

Visits

Your legal rights



Prisoners have a right to reasonable contact with family, friends and others from the community. Any limits on your right to visits must be reasonable and necessary to protect the security of the prison or the safety of people.¹

Eligibility for visits

You must be given a reasonable opportunity to meet with your visitor without a physical barrier, unless:

- the warden has reasonable grounds to believe that the barrier is necessary to protect the security of the prison or the safety of people; and
- there is no less restrictive measure available.²

This is called a **contact** visit.

If you are not allowed a contact visit, you should be given the opportunity to meet with your visitor behind glass, unless your visits have been suspended (see section below on Suspension of visits).³

This is called a **non-contact** visit.

Legal counsel

You must be given the opportunity to meet with your lawyer in a private interview room.⁴

Visitor screening

Your visitor must apply to visit you by filling out an application and information form. The Correctional Service of Canada (“CSC”) will do a Canadian Police Information Centre (CPIC) screening of your visitor. Based on this

information, the warden will decide whether or not your visitor will be allowed to see you. Your visitor will need to fill out the application every 2 years.

Your visitor will be made aware of the rules and procedures about visits before they begin.

Refusal or suspension of visits

Visits can be refused or suspended only if prison staff have reasons to believe that you or your visitor would:

- jeopardize the security of the prison or someone's safety, or
- plan or commit a crime.

If your contact visit is refused, prison staff must allow non-contact visits unless there are also reasons to believe that a non-contact visit would not be enough to control the risk.⁵

Prison staff must give you and your visitor written reasons for refusing or suspending your visits.⁶

You and your visitor have **5 working days** from when you get the reasons for the refusal or suspension of your visits to ask that your visits be restored.⁷

You or your visitor can ask that your visits be restored in person or in writing.⁸

The Visits Review Board (VRB) will review requests to restore visits within 5 working days of your request. The VRB must give you its decision within 15 working days of its review.⁹

If there is new information that could change the decision, the VRB must reconsider its decision as soon as possible. Your visitor can reapply to the VRB for visits 6 months after the decision to refuse or suspend visits.¹⁰

You can also put in a National level grievance to CSC. You normally have **30 days** from when you get the decision to suspend or refuse your visits to submit a grievance.

Private family visits

Private family visits (PFVs) give you the opportunity to use special facilities in the institution to meet privately with your family. PFVs are meant to allow you to renew or continue personal relationships. A PFV can last for up to 72 hours. You are normally allowed a PFV every 2 months.

You are eligible for PFVs unless you are:

- at risk for family violence;
- already participating in unescorted temporary absences to visit your family;
- in a Special Handling Unit, or recommended for one;
or

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- in segregation due to a disciplinary charge at the time of the scheduled visit.¹¹

Private family visitors may include:

- spouses;
- common-law partners (living together for at least 1 year in a marriage-like relationship);
- children;
- parents, foster parents, in-laws;
- siblings, grandparents; and
- others who you have a close family bond with.¹²

Refusal or suspension of PFVs

PFVs can be refused or suspended only if prison staff have reasons to believe that you or your visitor(s) would:

- jeopardize the security of the prison or someone's safety; or
- plan or commit a crime.¹³

Prison staff must consider less restrictive options before they refuse or suspend your PFVs.

Prison staff must give you and your visitor written reasons for refusing or suspending your PFVs.¹⁴

You and your visitor have **5 working days** from when you get the reasons for the refusal or suspension of your PFVs to ask that your visits be restored.¹⁵

You or your visitor can ask that your PFVs be restored in person or in writing.¹⁶

The Visits Review Board (VRB) will review requests to restore PFVs within 5 working days of your request. The VRB must give you its decision within 15 working days of its review.¹⁷

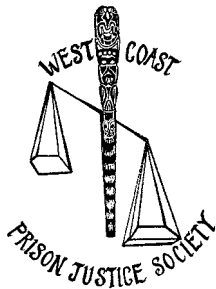
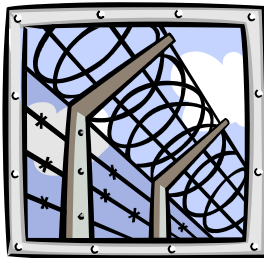
If there is new information that could change the decision, the VRB must reconsider its decision as soon as possible. You can reapply to the VRB for visits 6 months after the decision to refuse or suspend PFVs.¹⁸

You can also put in a National level grievance to CSC. You normally have **30 days** from when you get the decision to refuse or suspend your PFVs to submit a grievance.

Endnotes

- 1 *Corrections and Conditional Release Act*, S.C. 1992, c.20 (“CCRA”), s. 71(1).
- 2 *Corrections and Conditional Release Regulations*, SOR/92-60 (“CCRR”), s. 90(1).
- 3 Commissioner’s Directive 559, “Visits”, 2015-07-02, (CD 559), ¶12.
- 4 CCRR, s. 90(3).
- 5 CCRR, s. 91.
- 6 CCRR, s. 91; CD 559, ¶23.
- 7 CCRR, s. 91; CD 559, ¶23.
- 8 CD 559, ¶23.
- 9 CD 559, ¶23.
- 10 CD 559, ¶24.
- 11 Commissioner’s Directive 710-8, “Private Family Visits”, 2015-07-02, (CD 710-8), ¶18.
- 12 CD 710-8, ¶10 and 11.
- 13 CD 710-8, ¶20.
- 14 CD 710-8, ¶21.
- 15 CD 710-8, ¶21.
- 16 CD 710-8, ¶21.
- 17 CD 710-8, ¶21.
- 18 CD 710-8, ¶22.

**This publication contains general information only.
Each situation is unique. The law can also change.
If you have a legal problem, contact Prisoners’
Legal Services or a lawyer.**



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