

Canada – national procedures for transfer of sentenced persons  
Updated 25/05/2015

The information contained in this table should be updated on a yearly basis.

The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for the transfer of sentenced persons:	The Minister of Public Safety and Emergency Preparedness Canada
If different from the Central Authority, the authority to which the request should be sent (name of the institution, address, telephone, fax and e-mail where available):	Correctional Service Canada International Transfers Unit 340 Laurier Avenue West Ottawa, Ontario, K1A 0P9 CANADA Tel: 613-947-9708 Fax: 613-952-7676  Email: internationaltransfers@csc-scc.gc.ca
If different from the Central Authority, the Authority/ies in charge of coordinating and/or implementing the physical transfer of the person concerned (name of the institutions, address, telephone, fax and e-mail where available):	Correctional Service Canada International Transfers Unit 340 Laurier Avenue West Ottawa, Ontario, K1A 0P9 CANADA Tel: 613-947-9708 Fax: 613-952-7676  Email: internationaltransfers@csc-scc.gc.ca
Channels of communication for the request for the transfer of sentenced persons (directly, through diplomatic channels or other):	directly

Means of communication (e.g. by post, fax, e-mail <sup>1</sup> ):	Post, Fax or Email

Language requirements:	English or French
Documentation required:	Listed in article 4.3 of the CoE
Continued enforcement or conversion of the sentence <sup>2</sup> :	Continued enforcement
General rules on early release:	<p>Transferred offenders are eligible to various types of conditional release such as temporary absence, day parole and full parole. Pursuant to section 27 of the <i>International Transfer of Offenders Act</i> if these dates are prior the date of transfer, the transfer date is deemed to be the eligibility date. Also, according to section 28 of the <i>International Transfer of Offenders Act</i>, the Parole Board of Canada <b>is not required</b> to review the case of an offender until six months after the transfer.</p> <p>However, eligibility does not mean automatic release; it means the date on which an inmate has completed serving the portion of the term of imprisonment required to be served by that inmate before temporary absence, day parole, or full parole, as the case may be, may be granted or authorised.</p>


<sup>1</sup> Please indicate if encryption or electronic signature is required.

<sup>2</sup> In case the sentence is converted, please specify whether this is done before or after the transfer has taken place.

	<p>Statutory release is designed to assist federal inmates in making the transition to law-abiding behaviour upon their return into the community in the latter portion of their sentence.</p> <p>Statutory Release is also intended to provide to offenders on statutory release the same degree of control and assistance as to those released on parole.</p> <p>Where a Canadian offender transferred to Canada is detained in a penitentiary, section 26 of the <i>International Transfer of Offenders Act</i> provides for the offender to be released on statutory release on the day on which the offender has served, commencing on the day of their transfer, two thirds of the period determined in accordance with subsection 22(2) – typically this corresponds to two-thirds of the time remaining to be served on the sentence after the transfer of the offender..</p>
<p>Scope of application with regard to transfer of mentally disordered persons:</p>	<p>Section 32 of the <i>International Transfer of Offenders Act</i> allows for a request of a person in respect of whom a verdict of unfit to stand trial or not criminally responsible on account of mental disorder was rendered to apply via an administrative arrangement.</p>
<p>Scope of application with regard to nationals and/or residents:</p>	<p>The International Transfer of Offenders program contributes to public safety by actively encouraging and assisting offenders to become law abiding citizens, while exercising reasonable, safe, secure and humane control. It ensures that offenders are gradually returned to society and that they have the opportunity to participate in programming that targets the factors that may have led to their offence. This program is also consistent with the Mandate of the Correctional Service of Canada and it's Mission. The program is equally available to foreign offenders in Canada and to Canadian offenders outside of Canada.</p>
<p>Other particularly relevant information (such as practice</p>	<p>The Minister of Public Safety and Emergency Preparedness is responsible for the administration of the <i>International Transfer</i></p>

regarding time limits or revocation of consent):	<i>of Offenders Act</i> and the sole decision maker. The minister has no legislated timeframe to render a decision.

Links to national legislation, national guides on procedure:	<a href="http://laws.justice.gc.ca/eng/acts/I-20.6/index.html">http://laws.justice.gc.ca/eng/acts/I-20.6/index.html</a> <a href="http://www.csc-scc.gc.ca/international-transfers/index-eng.shtml">http://www.csc-scc.gc.ca/international-transfers/index-eng.shtml</a>
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Link to information about the Convention (according to Article 4) in the official language(s) of the State Party (see also Rec. R (84) 11 of the Committee of Ministers concerning information about ETS°112 and PC-OC INF 12):	<p>CSC Policy on international transfers (CD 704)  <a href="http://www.csc-scc.gc.ca/acts-and-regulations/704-cd-eng.shtml">http://www.csc-scc.gc.ca/acts-and-regulations/704-cd-eng.shtml</a></p> <p>CSC Policy on Immediate Needs and Admission Interviews (CD 705-3)  <a href="http://www.csc-scc.gc.ca/policy-and-legislation/705-3-cd-eng.shtml">http://www.csc-scc.gc.ca/policy-and-legislation/705-3-cd-eng.shtml</a></p> <p>Information for foreign nationals incarcerated in Canada  <a href="http://www.csc-scc.gc.ca/international-transfers/004001-2000-eng.shtml">http://www.csc-scc.gc.ca/international-transfers/004001-2000-eng.shtml</a></p> <p>CSC Form 1428 Notification to foreign national offenders</p>  CSC1428.pdf

**For Parties to the Additional Protocol**

Information on the implementation of Article 2 (e.g. interpretation of “by fleeing to”):	
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Information on the implementation of Article 3 (e.g. interpretation of the requirement of a consequential link between the decision on expulsion and the sentence):	
Documentation required:	
Other relevant information:	