



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

Policy: **Inter-Provincial/Territorial Transfers E18**  
Effective: March 2001  
Revised: December 2022

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**MISSION STATEMENT**

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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.

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**PURPOSE**

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To establish procedural standards for administration where a client serving a provincial term of custody in New Brunswick may request transfer to another province or territory where Exchange of Services Agreements are in effect.

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**LEGISLATIVE AUTHORITY**

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[Section 18, N.B. Corrections Act](#)

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**SCOPE**

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

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**PROCEDURE**

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**Requirements**

A transfer request to another province/territory requires:

- written application from the client
- recommendation of the Superintendent; and
- approval of the Chief Superintendent.

**Criteria**

An inter-provincial/territorial transfer may be considered when the client

- is normally a resident to where the transfer is being requested?
- has significant family contact in the province or territory requested.
- can be transferred without staff escort; or is prepared to assume all costs for transportation and escort.
- has a sentence long enough (three months or more) to warrant a transfer; and
- agrees to all conditions, in writing, prior to proceeding.

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**Transfer Not Approved**

Inter-provincial/territorial transfers will not be approved where:

- an appeal is being processed; or
- outstanding charges exist in New Brunswick, where:
  - the client is not prepared to provide written confirmation of the intention to plead guilty; and
  - there is consent from the Attorney General to waive the charges to the other province or territory.

**Application Documents**

The following items are required in a request for transfer:

- the formal client application.
- a letter of request from the client's family, where appropriate.
- a letter of acceptance into a program not available in the province.
- client profile; and
- current warrants of committal

**Superintendent**

The Superintendent will review the package and forward it, along with a recommendation to the Chief Superintendent/designate.

**Chief Superintendent**

The Chief Superintendent will:

- contact the requested province/territory.
- obtain the necessary approval or denial for transfer, under the Exchange of Service Agreement; or
- where no agreement is in effect, coordinate arrangements through an exchange of letters.
- ensure the receiving institution receives all documentation addressing the clients request, mental health, and criminal history

**Communication of Decision**

Upon receipt of the receiving jurisdiction's decision for acceptance or denial, the Director of Adult Custody Services will advise the Superintendent of the sending institution.

**Travel Arrangements**

The Superintendent will advise the client, if the transfer is approved, confirm travel arrangements.

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**RELATED POLICY**

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E8 Transfers  
F6 Temporary Absence  
E19 International Transfers  
Adult Institutional Policy Manual N.B