



**CUSTODY**  
REVIEW BOARD

Are you facing a youth court charge or sentence?

Has the Provincial Director made a decision within the last 30 days to:

- Place you in a particular detention or custody facility under the *Youth Criminal Justice Act*?
- Transfer you from a place of open custody to a place of secure custody?
- Refuse your request for a temporary release or reintegration leave from custody?

If you disagree with that decision, you may apply to The Custody Review Board for a review.

### **What is the Custody Review Board?**

The Custody Review Board is made up of a group of qualified board members with experience relating to children and youth. The Board has the legal authority to look into matters relating to the placements of young persons who are in custody.

### **What can the Custody Review Board do for me?**

After getting your application the Custody Review Board will decide if it can look into your placement. This is called conducting a review. A review may be conducted in one of two ways:

1. The Board could have an in person hearing (like court but a little less formal) in front of you, the Provincial Director and any one else who needs to be there.
2. A Board member could conduct an “inquiry” by calling people or meeting with them individually.

If the Board decides to hold an in person hearing you will be told within 10 days of the Board getting your application. A Board member will hold a hearing to review the application. The hearing may take place at the detention facility where you currently reside.

When conducting an inquiry a Board member will call you within 24 hours of receiving the application. The Board member may also speak with the following individuals:

- the Provincial Director who made the decision;
- staff from the facility where you are currently placed;
- staff from the custody facility where you would like to be transferred; or,
- other individuals who might have helpful information. For example:
  - your probation officer, parent(s), Children’s Aid Worker, counsellor, lawyer

The Board will be looking at whether or not your placement is appropriate to meet your needs. If you were transferred from open to secure custody, the Board will be looking at your needs and also the seriousness and circumstances of the offence, flight risk and safety issues.

### **What Can the Board Decide?**

After conducting a hearing or an inquiry, the Board may agree with (confirm) the Provincial Director's decision, placement or transfer. Or, the Board may recommend to the Provincial Director:

- (i) that you be transferred to another place;
- (ii) that you be returned to open custody;
- (iii) that your temporary release be granted; or,
- (iv) that your reintegration leave be granted.

You and the Provincial Director will get the Board's written recommendation within 30 days of the Board getting your application. You and the Provincial Director (whose decision is being reviewed) could both agree to the Board taking longer to do its review.

### The Board gives a recommendation only.

This means that the Provincial Director does not have to do what the Board suggests. For example, even if the Board thinks you should be moved, the Provincial Director can keep you where you are.

### **How to Apply:**

You must contact the Custody Review Board:

- within 30 days of becoming aware of the decision, placement or transfer.

If you are interested in having your custody placement reviewed by the Custody Review Board, please call **(416) 327-4673 or 1-888-728-8823** and ask to speak with a Case Coordinator. The Board accepts collect telephone calls.

The Case Coordinator will complete a telephone application with you.

### **For more information contact us at:**

#### **Child & Family Services Review Board**

2 Bloor Street West, 24<sup>th</sup> Floor

Toronto, Ontario M4W 3V5

Telephone: 416-327-4673

Toll-Free 1-888-728-8823

Fax: 416-327-0558

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