

# Sections 81 & 84 of the *Corrections and Conditional Release Act (CCRA)*

By law, Indigenous prisoners are allowed to serve the ***incarceration portion*** of their sentences in, and be released to, Indigenous communities.





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# What Is This Booklet For?



This booklet explains how you can apply to live and heal in an Indigenous community instead of staying in a prison or halfway house, using two parts of the ***Corrections and Conditional Release Act (CCRA)***, section 81 (s. 81) and section 84 (s. 84).

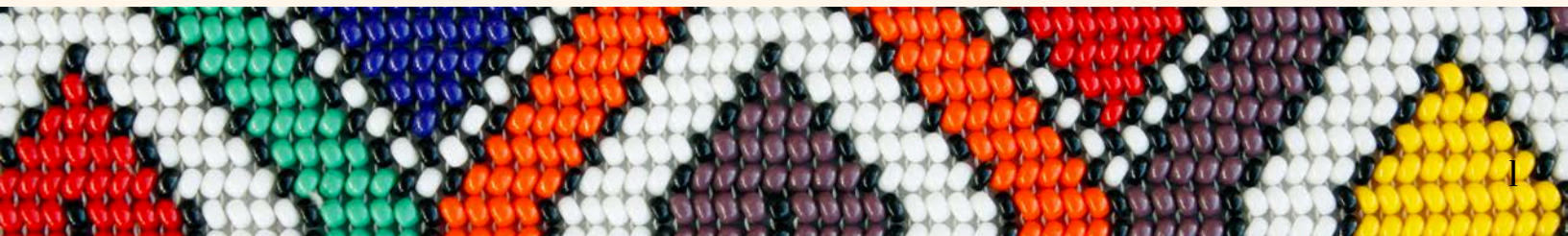
The CCRA is the law that governs the Correctional Service of Canada and the Parole Board of Canada. Sections 80, 81 and 84 were created to help reduce mass imprisonment of Indigenous Peoples and increase community support and integration – including access to healing through Indigenous teachings, values, and community involvement. This is all part of a larger effort to respond to the harms caused by colonization, violence, addiction and imprisonment.

**Right now, these laws are not being used the way they should be.**

That is why we made this booklet – to support Indigenous Peoples in prison and uphold their rights, including the rights to healing and community connections.

*“We call upon federal, provincial, and territorial governments to commit to eliminating the overrepresentation of Aboriginal people in custody over the next decade [2015-2025], and to issue detailed annual reports that monitor and evaluate progress in doing so.”*

*- Truth and Reconciliation Commission Call to Action #30*





# Sections 81 & 84 of the CCRA

## Section 81

*“(1) The Minister, or a person authorized by the Minister, may enter into an agreement with an Indigenous governing body or any Indigenous organization for the provision of correctional services to Indigenous offenders and for payment by the Minister, or by a person authorized by the Minister, in respect of the provision of those services.*

*“(2) Notwithstanding subsection (1), an agreement entered into under that subsection may provide for the provision of correctional services to a non-Indigenous offender.*

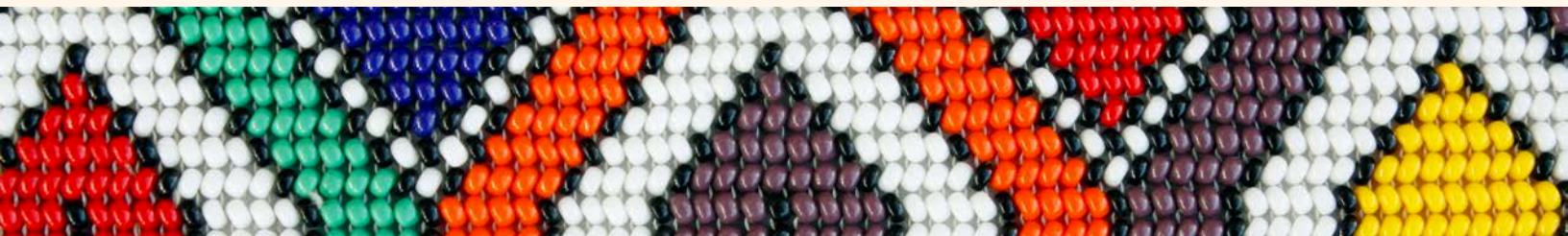
*“(3) In accordance with any agreement entered into under subsection (1), the Commissioner may transfer an offender to the care and custody of an appropriate Indigenous authority, with the consent of the offender and of the appropriate Indigenous authority.”*

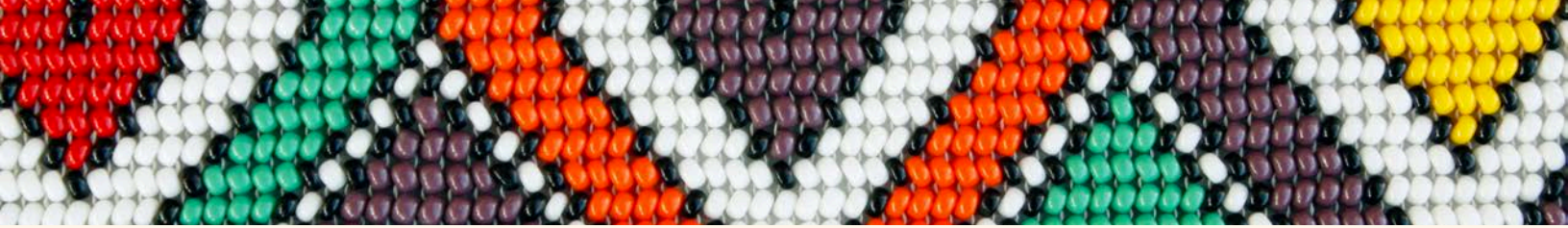
The **Corrections and Conditional Release Act (CCRA)** allows you to live in an Indigenous community instead of prison **if you are accepted by that community and agree to follow their ways of healing, support, and accountability**. Correctional Service of Canada (CSC) has used this law to fund healing lodges, but that is not the only option.

## Non-Indigenous Prisoners

Even though s. 81 was created primarily for Indigenous Peoples to heal in Indigenous communities, **non-Indigenous prisoners can also request transfers to their own or other communities**. This is written right into the law. Section 81(2) says: “An agreement ... may provide for the provision of correction services to a non-Indigenous [prisoner].”

*We encourage non-Indigenous applicants to adjust the information that follows in this booklet to what is relevant to their specific contexts and communities.*





## Section 84

*“If an inmate expresses an interest in being released into an Indigenous community, the Service shall, with the inmate’s consent, give the community’s Indigenous governing body*

*(a) adequate notice of the inmate’s parole review or their statutory release date, as the case may be; and*

*(b) an opportunity to propose a plan for the inmate’s release and integration into that community.”*

The law allows an Indigenous community to be involved in your conditional release if they choose to welcome you into their community. They can help create your parole plan and support you when you leave prison.

## Why Do These Sections Matter?

***Section 81 & Section 84 can help you:***

- Stay connected with family
- Participate in your culture
- Heal from trauma and addiction
- Reinforce your identity and purpose



*“In imagining a new path forward, we focus on the opportunities for decarceration under sections 81 and 84 of the Corrections and Conditional Release Act. We do so because community-based resources for Indigenous women can better address the underlying issues of incarceration - trauma, poverty, and other effects of colonization - by using the strengths of cultural practices for healing.”*

*- Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*



# Security Levels

## There are Four Security Levels:

1. **Minimum** - the least amount of security
2. **Medium** - more restrictions and rules
3. **Maximum** - locked units, limited movement
4. **Special Handling Unit (SHU)** - the highest level of security



## How Is Your Security Level Decided?

### ***Institutional Adjustment Rating Scale:***

This scale looks at behaviour inside and outside of prison. CSC looks at:

- If you have been in fights or incidents in prison
- If you have tried to escape
- If you were stable or unstable on the street (housing, employment, support system)
- If you used drugs or alcohol
- How old you were when you were arrested

### ***Security Risk Rating Scale:***

This scale rates how risky CSC thinks you are to the public or to yourself. It looks at:

- How many times you have been convicted
- Your most serious current charge
- How serious your conviction is now
- How long your sentence is
- How stable your life was on the outside (steady home, a job, or a support system)
- If you have been on parole or statutory release before
- How old you were when you first went to federal prison

*CSC security ratings are based on their own research and ideas and have been challenged in the courts and by the Canadian Human Rights Commission because they have been proven to be discriminatory – especially when it comes to women, Indigenous and Black prisoners, as well as those with mental health issues.*

# Correctional Plans



## What is a Correctional Plan?

Your correctional plan is like a roadmap of your sentence. Correctional Service of Canada (CSC) creates it when you first arrive in federal custody.

***Your correctional plan is based on:***

- Your criminal record
- Your security rating
- Any past parole or early releases
- Your behaviour in jail
- Your personal history (like family, education, job experience, addictions, and mental health)

## What Does the Plan Include?

It shows what CSC thinks your risks and needs are. It will list:

- What programs they want you to take (like anger management, substance use, parenting, etc.)
- What jobs or training you could do in prison
- What your case management team (CMT)/CSC will expect you to do before they might support your release

## You Have a Say in Your Plan

CSC uses your correctional plan to judge your progress and so you need to speak up if:

- It includes incorrect or incomplete information / doesn't tell the full story about who you are
- It leaves out your culture or healing goals
- It doesn't match your strengths
- It doesn't match your plans for the future



*You can ask for a meeting with your parole officer and case management team to update your plan and submit a written request detailing the changes you seek.*



# Section 81 – CSC Healing Lodge Prisons

## CSC-Developed Healing Lodge Prisons

Section 81 of the Corrections and Conditional Release Act (CCRA), was supposed to allow Indigenous communities to operate community-based healing lodges. Instead, Correctional Service of Canada (CSC) has developed CSC-run or CSC-contracted minimum security prisons in Indigenous communities.

*Pushing CSC to implement s. 81 as intended will likely require court challenges.*

## What s.81 is Supposed to Mean

Healing lodges were included when the CCRA was introduced in 1992 because they were recommended by the Indigenous Women's Vision Circle as part of the 1990 Task Force on Federally Sentenced Women. This recommendation was based on Indigenous values, respect, and the belief that healing is always possible. The goal was to help Indigenous prisoners to address past trauma and harmful actions and provide a way to heal and reconcile with and in community to assist Indigenous prisoners to return to the community.



*“The Lodge will be premised on principles which promote:*

- A safe place for Aboriginal women prisoners;*
- A caring attitude towards self, family and community;*
- A belief in individualized client-specific planning;*
- An understanding of the transitory aspects of Aboriginal life;*
- An appreciation of the healing role of children who are closer to the spirit world;*
- Pride in surviving difficult backgrounds and personal experiences.”*

*- Creating Choices: The Report of the Task Force on Federally Sentenced Women*



## Who does CSC say can go to CSC-Developed Healing Lodges?

Correctional Service of Canada (CSC) requires applicants to demonstrate commitment to:

- Indigenous cultural programs
- Spiritual teachings
- Healing your past and building a better future

In Indigenous communities, such assessments are generally made by Elders, not CSC staff.

## Can I Apply if I'm Not Minimum Security?

The idea that people must be minimum security comes from current CSC policy and CSC funding agreements with Indigenous and other community groups. However, **the law – the Corrections and Conditional Release Act (CCRA) – does not limit s. 81 to only minimum security prisoners**, and policies do not prevail over the law.

Particularly given the racist nature of the classification system, Indigenous communities and organizations are encouraged to challenge these policies and practices and offer support to any Indigenous prisoners they wish, **regardless of minimum, medium, or maximum security level.**

If you're not minimum security, don't be discouraged. The CCRA does not stop you from applying. You can also:

- Seek the support of an Indigenous community
- Fill out a transfer request
- Challenge current CSC policy and practice
- Share your story and your goals



# Step-by-Step Process to Access CSC Run Healing Lodges

**STEP 1:** Talk to your case management team (CMT) and request they support and assist you to transfer to a healing lodge. They are responsible for completing the required paperwork.

You may also want to include a written request to both your CMT and the warden/head of the healing lodge to which you wish to transfer.

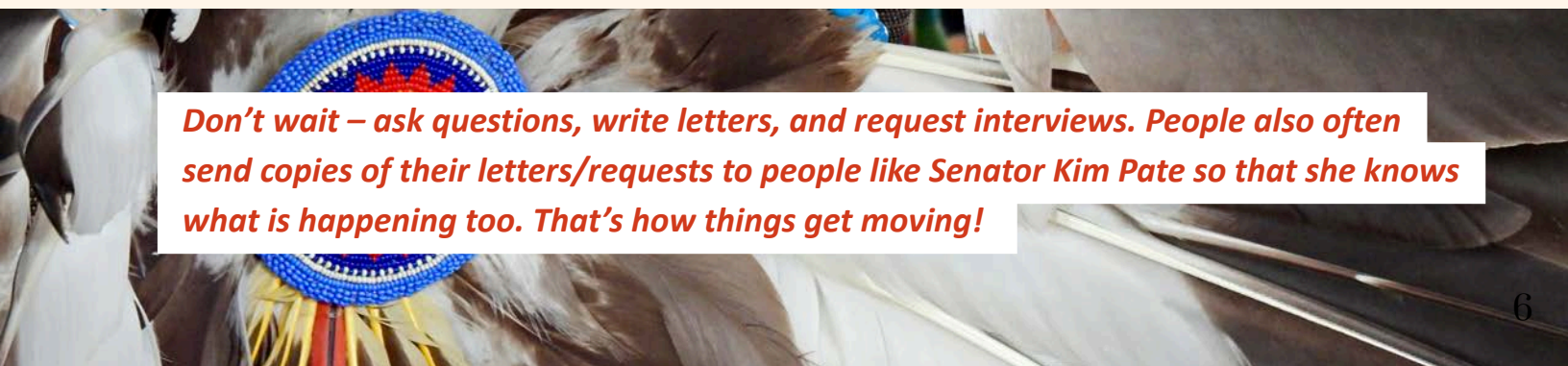
**STEP 2:** Write a letter to the director/warden who is the head of the healing lodge. Please feel free to use the sample letter included on page 20 of this booklet. Most institutions also request that you also include a Consent to Disclosure of Personal Information (*a sample is on page 25*).

**STEP 3:** Your CMT will also likely ask you for a Consent to Disclosure of Personal Information (*a sample is on page 26*).

**STEP 4:** If your CMT supports your transfer, they will send your application to the healing lodge and the Regional Deputy Commissioner (for men) and/or the Deputy Commissioner for Women (for women). This process can happen quickly, but it often takes up to 60 days.

**STEP 5:** The healing lodge will generally review your personal file, any letter from or conversation they've had with you, and decide if they will accept or deny your request.

**STEP 6:** *If you are accepted*, you will be transferred when space is available. *If you are denied*, ask for the reason in writing. You have the right to appeal and reapply. You can ask for a meeting with Elders, Indigenous Liaison staff, and/or the healing lodge administration to help you identify what they expect from you in order to accept your application in the future.



**Don't wait – ask questions, write letters, and request interviews. People also often send copies of their letters/requests to people like Senator Kim Pate so that she knows what is happening too. That's how things get moving!**

# CSC Healing Lodges



## Community Organization Contracted (CSC Funded):

Stan Daniels (designated for men)  
9516 101 Ave NW  
Edmonton, AB, T5H 4R6  
(780) 495-3748

O-chi-chak-ko-sipi First Nation  
(designated for men)  
House 8750C  
Crane River, MB, R0L 0M0  
1-888-726-7611

Waseskun (designated for men)  
1 Rue Waseskun, B.P. 1159  
Saint-Alphonse-Rodriguez, QB, J0K 1W0  
(450) 883-2034

Buffalo Sage (designated for women)  
9330 104 Ave  
Edmonton, AB, T4H 4G7  
(780) 451-4002

Prince Albert Grand Council Lodge  
(designated for men)  
P.O. Box 2350  
Wahpeton Reserve 98B  
Prince Albert, SK, S6V 6Z1  
(306) 953-7200

Eagle Women's Lodge  
667 Ellice Ave  
Winnipeg, MB, R2G 0A8  
1-888-881-0710

## CSC Operated:

Kwìkwèxwelhp (designated for men)  
P.O. Box 110  
Harrison Mills, BC, V0M 1L0  
(604) 796-1650

Pê Sâkâstêw Centre (designated for men)  
Highway #2A  
P.O. Box 1500  
Maskwacis, AB, T0C 1N0  
(780) 585-4104

Willow Cree Healing Centre  
(designated for men)  
P.O. Box 520  
Duck Lake, SK, S0K 1J0  
(306) 467-1200

Okimaw Ohci (designated for women)  
P.O. Box 1929  
Maple Creek, SK, S0N 1N0  
(306) 662-4700





# Section 81 -Transfer to an Indigenous Community Instead of Prison

## What is the Goal?

Under s. 81 of the Corrections and Conditional Release Act (CCRA), you can also ask to be transferred from prison to live in an Indigenous community, instead of a Correctional Service of Canada (CSC)-run or CSC-funded minimum security healing lodge prison.

This option is not used often, but the law says it is possible. In fact, when s. 81 was introduced into the CCRA in 1992, the intention was that s. 81 placements would be individualized and tailored to meet the specific needs of individuals.

If the community agrees and you are willing to follow their guidance, the community can apply to the Minister of Public Safety for funding and a contract to administer your prison sentence while also helping you heal, grow, and succeed - by being close to land, ceremony, and cultural support.

## What if I'm Not Yet Welcome Back in my Community?

You may want to reach out to another community for support while you work to try to rebuild relationships at home.



## What if I'm Not Minimum Security?

There are no legal requirements that prisoners be classified as minimum security to access s. 81. For example, CSC, the Aboriginal Women's Vision Circle and the Nekaneet Elders decided to include a "Safe Lodge" in the CSC-run Okimaw Ohci Healing Lodge (OOHL). This segregation/maximum security unit was included so CSC would have no excuse not to send women classified as maximum security to OOHL or beyond. Although CSC policy now restricts access to s. 81 to minimum security prisoners, the law does not and the law takes precedence over policy.



# Applying For a Transfer to the Community

**STEP 1:** Write a letter to your community asking if they are willing to help bring you home. You can give this letter to:

- An Elder you trust
- Your Chief or someone from Band Council (if it's a First Nations community)
- A director or leader of an Indigenous organization (if you are connected to an urban Indigenous group)

There is a sample letter you can use on page 21 to help you write your own. CSC often also requests a Consent to Disclosure of Personal Information (a sample draft is on page 26).

If your Nation has Elders, council members, or support workers who are willing to assist, you may want to ask them to write letters or meet with CSC. Community-led healing is your right - and it starts with asking!

**STEP 2:** If your community is open to supporting your s. 81 transfer, they must send a letter to the Minister of Public Safety to say so. There is a sample letter for communities on page 28 to help with this.

**STEP 3:** You must also write a letter to the Minister of Public Safety. There is a sample draft letter on page 22.

**STEP 4:** Once you know a community is interested, talk to your case management team (CMT) and say clearly: "I want to apply for a Section 81 Indigenous community transfer." You may also wish to advise them in writing.

Your CMT is supposed to help you with the forms and package that CSC needs to be able to process your transfer. They may ask you to provide a Consent to Disclosure of Personal Information (a sample of this form is on page 26).

Your CMT or others may try to discourage you from taking these steps because they only want you to follow the CSC process. Please feel free to send a copy of your letters and requests to Senator Pate or other Senators and Members of Parliament.

If your request is refused - for example if the Minister allows CSC to deny your application on their behalf, or if CSC attempts to limit the application of s. 81 only to minimum security prisoners - you or the Indigenous community may need challenge that decision in court. Don't give up!

# Section 84 – Build Your Parole & Release Plan with an Indigenous Community



## Conditional Releases to Indigenous Communities

Under s. 84 of the *Corrections and Conditional Release Act* (CCRA), you can work with an Indigenous community to build your parole and release plan. This means that you can ask to be released into an Indigenous community that agrees to support you. Studies show that people who go through s. 84 releases are more likely to succeed on parole - especially when they have cultural support, community connection, and purpose.

## Who Can Apply?

You can apply if:

- You are serving a federal sentence (in minimum, medium, or maximum security)
- You have a parole hearing coming up (day parole or full parole)
- You are interested in Indigenous healing

This means you want to take part in:

- Indigenous cultural programs
- Ceremonies and teachings
- Your own healing journey and rehabilitation

The law says anyone – minimum, medium, or maximum – can be released under s.84. Even if you're not minimum security, you can still apply. Ask an Elder, and/or other leaders in an Indigenous community to support your request. The earlier you start, the better your chances!





# APPLYING FOR AN S.84 RELEASE



**STEP 1:** Talk to your community or another Indigenous community to see if they are willing to help bring you home. If you write to the community, there's a sample letter on page 23 that may assist and you can give the letter to:

- An Elder you trust
- Your Chief or someone from Band Council (if it's a First Nations community)
- A director or leader of an Indigenous organization (if you are connected to an urban Indigenous group)

**STEP 2:** If the Indigenous community is open to supporting you, you can tell your Case Management Team (CMT) that you want to apply for a s. 84 release.

A good way to start is by asking for escorted temporary absences (where staff comes with you), and then later unescorted absences (where you go on your own). If the community is okay with it, you can ask about a work release to help you get ready for life on the outside. After that, you can apply for day parole or full parole.

*Your CMT is supposed to help you with the paperwork and talk to the community on your behalf. If they don't help or are slow to act, don't give up. The community or other outside groups may be able to help you work to make the application happen.*

**STEP 3:** The community should send a letter to the Minister of Public Safety saying they are open to supporting you (see page 29 for a sample letter).

**STEP 4:** You can also write a letter to the Minister of Public Safety (there's a sample letter on page 24). Correctional Service of Canada (CSC) may ask you to also include a Consent to Disclosure of Personal Information (see page 26 for a sample).

**STEP 5:** CSC must share your parole eligibility and statutory release dates with the Indigenous community and work with the community to develop a plan for your release – including information like where you will live, who will supervise you, healing and cultural supports you will access, and what work, education or training you will do. Creating the plan should be a collaborative process among CSC, the community and the individual applying for release.

**STEP 6:** The s. 84 plan becomes part of your correctional plan and parole application, and will be reviewed by the Parole Board of Canada at your parole hearing.

# Special Types of Hearings (EAH & CAH)

## Did You Know You Can Ask for a Special Parole Hearing?

If you are Indigenous - or have shown a commitment to Indigenous teachings - you can ask for a special kind of parole hearing that reflects your culture and values. **There are 2 types:**

### 1. Elder-Assisted Hearing (EAH)

The hearing is held in a circle, with guidance and presence of an Elder or cultural advisor.

- You can start and end the hearing with a smudge or prayer (optional)
- The Elder explains the process and helps keep the space respectful
- The Parole Board of Canada (PBC) hears your case
- You will get a chance to speak and share your healing journey
- After a short break, the PBC gives their decision

The Elder or cultural advisor does not make the final decision, but they offer wisdom, teachings, and cultural context to help the PBC understand your path.



### 2. Community-Assisted Hearing (CAH)

This type of hearing is usually held in the Indigenous community where a person plans to be released. Members of the Indigenous community attend with you. They can:

- Speak about your strengths
- Explain what kind of support they will offer you
- Share cultural or spiritual teachings
- Help the PBC understand your release plan and healing journey

This shows that you are not alone – ***your community is walking with you.***



## How to Apply for an EAH or CAH:

**Elder-Assisted:** You must apply at least 28 days before the hearing.

Ask your parole officer or case management team (CMT) for a form PBC-0035.

**Community-Assisted:** You must apply at least 2 months before the hearing.

Request a Community-Assisted Hearing from you parole officer or CMT.

# Problems & How to Push Through

## Barriers You Might Face

When trying to apply for a s. 81 transfer or a s. 84 release, you may run into:

- CSC saying your security rating is too high (even though the law doesn't require you to be minimum security)
- Communities being told they don't have enough resources to support you.
- Long wait times for responses, meetings, or decisions
- Paperwork delays or staff not following through
- People saying "it's not possible" before you even apply
- Misunderstanding or ignoring your healing journey
- Being discouraged by others (staff or inmates) who say it never works

## But Remember...

You still have rights, options, and support. Here's how to push through:

- You have the right to apply under the law - even if you're not minimum security.
- Ask questions, write letters, and keep records (dates, names, responses)
- Use your voice - tell your story in your application letter
- Ask for a meeting - with Elders, Indigenous Liaison staff, Healing Lodge staff, your case management team (CMT) or parole officer
- Ask someone to advocate with you - a trusted staff member, Elder, or outside community person
- Reach out to the Office of Correctional Investigator (OCI) if you feel your rights are being ignored
- You can re-apply or appeal if you are denied - you don't have to give up.

*"You can't heal within a prison setting... it's one thing for individuals to meet with an Elder or Spiritual Advisor... then they have to put that mask back on and go back to the range because they need to survive"*

*-Keri Thompson, Elder at Waseskun Healing Center*



# Sections 81 & 84 – What the Indigenous Community Needs to Do



Please note that a community can challenge Correctional Service of Canada (CSC) policies and practices and people like Senator Pate are keen to assist with such efforts. Oftentimes, communities are not provided with all of the information about what is possible under the law. For instance, Public Safety has the authority to provide resources for housing and supports, but CSC hardly ever tells communities about what is possible even though the government committed to end the over-representation of Indigenous Peoples in prison by the end of 2025. This would mean the release of hundreds of women and thousands of men and the reallocation to the community of the millions of dollars currently spent on keeping them in prison.

## Steps According to CSC For Communities Wanting to Host a Prisoner or Parole Under S.81 or S.84

- 1) Be a recognized Indigenous community or organization (such as a First Nation or band council, a Métis settlement, an urban Indigenous organization, a traditional council or tribal authority).
- 2) Be able to offer support such as safe housing (on or near the territory), cultural and spiritual healing options (e.g., ceremonies, language, teachings), Elder and community mentors willing to support the person, and supervision and reporting structures (for safety and accountability).
- 3) Write to the Minister of Public Safety. There are sample letters in this booklet at page 28 (s. 81 community transfer) and page 29 (s. 84 community release) that may assist.
- 4) Work with CSC to develop a formal agreement called a s. 81 or s. 84 agreement (see page 17).
- 5) Address any concerns from CSC or the broader community by showing how they will support the person's healing (e.g., counselling, ceremonies, Elders), their plans for reintegration (e.g., housing, job training, family connection), and confirming the person is accepted by the community (this may involve a band council resolution or Elder consensus).
- 6) Most agreements: last up to five years, require stable operations (staffing, resources, leadership), and involve strict CSC protocols around reporting, supervision, and absences and revocations.

# What CSC Expects S.81 & S.84 Agreements to Include:

## 1. Who Is in Charge

- Who is responsible in the community (Elder, Council member, housing host?)

## 2. Who Is Being Supported

- Name of applicant and their CSC ID

## 3. Where The Person Will Live

- Address or description of location, any boundaries

## 4. How They Will Be Supervised

- Who checks in and ensures rules are followed (Elder, mentor, community support worker?)

## 5. Reporting to CSC

- Time and form of reports to CSC (e.g., weekly phone call, monthly progress report)

## 6. Healing and Cultural Support

- What supports will be given (e.g., ceremonies, regular meetings with Elders, traditional teachings, land-based activities)

## 7. Reintegration Support

- How you'll help with finding a job or training, getting back in touch with family, dealing with any substance use or mental health needs, etc.

## 8. Funding & Costs

- Who covers housing, support workers, cultural events (the community, the person, CSC?)

## 9. Agreement Timeline

- How long the agreement lasts (usually up to 5 years), including start date and renewal process (e.g., can be renewed if healing continues)

## 10. Rules & What Happens if Things Go Wrong

- List any rules they must follow (e.g., attend cultural meetings, stay within area) and what happens if a rule is broken (e.g., warning, temporary revocation, return to prison)





# Official Contacts & Legal Resources

## Senator Kim Pate

613-995-9220 or 1-800-267-7362

kim.pate@sen.parl.gc.ca

Senate of Canada, Ottawa, ON, K1A 0A4

### ***Report of the Senate Human Rights Committee on the Human Rights of Federally Sentenced Persons***

<https://sencanada.ca/en/info-page/parl-43-2/ridr-federally-sentenced-persons/>

To request a print copy, contact the clerk of the committee or Senator Kim Pate by phone or letter at the coordinates below:

1-800-267-7362

Senate of Canada, Ottawa, ON, K1A 0A4

## **Correctional Service of Canada (CSC) - Indigenous Programs**

Contact your case management team (CMT) or your institution's Indigenous Liaison Officer (ILO) - in person, by phone or by mail

CSC information on sections 81 & 84:

<https://www.canada.ca/en/correctional-service/programs/offenders/indigenous-corrections/section-81-section-84-federal-corrections-indigenous-community.html>

A print copy of this CSC information is available at page 30 of this booklet.

## Parole Board of Canada

Contact your Parole Officer or CMT

### **Elder-Assisted & Community-Assisted Hearings info:**

<https://www.canada.ca/en/parole-board/corporate/publications-and-forms/elder-assisted-and-community-assisted-hearings.html>

A print copy of this Parole Board of Canada information is available at page 30 of this booklet.

## **Prisoners' Legal Services (BC)**

1-866-577-5245

[info@pls-bc.ca](mailto:info@pls-bc.ca)

302-7818 6th St., Burnaby, BC, V3N 4N8

## **Aboriginal Legal Services (Ontario)**

1-844-633-2886

[info@aboriginallegal.ca](mailto:info@aboriginallegal.ca)

211 Yonge St, Suite 500, Toronto, ON, M5B 1M4

## **Office of the Correctional Investigator (OCI)**

1-877-885-8848 (toll-free)

[org@oci-bec.gc.ca](mailto:org@oci-bec.gc.ca)

P.O. Box 3421, Station D, Ottawa, ON K1P 6A





# **Sample Letters from Individuals**

# Section 81 – Template for Request for Transfer to a Healing Lodge – From an Individual



[date]

[name of the Healing Lodge]

[mailing address of the Healing Lodge]

Dear [Director/Warden of “name of Healing Lodge” or To Whom It May Concern]

Re: Section 81 of the *Corrections and Conditional Release Act*

Pursuant to s. 81(3) of the *Corrections and Conditional Release Act* (CCRA), I am writing to let you know that I am interested in being transferred to [name of Healing Lodge], to serve out the custodial portion of my sentence.

[Add the following:]

- (a) Why you want to be transferred to the Healing Lodge?
- (b) What does healing means to you?
- (c) How you will contribute and grow?
- (d) Do you have any cultural or ceremonial goals?
- (e) What programs are you interested in taking?
- (f) Any other information you wish to share]

Thank you in advance for your consideration of this matter. I very much appreciate and look forward to your assistance.

Sincerely,

[your signature]

[insert your first and last name here]

c. Senator Kim Pate, Senate of Canada, Ottawa, Ontario, K1A 0A4

# Section 81 – Template for Request to Community for Transfer to Community – From an Individual



[date]

[name of an official from an Indigenous community or organization  
name of the Indigenous community or organization]  
[mailing address of the Indigenous community or organization]

Dear [name of an official from the Indigenous community or organization],

Re: Transfer to community pursuant to s. 81 of the *Corrections and Conditional Release Act*

I am writing to let you know that I am interested in a transfer to [name of the Indigenous community] to serve the custodial portion of my prison sentence pursuant to s. 81 of the *Corrections and Conditional Release Act* (CCRA).

[Add the following:

- (a) Why you want to be transferred to the Healing Lodge?
- (b) What does healing means to you?
- (c) How you will contribute and grow?
- (d) Do you have any cultural or ceremonial goals?
- (e) What programs are you interested in taking?
- (f) Any other information you wish to share]

Thank you in advance for your consideration of this matter. I very much appreciate and look forward to the opportunity to discuss how I can continue on my healing journey while contributing positively to the community.

Sincerely,

[your signature]

[insert your first and last name here]

c. Senator Kim Pate, Senate of Canada, Ottawa, Ontario, K1A 0A4



# Section 81 – Template for Request to Minister of Public Safety for Transfer to Community –

## From an Individual

[date]

The Honourable [Gary Anandasangaree], P.C., M.P.  
Minister of Public Safety  
269 Laurier Ave West  
K1A 0P8

Dear Minister,

Re: Transfer to community pursuant to s. 81 of the *Corrections and Conditional Release Act*

Pursuant to s. 81(3) of the *Corrections and Conditional Release Act* (CCRA), I am writing to let you know that I am interested in being transferred to [name of community], an Indigenous community, to serve out the custodial portion of my sentence.

The community seeks an opportunity to propose a plan for the provision of correctional services.

Thank you in advance for your consideration of this matter. I very much appreciate and look forward to your assistance.

Sincerely,

[your signature]

[insert your first and last name here]

c. Senator Kim Pate, Senate of Canada, Ottawa, Ontario, K1A 0A4

# Section 84 – Template for Request to Community for Release to Community – From an Individual



[date]

[name of an official from an Indigenous community or organization  
name of the Indigenous community or organization  
mailing address of the Indigenous community or organization]

Dear [name of an official from the Indigenous community or organization],

Re: Conditional release to community pursuant to s. 84 of the *Corrections and Conditional Release Act*

I am writing to let you know that I am interested in being released to [name of the Indigenous community] to serve the conditional release portion of my sentence pursuant to s. 84 of the *Corrections and Conditional Release Act* (CCRA).

[Add the following:

- (a) Why you want to be transferred to the Healing Lodge?
- (b) What does healing means to you?
- (c) How you will contribute and grow?
- (d) Do you have any cultural or ceremonial goals?
- (e) What programs are you interested in taking?
- (f) Any other information you wish to share]

Thank you in advance for your consideration of this matter. I very much appreciate and look forward to the opportunity to discuss how I can continue on my healing journey while contributing positively to the community.

Sincerely,

[your signature]

[insert your first and last name here]

c. Senator Kim Pate, Senate of Canada, Ottawa, Ontario, K1A 0A4

# Section 84 – Template for Request to Minister of Public Safety for Release to Community –

## From an Individual



[date]

The Honourable [Gary Anandasangaree], P.C., M.P.  
Minister of Public Safety  
269 Laurier Ave West  
K1A 0P8

Dear Minister,

Re: Release to community pursuant to s. 84 of the *Corrections and Conditional Release Act*

Pursuant to s. 84(b) of the *Corrections and Conditional Release Act* (CCRA), I am writing to let you know that I am interested in being released to [name of community], an Indigenous community, to serve out the custodial portion of my sentence.

The community seeks an opportunity to propose a plan for for my release on supervision, and integration, into that community.

Thank you in advance for your consideration of this matter. I very much appreciate and look forward to your assistance.

Sincerely,

[your signature]

[insert your first and last name here]

c. Senator Kim Pate, Senate of Canada, Ottawa, Ontario, K1A 0A4



# Sections 81 & 84 – Sample Consent to Disclosure of Personal Information – Permission for Community to Disclose to CSC



## Consent to Disclosure of Personal Information

I, [your first and last name],

CSC ID Number: [your #],

give permission to [name of Healing Lodge / Indigenous community or organization], to share information about me with the following person or group:

[Correctional Service of Canada]

[Or to share with a specific person at CSC involved with your ss. 81 or 84 application:  
name

role if known (Indigenous Community Development Officer, Case Manager, Parole Officer)  
Correctional Service of Canada]

I agree that [name of Healing Lodge/Indigenous community or organization] can share the following information with them:

Acceptance or denial decisions.

Housing and supervision arrangements.

Progress reports.

Incidents reports/absences

Ongoing collaboration

This consent remains in effect for the duration of my section [81 or 84] placement, unless withdrawn in writing.

Signed: [your signature]

Date: [date]

## Sections 81 & 84 - Sample Consent to Disclosure of Personal Information - Permission for CSC to Disclose to Community



### Consent to Disclosure of Personal Information

I, [your first and last name],

CSC ID Number: [your #],

give permission to Correctional Service Canada (CSC), to share information about me with the following person or group:

[To share with a person:

name

role if known (e.g., Elder or Cultural Advisor)

name of their Healing Lodge / Indigenous community or organization]

[To share with a group: name of Healing Lodge / Indigenous community or organization]

I agree that CSC can share the following information with them:

My correctional plan

My parole eligibility and sentence information

My criminal record and risk assessments

My program history and progress

My healing goals and Section [81 or 84] application

This consent remains in effect until transfer or release is complete.

Signed: [your signature]

Date: [date]



# **Sample Letters from Communities**



# Section 81 – Template for Letter to Minister of Public Safety – From a Community



[date]

The Honourable [Gary Anandasangaree], P.C., M.P.  
Minister of Public Safety  
269 Laurier Ave West  
Ottawa, ON  
K1A 0P8

Dear Minister:

Re: Agreement under s. 81 of the *Corrections and Conditional Release Act*

Section 81(3) of the *Corrections and Conditional Release Act* (CCRA) permits, with prisoner and community consent, that a prisoner may be transferred to the care and custody of an Indigenous community to serve out a sentence.

We are writing to you to express our interest, as a community, in providing support and services to [insert name of individual], so that she/he/they may complete the custodial component of her/his/their sentence in our community, pursuant to s. 81 of the CCRA.

Thank you in advance for your consideration of this matter. We very much appreciate and look forward to your assistance.

Sincerely,

[insert signature, name of person signing, and name of community/group here]

c. Senator Kim Pate, Senate of Canada, Ottawa, Ontario, K1A 0A4

# Section 84 – Template for Letter to Minister of Public Safety – From a Community



[date]

The Honourable [Gary Anandasangaree], P.C., M.P.  
Minister of Public Safety  
269 Laurier Ave West  
Ottawa, ON  
K1A 0P8

Dear Minister:

Re: Release under s. 84 of the *Corrections and Conditional Release Act*

We are writing to you to express our capability and willingness as a community to assist with the rehabilitation and reintegration of [insert name of individual], so that she/he/they may complete the conditional release portion of her/his/their sentence in our community, pursuant to s. 84 of the *Corrections and Conditional Release Act* (CCRA).

Section 84(b) of the CCRA prescribes that if a prisoner expresses an interest in being released to an Indigenous community, the Correctional Service of Canada (CSC) shall give the community an opportunity to propose a plan for the prisoner's release and integration into that community.

Thank you in advance for your consideration of this matter. We very much appreciate and look forward to your assistance.

Sincerely,

[insert signature, name of person signing, and name of community/group here]

c. Senator Kim Pate, Senate of Canada, Ottawa, Ontario, K1A 0A4

# **Copies of CSC & Parole Board of Canada Information on Sections 81 & 84**



Correctional Service Canada, Section 81 and Section 84: Federal Corrections and the Indigenous Community (July 17, 2019):

<https://www.canada.ca/en/correctional-service/programs/offenders/indigenous-corrections/section-81-section-84-federal-corrections-indigenous-community.html>.

Parole Board of Canada, Elder-Assisted Hearings and Community-Assisted Hearings: What Are They? How Can I Apply?:

[https://publications.gc.ca/collections/collection\\_2021/clcc-pbc/PS94-18-2021-eng.pdf](https://publications.gc.ca/collections/collection_2021/clcc-pbc/PS94-18-2021-eng.pdf).



[Canada.ca](#) > [Correctional Service Canada](#) > [Working with offenders](#)

> [Indigenous corrections](#)

# Section 81 and Section 84: federal corrections and the Indigenous community

The Correctional Service of Canada (CSC (Correctional Service of Canada)) encourages Indigenous communities to use the full potential of the *Corrections and Conditional Release Act* (CCRA (Corrections and Conditional Release Act)), specifically Sections 81 and 84.

## Community organizations interested in entering into a Section 81 Agreement

**My community or organization is interested in entering into a Section 81 Agreement. Where do we begin?**

A community can start the application process to provide correctional services to Indigenous offenders, by writing an Expression of Interest. CSC will review the Expression of Interest and communicate directly with the community applicant.

The Expression of Interest should contain essential information that outlines the capacity of your community to enter into a Section 81 Agreement. This list outlines the information that you must include in the



## Expression of Interest:

- the name of the organization or community applying (this should include the corporate and/or legal structure of the organization or community)
- a description of the correctional services that are proposed for the care and custody of Indigenous offenders
- who can apply to receive the services outlined above (e.g. men or women offenders, etc.)
- a description of the Indigenous community's previous experience in the criminal justice field
- how many offenders that the organization/community is proposing to accommodate
- an outline of the implementation and operation funding requirements/needs
- the proposed physical infrastructure and building plans that detail the physical layout of the facility, including interior and exterior details, and location, if a facility is proposed
- the reason why the organization/community is applying for a Section 81 healing lodge
- a brief description of the project reasoning/rationale

The Expression of Interest must also answer these questions:

- Does the Indigenous community have financial requirements to further develop their statement of interest and formal proposal?
- Are there finances available from the organization/community applicant?

- Is funding allocated to this request via the applying organization/community?
- What is the capacity to deliver and provide access to Indigenous and community programs and services?
- Are there partnerships that the Indigenous community has or could establish to meet the offenders' needs?
- What support exists from the surrounding communities, including letters of recommendation, testimonials and other relevant documentation?
- What are the time and legal constraints related to the Indigenous community's participation, or any of its partners' participation, in the proposed agreement?
- What is the legal ownership of property and land where the facility will be located, if a facility is proposed?

## What happens after an Expression of Interest is submitted

Once you have submitted an Expression of Interest, CSC will contact you to discuss the next steps and the application process.

[Section 81 agreements](#) is a printable version of this information.

## For more information

[GL 541-2 Negotiation, Implementation and Management of CCRA Section 81 Agreements](#) contains detailed information about opening a Section 81 healing lodge.

# Section 84

Section 84 of the Corrections and Conditional Release Act (CCRA) applies to offenders who want to serve their eventual conditional or statutory release in an Indigenous community, or in an urban area with the support and direction of an Indigenous organization. It also applies to offenders who are subject to long-term supervision orders (LTSO (Long-term supervision order)s). The section dictates that if an inmate expresses an interest in being released to an Indigenous community, CSC must:

- notify the community of their parole review or their statutory release date
- give them a chance to propose a plan for the release and reintegration into that community

Early engagement with an Indigenous community is key for successful Section 84 release planning. It permits the community to become actively involved in the offender's case. The community can identify what the offender must do to gain support and provide guidance to the offender.

Section 84 is part of the release process. The offender is informed of the Section 84 release process at their preliminary assessment stage of the intake assessment process. The purpose of starting the process earlier in the sentence is to allow inmates time and opportunity to get support from their community and/or organizations as soon as possible. Good communication, with the offender's permission, can help the case management team (CMT (case management team)) formulate a gradual and structured release plan that will be appropriate for the community and for the inmate.

Path Home: Release Planning Kit - Section 84 of the Corrections and Conditional Release Act outlines the process for Section 84 releases. It explains how it works and who is involved.

Reintegrating Indigenous offenders contains further information about how CSC works with Indigenous communities to take part in the release and reintegration planning process

**Date modified:**

2019-07-17





# ELDER – ASSISTED HEARINGS

## ELDER-ASSISTED HEARINGS

AND

## COMMUNITY-ASSISTED HEARINGS

An Elder-Assisted Hearing (EAH) is a culturally responsive hearing process for First Nation, Métis and Inuit offenders that takes into account the uniqueness of Indigenous culture and heritage. As in other hearings, Parole Board of Canada (PBC) members focus on your progress towards addressing risk factors and assessing release plans, but in a setting that is sensitive to Indigenous cultures.

### ***Role of the Elder***

The role of the PBC Elder/Cultural Advisor is to provide Parole Board members with information about the specific culture and traditions of your Indigenous community, and about Indigenous cultures, experiences and traditions in general. The Elder may also offer wisdom and guidance to you. The Elder is not involved in making the decision.

### ***What happens at an EAH?***

The hearing is held in a circle\* and follows these steps:

- Introduction of Elder
- Smudge and prayer (optional)\*\*
- Explanation of process to be followed
- Procedural safeguards
- Hearing process
- Break for deliberations
- Decision given
- Closing prayer (optional)

\* For cultural reasons, some hearings for Inuit offenders are not held in a circle.

\*\* For cultural reasons, some Inuit offenders may request a song instead of a smudge.

### ***Who participates?***

- Board members
- Hearing Officer
- Institutional Parole Officer
- PBC and/or CSC Elder

### ***Who else may participate?***

- Offender's Assistant
- Aboriginal Liaison Officer
- Community Parole Officer
- Victim(s)
- Aboriginal Community Development Officer

### ***Who may be present to observe?***

- Victim(s)' Assistant(s)
- Observer(s)
- Regional Communications Officer

## HOW TO APPLY

Ask your Parole Officer or a member of your Case Management Team (CMT) for form PBC-0035, fill out and submit it at least 28 days before your hearing.

Your CMT can provide you with assistance in filling it out.

***What are they?***  
***How can I apply?***



## WHAT IS SECTION 84?

The *Corrections and Conditional Release Act* states:

- 84.** If an inmate expresses an interest in being released to an Indigenous community, the Service shall, with the inmate's consent, give the community's Indigenous governing body
- adequate notice of the inmate's parole review or their statutory release date, as the case may be; and
  - an opportunity to propose a plan for the inmate's release and integration into that community.

**84.1** If an offender who is required to be supervised by a long-term supervision order has expressed an interest in being supervised in an Indigenous community, the Service shall, with the offender's consent, give the community's Indigenous governing body

- adequate notice of the order; and
- an opportunity to propose a plan for the offender's release on supervision, and integration, into that community.

A Community-Assisted Hearing (CAH) provides community members an opportunity to participate in your hearing and explain their proposed plan for your conditional release and reintegration into the community. This hearing is usually held in the community involved in your proposed Section 84 release plan.

### Role of the Elder

The role of the PBC Elder/Cultural Advisor is to provide Parole Board members with information about the specific culture and traditions of your Indigenous community, and about Indigenous cultures, experiences and traditions in general. The Elder may also offer wisdom and guidance to you. The Elder is not involved in making the decision.

### What happens at a CAH?

The hearing is held in a circle\* and follows these steps:

- Introduction of Elder
- Smudge and prayer (optional)\*\*
- Explanation of process to be followed
- Procedural safeguards
- Hearing process
- Break for deliberations
- Decision given
- Closing prayer (optional)

\* For cultural reasons, some hearings for Inuit offenders are not held in a circle.

\*\* For cultural reasons, some Inuit offenders may request a song instead of a smudge.

### Who participates?

- Board members
- Hearing Officer
- Institutional Parole Officer
- PBC and/or CSC Elder
- Community members
- Aboriginal Community Development Officer

### Who else may participate?

- Offender's Assistant
- Community Elder(s)
- Aboriginal Liaison Officer
- Victim(s)
- Community Parole Officer

### Who may be present to observe?

- Victim(s)' Assistant(s)
- Observer(s)
- Regional Communications Officer

## HOW TO APPLY

Talk to your Parole Officer or a member of your CMT about a conditional release under Section 84 to start the process. You should also advise your CMT if you would like a Community-Assisted at least 2 months before your hearing.



# Final Thoughts



If you're reading this, know that you have rights. You are not forgotten. Sections 81 and 84 of the Corrections and Conditional Release Act aren't just policies — they are law, and they were meant to recognize the inherent rights of Indigenous Peoples to heal in your ways, on your lands, and within your communities.

The prison system can make people feel small, silenced, and powerless. This booklet was created to outline some of your options. There are paths to healing, reconnection, and release — that are grounded in culture and can build on your strength and your story.

Whether you're just starting your sentence, applying for a transfer, or already on your healing journey — this is for you. You matter. Your life matters. And you deserve support, guidance, and community.

There are people out there — in lodges, in Nations, in families, in the streets — who are walking this road too. Some have walked it before you. Some are waiting to walk it with you.

Keep asking questions. Keep pushing forward. And if you're feeling stuck, talk to someone: a friend, family member, Elder, community or legal advocate. Sometimes your parole officer, CMT, Indigenous Liaison or other staff may also be able to assist. Others, like Senator Pate, are also working to assist.

You're not alone in this.

We encourage you to see the possibilities of new beginnings.



