



**Department of Justice and Public Safety**  
**Adult Custody Services**

Policy: **Intermittent Sentence C4**  
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 establish procedural standards for the administration of an Intermittent Sentence

---

**LEGISLATIVE AUTHORITY**

---

[Section 732 \(1\)](#) 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**

---

[Section 732 \(1\)](#) Criminal Code of Canada provides that a court may, having regard to age and character of the accused, the nature of the offence and circumstances surrounding its commission, impose an intermittent sentence not exceeding 90 days

---

**PROCEDURE**

---

**Warrant of Committal**

Warrant of committal will reflect the length of sentence to be served intermittently and the length of time to be spent at the institution during each period.

**Calculation**

A client must serve a sentence intermittently that equals the total number of days imposed, minus any earned remission within the total sentence.

**Remanded**

Clients who are remanded while serving an intermittent sentence will receive credit for the intermittent time served while waiting trial.



**Department of Justice and Public Safety**  
**Adult Custody Services**

**Definite Sentence Imposed**

In accordance with Section 732 (3) Where a court imposes a sentence of imprisonment on a person who is subject to an intermittent sentence in respect of another offence, the unexpired portion of the intermittent sentence shall be served on consecutive days unless the court otherwise orders.

**Days Credited**

Only days spent in custody will be accredited. Sentences are calculated based on the specified days to be served intermittently according to the warrant.

**Weekends Specified**

Committals that specify the number of weekends to be served will have remission calculated on the total sentence.

**Discipline**

Clients serving intermittent sentences are subject to regular disciplinary actions.

**Release**

Clients are to be released as indicated on the warrant of committal.

**Admissions**

Regular admission procedures are followed.

**Privileges**

Clients serving intermittent sentences receive the same privileges as sentenced clients.

**Failure to Report**

Where a client fails to report at the required time, without prior written and documented approval from the client's probation officer, the superintendent or designated authority shall investigate and determine the cause of delay.

Investigation decision:

1. The delay is justified - a temporary release will be initiated that outlines the conditions; or
2. The individual will be declared unlawfully at large - protocol will be initiated as outlined in Section D – 24 of this manual.

**Temporary Absence / Electronic Monitoring Program**

Clients serving an intermittent sentence are eligible to apply for a temporary absence or the electronic monitoring program.



**Department of Justice and Public Safety**  
***Adult Custody Services***

---

**RELATED POLICY**

---

C2 Fine Calculation  
C3 Sentence Calculation  
C11 Release and Discharge  
C12 Access to client File Information  
F1 Classification  
F6 Temporary Absence  
F10 Electronic Monitoring  
Adult Institutional Policy Manual NB