



Department of Justice and Public Safety
Adult Custody Services

Policy: **Legal Authority and Protection B3**
Effective: March 2001
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 legal authority and protection of every officer and employee of an adult custody institution.

LEGISLATIVE AUTHORITY

[Section 25, Corrections Act, Chapter C-26, p. 6.](#)

[Section 2, Criminal Code of Canada](#)

SCOPE

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

POLICY GUIDELINES

Every officer and employee regardless of classification of employment shall exercise custodial authority over and is to be a lawful guardian of clients.

PROCEDURE

Definition

Criminal Code of Canada defines a peace officer as:

“a warden, deputy warden, instructor, keeper, jailer guard and any other officer or permanent employee of a prison other than a penitentiary as defined in Part 1 of the Corrections and Conditions Release Act.”²

Every Superintendent or other officer of a correctional institution is hereby constituted a peace officer for the purpose of assisting in the enforcement of law and order within the institution, its precincts, and environs who commits any offence and may take such person before any court of competent jurisdiction and cause proper complaint to be made against him. 1966, c.4, s.25.

RELATED POLICY



Department of Justice and Public Safety
Adult Custody Services

Adult Institutional Policy Manual N.B