



Corrections Regulations Proposal

BACKGROUND

JUNE | 2026



OVERVIEW

Objective

The Government of the Northwest Territories (GNWT) is seeking feedback on the Corrections Regulations Proposal to amend the *Corrections Regulations* under the NWT *Corrections Act*.

The GNWT encourages you to review the Corrections Regulations Proposal and welcomes all comments, suggestions, and questions by June 30, 2026.

Contact

Attention: Comments on – *Corrections Regulations Proposal*
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INTRODUCTION

The Corrections Regulations Proposal provides an overview of components being considered for repeal in the *Corrections Regulations* under the *NWT Corrections Act*.

In developing the amendments, consideration has been given to align with regulatory approaches and best practices across Canadian jurisdictions, while also recognizing the unique Northern context and the GNWT's regulatory capacity. The GNWT aims to take a modern and forward-looking approach, that will require updates to the current NWT Corrections Service regulatory framework.

The proposal includes the repeal of Sections 12, 13, and 14 of the *Corrections Regulations* so these matters can be addressed through policy specific to the operations of each facility. This will provide greater operational flexibility for Corrections to use cross gender supervision of adult female inmates.

The *NWT Corrections Act*, along with the remaining sections of the *Regulations*, will continue to provide the statutory framework that protects the rights, dignity, and safety of women in custody. This will not change.

The proposed approach enables operational practices to be updated as research, case law, and best practices evolve.

BACKGROUND

The GNWT Corrections Service plays an essential role in supporting residents and communities, and enhancing public safety. Its primary responsibility is to carry out court orders and to ensure the secure custody and supervision of adult and youth offenders. Part of this work involves operating correctional facilities.

The NWT *Corrections Act* and *Corrections Regulations*, which have been in place since 2021, provide the legal basis for how the corrections system must operate when it comes to gender-responsive practices, including:

- Mandatory separation of female and male inmates,
- Ensuring that policies, programs, and practices are respectful of and responsive to the needs of women,
- Providing programming specific to women,
- Ensuring privacy and dignity, including when conducting searches and biological sampling, and
- Upholding the safety, rights, and human dignity of all people in custody.

A dedicated correctional facility for women has operated in Fort Smith since 1991, and this is where female inmates in the NWT are normally housed. In 2019, this facility was replaced by the Fort Smith Correctional Complex - Women's Unit that provides custody placement for both sentenced and remanded adult female inmates in the NWT. If there are delays in placing adult women at the Fort Smith Correctional Complex - Women's Unit, they may be housed temporarily in a dedicated unit at the North Slave Correctional Complex - Adult Unit. (All youth inmates, male and female, serve their sentence at the North Slave Correctional Complex - Youth Unit.)

After four years of implementing the Corrections Regulations, it has become clear that the requirements in Sections 12, 13, and 14 for supervising adult female inmates have resulted in significant staffing and operational challenges. In comparison, the Correctional Service of Canada and most provinces and territories allow staff of any gender to supervise women and address gender-specific practices through policies or directives, instead of putting detailed requirements into regulations.

The proposed changes to the Corrections Regulations will allow the NWT Corrections Service to adapt to new best practices across Canada while maintaining high standards of care and safety for women in custody.

WHY MAKE THIS CHANGE NOW?

Cross gender supervision is already a standard practice in most Canadian jurisdictions and supports more consistent service delivery. In the NWT, it will help ensure that all inmates, regardless of gender, have timely access to programming, services, and supervision.

The proposed changes do not remove protections. Rather, they shift operational requirements from regulation into policy, where they can be more responsive to evolving best practices, case law, and the realities of delivering services in the North. This approach will be supported by clear policy direction, staff training, and oversight to ensure interactions are conducted professionally, respectfully, and in a manner that recognizes the unique needs and experiences of women in custody.

The NWT *Corrections Act* will continue to provide the legal framework that safeguards the rights of inmates, and all policies will be designed to uphold trauma-informed, gender-responsive practices.

DETAILS OF WHAT WE ARE PROPOSING

Provision on Female Inmates ¹	Proposal	Why this is important	Implementation
<p><u>Section 12</u> (1) all reasonable efforts must be made to ensure that supervision of a female inmate is conducted only by female staff members.</p> <p>(2) The Director of Corrections may authorize the supervision of a female inmate by a male staff if the Director considers it reasonable to do so and if all reasonable efforts have been made above.</p> <p>(3) A male staff member may, if a female staff member is also present, be assigned duties on a unit that houses a female inmate: (a) during routine rounds and inspections (b) if use of force is required under the Act/regulations (c) during an emergency.</p> <p>(4) A male staff member may work in a rehabilitation or work program with a female inmate participant, if (a) a female staff member is also present; or (b) the male staff is allowed by the Person in Charge to undertake the duties without a female staff present and program delivery is held under video surveillance.</p>	<p>Repeal (remove) Section 12 from the <i>Corrections Regulations</i></p>	<p>The proposed amendment is in line with the NWT <i>Corrections Act</i> and all statutory requirements for gender-responsive Corrections operations.</p> <p>The NWT Corrections Service delivers a 24-hour, 7-day a week operation within a complex, ever-changing environment, providing critical work in support of inmates and public safety.</p> <p>Currently the Regulations, allow for the supervision of female inmates by male corrections staff only in specific circumstances, if all reasonable efforts have been made to ensure supervision by female staff, if female staff are also present or as authorized by a supervisor. There is a limited pool of qualified female candidates to draw from in the town of Fort Smith where the Fort Smith Correctional Complex – Women’s Unit is located, which creates significant staffing and operational challenges.</p> <p>The introduction of cross gender supervision of female inmates would ensure that the same level of supervision and services are available to all inmates, male and female.</p>	<p>Requirements for cross gender supervision of female inmates will be added to internal policy allowing for greater flexibility in Corrections operations. The NWT <i>Corrections Act</i> and other sections of the Regulations will continue to provide the overarching statutory framework safeguarding the rights, dignity, and safety of women in custody.</p> <p>This approach allows operational requirements to be updated as research, case law, and best practice evolve.</p>

¹ The Regulations provisions as described here are summaries – the full text of the Corrections Regulations can be found at: [Corrections Regulations](#)

Provision on Female Inmates ¹	Proposal	Why this is important	Implementation
<p>(5) a male staff member may be assigned to escort a female inmate if the principal staff member assigned to escort the inmate is female.</p>			
<p><u>Section 13</u> (1) The Person in Charge must make all reasonable efforts to ensure an interview of a female inmate is: (a) conducted by a female staff member, and (b) conducted in a setting that protects the privacy of the inmate and the confidentiality of the interview.</p> <p>(2) A male staff member or a male person from one of the categories listed under (3) below may interview a female inmate if: (a) they are accompanied by a female staff member, or (b) the Person in Charge has allowed an interview without a female staff member present and the interview is conducted under video surveillance.</p> <p>(3) The following categories are set out for the purposes of subsection (2): (a) spiritual advisor (b) probation officer (c) parole officer (d) teacher</p>	<p>Repeal (remove) Section 13 from the <i>Corrections Regulations</i></p>	<p>The proposed amendment is in line with the NWT <i>Corrections Act</i> and all statutory requirements for gender-responsive Corrections operations.</p> <p>The NWT Corrections Service delivers a 24-hour, 7-day a week operation within a complex, ever-changing environment, providing critical work in support of inmate and public safety.</p> <p>Currently the Regulations, allow for interviews of female inmates by male staff from specified categories only if accompanied by a female staff or if the interview is conducted under video surveillance. This creates serious operational challenges and limitations to the delivery of corrections programs and services as there is a limited pool of qualified female corrections candidates to draw from in the town of Fort Smith where the Fort Smith Correctional Complex- Women’s Unit is located.</p> <p>The introduction of cross gender supervision of female inmates would ensure that the same level of supervision and services are available to all inmates, male and female.</p>	<p>Requirements for cross gender supervision of female inmates will be added to internal policy allowing for greater flexibility in Corrections staffing and operations. The NWT <i>Corrections Act</i> and other sections of the Regulations will continue to provide the overarching statutory framework safeguarding the rights, dignity, and safety of women in custody.</p> <p>This approach allows operational requirements to be updated as research, case law, and best practice evolve.</p>

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<p>(e) Child Protection Worker or authorized person under the <i>Child and Family Services Act</i> (f) police officer (g) representative of the Northwest Territories Human Rights Commission (h) Ombud under the <i>Ombud Act</i>.</p>			
<p><u>Section 14</u> A male staff member shall not view video surveillance of a female inmate if knowledge that the surveillance was viewed by a male staff member would be reasonably likely to subject the inmate to embarrassment or humiliation.</p>	<p>Repeal (remove) Section 14 from the <i>Corrections Regulations</i></p>	<p>The regulatory requirement is unclear and subjective, as what may be considered embarrassing or humiliating to one person may not be viewed in the same way by another person. Corrections staff work in a fast-paced and complex environment where their focus must be inmate and public safety. In this setting, it is not practical for staff to decide, every time they review video footage, whether this would or would not embarrass or humiliate a particular female inmate.</p> <p>In addition, staff would need to view the footage in the first place to assess whether it could be interpreted as embarrassing or humiliating. The review of video for those purposes would represent an inefficient use of limited government resources without providing any meaningful benefit to female inmates. A more effective approach is to allocate resources towards ensuring equitable service delivery for all inmates, regardless of gender.</p>	<p>Requirements for cross gender supervision of female inmates will be added to internal policy allowing for greater flexibility in Corrections staffing and operations. The <i>NWT Corrections Act</i> and other sections of the Regulations will continue to provide the overarching statutory framework safeguarding the rights, dignity, and safety of women in custody.</p> <p>This approach allows operational requirements to be updated as research, case law, and best practice evolve.</p>