

Subsection 3.—The National Parole System*

Parole is a means by which an inmate in any correctional institution in Canada, if he gives definite indication of his intention to reform, can be released from prison. The purpose of parole is the protection of society through the rehabilitation of the inmate. It is essential for the public to understand that the true purpose of punishment should be the reformation of the offender and not just vengeance or retribution but, since the Parole Board is as much concerned with the protection of society as with the reformation of the inmate, it recognizes that the welfare of an individual inmate must not be allowed to impair the success of the parole system or the public safety.

It is the function of the Parole Board to select those inmates who show some sincere intention to reform and to assist them in doing so by granting parole. The inmate then is allowed to serve the remainder of his sentence in society, but under supervision. He is subject to restrictions and conditions as to his conduct and behaviour, designed for his welfare and the protection of others. The Board is not a reviewing authority and is not concerned with the propriety of the conviction or the length of the sentence but only with the problem of deciding in each case whether or not there is chance of reformation. Parole is not a matter of clemency and is not granted on compassionate or humanitarian grounds but only if there appears to be at least a reasonable chance that the inmate will lead a law-abiding life. The treatment and training program in the institution is a vital part of the correctional process and parole is an extension of this training outside the institution. It is not a matter of pampering prisoners but of trying to give as many of them as possible a chance to rehabilitate themselves.

The National Parole Board, composed of a chairman and four members (one woman), was formed in January 1959. It operates under the authority of the Parole Act (SC 1958, c. 38) which came into force on Feb. 15, 1959, replacing the Ticket-of-Leave Act. The Board has jurisdiction over any adult inmate of any prison in Canada convicted of an offence against an Act of the Parliament of Canada; it also has jurisdiction to revoke or suspend any sentence of whipping or any order made under the Criminal Code prohibiting any person from operating a motor vehicle.

The decision of the Board with respect to any one inmate is based on reports it receives from the police, the trial judge or magistrate and from various people at the institution who deal with him. Reports are also obtained, when available, from a psychologist or psychiatrist and, if necessary, a community investigation is conducted to secure as much information as possible about his family and background, his work record and his position in the community. From these reports, an assessment is made to determine whether or not he has changed his attitude and is likely to lead a law-abiding life.

An inmate need not obtain the services of a lawyer to apply for parole. He may apply by sending a letter to the Board and is assisted in preparing such an application at the institution or another person may apply on his behalf. The Board automatically reviews all sentences of over two years. As soon as an application is received, investigation is begun and the results presented to the Board for decision. All applications and reports are processed by the Parole Board staff at Ottawa but regional officers, of whom there are 55 stationed at 16 centres across the country, interview applicants for parole in their respective areas, giving them an opportunity of making verbal representations to a representative of the Board. The regional officers submit to the Board a report of each interview with an assessment of the inmate's suitability for parole.

A person on parole is under the care of a supervisor, usually an after-care agency worker or a probation officer, who reports to the regional officer. If he violates the conditions of

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