

The National Parole Board is composed of 19 members, including a chairman and vice-chairman, who are appointed by Order in Council. Its headquarters is in Ottawa and there are regional boards in each of five geographic regions of Canada, in Vancouver, Saskatoon, Kingston, Montreal and Moncton.

The board grants two types of parole: full and day parole. Full parole is a full-time release that may continue until the end of the sentence, including remission periods. Offenders who are serving two years or more are generally in federal institutions under federal jurisdiction; the others are in provincial institutions. Federal inmates serving definite term, non-life, sentences become eligible for parole consideration after serving one third of the sentence or after seven years, whichever comes first; in any case, all must serve a minimum of nine months. If parole is not granted at the first review the board must continue to look at the case at least once every two years. Eligibility for anyone declared to be an habitual criminal or dangerous sexual offender is calculated differently. Inmates in provincial institutions serving sentences under federal law may also be paroled by the board. Eligibility comes after one third of the sentence is served. However, British Columbia and Ontario have their own parole boards and in those provinces an inmate may be serving a definite or fixed term plus an indeterminate term. The National Parole Board may grant parole during the definite term, the provincial board during the indeterminate term. The board has the authority to grant an earlier release in exceptional circumstances where it believes the case is deserving and the best interest of the community and inmate will be served.

Anyone sentenced to preventive detention as an habitual criminal or dangerous sexual offender has his case reviewed at least once a year under the criminal code to see if he should be granted parole. However, few such inmates are released before 10 years have been served. An offender sentenced to life as a maximum sentence for a crime other than murder becomes eligible for parole after serving seven years.

Inmates sentenced to life for murder before July 26, 1976 may become eligible after a minimum of 10 years. For those sentenced to life terms after January 1974, the eligibility date may depend on the jury's recommendation and the judge's pronouncement of the earliest possible date for eligibility. This may be set at any time between 10 and 20 years. Inmates sentenced on or after July 26, 1976, have different periods to serve before eligibility.

Since July 1976, offenders sentenced to life imprisonment for first degree murder are not eligible for parole consideration before they have served 25 years. First degree murder covers all planned and deliberate murders; contracted murders; murder of police officers, prison employees, or others authorized to work in a prison; and murder while committing or attempting to commit rape, indecent assault on a male or female, kidnapping and forcible confinement, or hijacking. Anyone who commits a second murder, no matter of what nature, is considered to have committed a first degree murder.

Any other murder is second degree murder and the mandatory period to be served before parole eligibility is between 10 and 25 years, as indicated by the sentencing judge, after the view of the convicting jury has been sought. A person convicted of second degree murder and sentenced to serve more than the minimum 10 years, before becoming eligible for parole, may appeal this additional period of ineligibility to the court of appeal.

Anyone convicted of first degree murder who has served 15 years of the 25 year mandatory period before parole eligibility or anyone convicted of second degree murder, whose mandatory term exceeds 15 years, and who has served 15 years of the sentence, may apply for a judicial review by a superior court judge and a jury to reduce the remaining period of ineligibility and to be declared eligible for parole.

Day parole may be granted before full parole for up to four months for education or training not available in the institution and the inmate will return to the institution or to a special centre from time to time during the duration of that parole. Except for someone serving a life sentence, eligibility for day parole comes