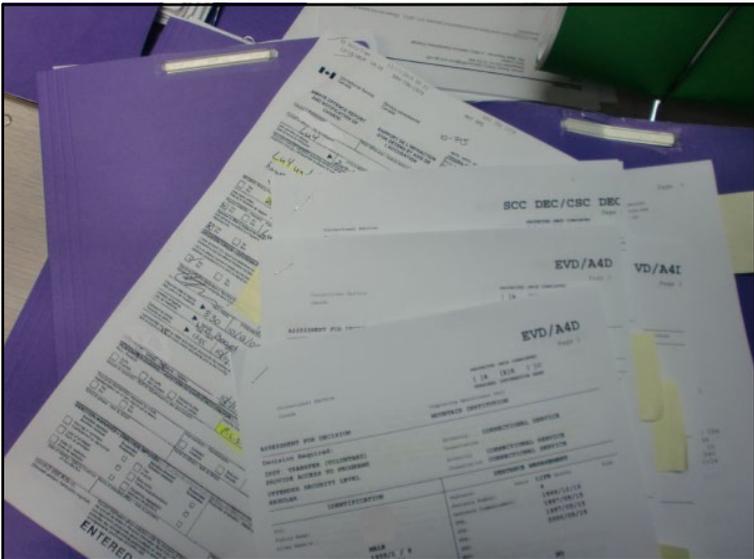


# **Correcting Your CSC File**

**This booklet explains what kind of Correctional Service of Canada file information can be corrected and how to apply to have your information corrected.**



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## **Your right to correct file information**

The Correctional Service of Canada (CSC) must take “all reasonable steps” to make sure that the information it uses about you is as accurate, complete and as up to date as possible.<sup>1</sup>

If information in your file is wrong or missing, you have the right to ask CSC to correct the information.<sup>2</sup>

If CSC denies your request to correct your file information, it must include a note on your file that says you asked for the information to be corrected and what correction you asked for.<sup>3</sup>

## **What file information can be corrected**

CSC will only correct information:

1. that is in a document created by CSC; and
2. that is factual information proven to be untrue.

CSC will not correct information that comes from other people or organizations. For example, CSC will not correct information written by the RCMP, like a Report to Crown Counsel – even if information in that report was proven in your trial to be wrong.

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1 *Corrections and Conditional Release Act (CCRA)*, s. 24(1).

2 CCRA, s. 24(2)(a).

3 CCRA, s. 24(2)(b).

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CSC will not correct information that is someone's opinion. For example, CSC will not correct the opinion of your Institutional Parole Officer (IPO) that you are a risk to re-offend on release, or the opinion of an expert like a psychologist.

## **The difference between fact and opinion**

Only wrong facts can be corrected in your file information. CSC will not change an opinion that you do not agree with.

**A FACT is something that is true  
and can be tested or proven.**

For example, your date of birth or conviction under the Criminal Code are facts that can be proven to be true.

If a statement is not true, you can ask for it to be corrected.

**AN OPINION is what someone  
thinks or believes about  
something.**

For example, your risk to re-offend or your security classification are opinions. Everyone may not share the same opinion about your risk or what your security level should be.

Reasonable opinions are based on facts that are true. Unreasonable opinions may be based on incorrect information and not supported by facts.

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In either case, CSC will **not** “correct” file information that is an opinion.

If the opinion is based on information that is not true, you can ask to have the information corrected and the opinion reviewed (and, hopefully, changed).

If the opinion is not based on facts, it may be unreasonable. You can ask to have the opinion changed through the grievance process.

## **How to ask for file correction**

- Use the “Inmate Request Form”.
- Write that you want to have file information corrected. Refer to CCRA s.24(2)(a).
- Identify the information that you want changed and where it is written in your file. Be specific about where the information is in your file.
- State what the correct information should be.
- Provide any information that will support your Request. Refer to other documents that prove what you say is true. Quote from them and attach them to your Request.
- Make a copy for your own records.

Your file correction should be completed within 30 days.

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## **Example File Correction Request**

I request that my file information be corrected, in accordance with s.24(2)(a) of the CCRA.

On (date), I was criminally charged with trafficking.  
On (date), I was found not guilty of trafficking. I am attaching a copy of my sentencing decision that proves I was not convicted of trafficking.

My IPO wrote in my Assessment for Decision dated (date), page 8, paragraph 3 that I was convicted of trafficking.

I ask that the Assessment for Decision be re-written without the statement that I was convicted of trafficking, because it is not true.

## **When to request file correction**

You should request a file correction as soon as you become aware of inaccurate information. If you find the information in a document before it is “locked” on OMS, you can ask your IPO to change it before it is locked.

It is common for prisoners to only find out about wrong information in their file when they are preparing for release toward the end of their sentences. This wrong information may have been repeated many times, in many documents,

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for many years. In this case, the wrong information will not be deleted, but the correct information should be added to each document to correct it.

## **If your correction is accepted**

If CSC agrees that the information in your file is incorrect, it should correct the information in all of your CSC files, including on OMS.

Documents in OMS should be “unlocked” and the correct information added in capital letters below the original, wrong information. The original information will not be deleted.

The corrected versions of your documents should replace the original version in hard-copy files. The original, wrong version should be removed from hard-copy files and destroyed.

If the original version was already given to the Parole Board of Canada, CSC should give a copy of the corrected version to the Parole Board.

CSC should give you a copy of the corrected version of the document.

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## **If your correction is denied**

If your request to correct information is denied, CSC must still attach a note to the document that sets out the correction you requested.

CSC should give you a Memo to File called “Request for File Correction” that tells you the reasons your request was denied. This Memo to File should be put on OMS.

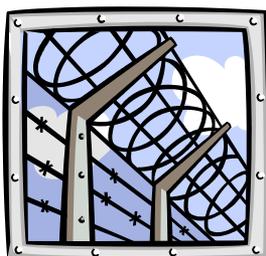
The Memo to File should also be given to the Parole Board of Canada if the document you requested correcting was already provided to it.

You can grieve the decision to deny your Request. Depending on who made the decision, you may have to start with a Complaint. See our booklet “Writing an Effective Grievance” for more information.

## **Prisoners’ Legal Services**

If you are in prison in British Columbia, you can contact Prisoners’ Legal Services for advice or assistance with issues that affect your liberty (such as segregation, disciplinary charges or parole hearings) or about health care or human rights issues. For assistance from Prisoners’ Legal Services, you must have a referral from the Legal Services Society. Contact their call centre at 1-888-839-8889. Once you have a referral, you can call Prisoners’ Legal Services directly at 1-866-577-5245. Prisoners’ Legal Services phones are open Monday to Friday from 9:00 a.m. to 11:00 a.m. and from 1:00 p.m. to 3:00 p.m.

This publication contains general information only.  
Each situation is unique. Law and policy can also  
change. If you have a legal problem, contact  
Prisoners' Legal Services or a lawyer.



Produced by Prisoners' Legal Services with  
funding from the Law Foundation of British  
Columbia.

A project of the West Coast  
Prison Justice Society

October 2015

