

**SUBJECT: VISITS BY SPIRITUAL CAREGIVERS**

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**PURPOSE:**

1. To facilitate purposeful visiting by bonafide spiritual caregivers to custodial facilities.
2. To maintain positive relationships with spiritual caregivers of faith communities who conduct coordinated spiritual services, customs, ceremonies and celebrations.
3. To assist offenders in building community support for more successful re-integration, upon release.

**POLICY:****Authority**

1. [Section 48 of The Correctional Services Act \(Manitoba\)](#) states, “An inmate of a custodial facility shall be allowed reasonable opportunities to practice a recognized religion or spiritual custom, as determined by the facility head of the facility, if the facility head is satisfied that it does not adversely affect the safety security or operational of the facility or any program carried on in the facility”, and in addition:
  - 1.1 subsection 23(1) of [Regulation to The Correctional Services Act](#) states, “Every visitor to a custodial facility shall state the nature and purpose of his or her visit and present identification satisfactory to the correctional officer responsible for admitting visitors”;
  - 1.2 subsection 23(2) of this same [Regulation](#) states that a visitor, “ at the request of a correctional officer or staff member shall, submit to having his or her photograph taken for the purpose of facilitating the identification of visitors...”;
  - 1.3 subsection 23(3) deals with failure of a visitor to comply with the above and, “shall not be permitted to carry out the intended visit”;
  - 1.4 the policy on [Offender Visits at subsection 7.2](#) on Special Visits deals with authorizing visits to accommodate reasonable requests and includes “...clergy...and other persons having official business with offenders”; and
  - 1.5 The policy on [Religious Services at section 10](#) clarifies that offenders are entitled to visits from representatives of their faith representative during normal visiting hours or at other times as pre-arranged.

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**Definitions**

2. (a) “**clergy**” refers to spiritual caregivers representing faith communities and chaplains.
- (b) “**spiritual caregivers**” is a term inclusive of clergy, chaplains, aboriginal elders, spiritual advisors and spiritual-support workers.

**Spiritual Caregivers on Business Visits**

3. The Regulation at [subsection 24\(1\)](#) provides for different categories of visitors with a spiritual caregiver visitor normally considered as a business visitor, and typically the visit is:
  - 3.1 occurring in an official capacity;
  - 3.2 carrying out a legal responsibility;
  - 3.3 for the purpose of providing a service;
  - 3.4 normally conducted during normal hours or at times pre-arranged;
  - 3.5 preferably a contact visit but subject to non-contact conditions, as outlined in the policy on [Offender Visits at section 6](#), and conducted under such supervision, as the facility head or correctional officer in charge considers appropriate for the circumstances; and
  - 3.6 an opportunity, upon consent of a correctional officer under [section 26 of the Regulation](#), to exchange approved traditional gifts of thanks, that are recognized as an integral part of the healing process.

**Spiritual Caregivers on Other Visits**

- 4 A spiritual caregiver may visit when requested by an offender during normal visiting hours or at another time prearranged with a correctional officer designated by the facility head for the purpose, and in addition:
  - 4.1 concerns regarding the status of a spiritual caregiver shall be referred to the chaplain, when available, and when not available referred to the SOM/Unit Manager responsible for supervising the visiting program;
  - 4.2 use of a visitor application may be exempted for a pre-arranged visit where a chaplain has confirmed the status of the spiritual caregiver, but other aspects of the screening process as outlined in the policy on [Offender Visits, at section 2](#), on General Visitor Screening shall apply; and
  - 4.3 when visits outside normal visiting times are approved, a private visiting area should be used, if available;

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**Searching Spiritual Caregivers**

5. All visits are subject to non-intrusive (electronic device, e.g. wand search) and frisk searches, as prescribed in the [Regulation under Part 7](#).

*original signed by J. Wolfe*

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Assistant Deputy Minister  
Corrections Division

Related Policy:  
[Native Spirituality](#)  
[Offender Visits](#)  
[Religious Services](#)