treatment will no longer control the condition.

When an offender or a substitute decision-maker (in accordance with provincial legislation) signs consent for a DNR order they are requesting that Cardiopulmonary Resuscitation (CPR) not be initiated if the offender's heart stops or if the offender stops breathing. However, with a signed DNR, the offender also understands that they will continue to receive: (1) First aid and CPR – in the cases of self-injury, suicide attempt, accident or health crises sustained from a non-natural cause (e.g. assault); and (2) all appropriate treatments, with consent of the offender intended to increase comfort and quality of life (this applies to all illnesses the offender may have).

Family Liaison Officer (Designate Staff/Representative - not limited to)

Assistant Warden Management Services
Chaplain
Chief Administrative Services Officer
Elder
Parole Officer
Warden

Emergency Contact

The person identified by offenders who CSC representatives contact in the event of an emergency or death. If the person did not identify an emergency contact, then a next-of-kin will be contacted.

Institutional Family Liaison

A trained staff member is available to help when there is a death in custody. These staff members, referred to as Institutional Family Liaison Officers will be your key point of contact, after notification, to tell you

about the death. These staff members can help you find information about the death as it becomes available and can guide you with where to go and who to speak with to find community support.

Hospice Palliative Care Team (HPCT)

Team could be made up of a chaplain, volunteer, hospice advisor, correctional or parole officers, Elders, physicians, psychologists, or others depending on the needs of the individual and family.

Inmate (referred to as offender or deceased person in this guide)

A person living in an institution or person otherwise serving a sentence under the direct management by CSC.

Inquest

An inquest is an official public inquiry, presided over by a public official called a Coroner or Chief Medical Examiner (and in cases of death in prison, involving a jury) into the cause of a sudden, unexplained or violent death. If a death cannot be explained, an inquest may be held to find the facts of the death, such as where and how the death occurred.

Each provincial authority in Canada provides for some form of formal inquiry proceeding to investigate certain deaths. The process serves two purposes:

1. Inquire into the circumstances of a death (mandatory)
2. Develop recommendations to prevent a similar death from occurring in the future (optional)

Investigation

Where an inmate dies or suffers serious bodily injury, CSC will investigate the matter and report to the Commissioner or to a person designated by the Commissioner.

Mortality Review (MR)

The Mortality Review explores the deceased person's health care and correctional records.

National Board of Investigation (NBOI)

A NBOI is brought together by the Commissioner or his designate when a death is not due to natural causes. NBOIs brought together by the Commissioner usually have three members, plus a member of the community independent of CSC.

Next-of-kin

'Next-of-kin' is not defined in any law. For the purpose of this guide, CSC considers next-of-kin as blood relatives, others the deceased person has identified as a family member, or someone the deceased person has identified as a designated contact.

Organ Donor Program

Organ donation is when a person allows an organ of theirs to be removed, legally, either by consent while the donor is alive or after death with the assent of the next of kin. Donation may be for research, or, more commonly healthy transplantable organs and tissues may be donated to be transplanted into another person.

Personal Representative

An individual who represents the offender in legal, financial, or health matters (i.e. lawyer or the holder of a valid power of attorney for finances/healthcare).

Power of Attorney

A Power of Attorney is a legal document that gives someone else the power to act on your behalf. This person is called your "attorney". In Canada the word "attorney" usually does not mean lawyer, as it

does in the USA. You can give someone a Power of Attorney for Personal Care if you want them to make personal care decisions on your behalf if you become mentally incapable of making them yourself. This is sometimes called a "personal power of attorney".

The laws, regulations, and policies governing CSC's activities

- **[Corrections and Conditional Release Act \(CCRA\)](#)**
(<http://laws-lois.justice.gc.ca/eng/acts/C-44.6/page-11.html?txthl=death#s-96>)
- **[Corrections and Conditional Release Regulations \(CCRR\)](#)**
(<http://laws-lois.justice.gc.ca/eng/regulations/SOR-92-620/page-10.html?txthl=116#s-116>)
- **[Privacy Act](#)**
(www.laws-lois.justice.gc.ca/eng/acts/P-21/page-1.html)
- **[Commissioner's Directives \(CD\) and Guidelines \(GL\)](#)**:
(www.csc-scc.gc.ca/acts-and-regulations/005006-0001-eng.shtml)
 - CD 530 - Death of an Inmate: Notifications and Funeral Arrangements
 - CD 041 - Incident Investigations
 - CD 048 - Death Investigations or Inquests/Inquiries (CD is pending review)
 - CD 022 - Media Relations
 - CD566-12 - Personal Property of Offenders
 - CD710-1 - Progress Against the Correctional Plan – Annex B