

TEMPORARY ABSENCE. We must avoid the confusion which has existed between the two procedures, and the possible substitution of one for the other. An inmate, who has been granted temporary absence by institutional authorities, should not interpret this release as a substitute for temporary parole and expect that discretionary parole will be granted. The decision lies with a different body.

We accept the provisions of Section 26 of the *Penitentiary Act* which reads:

Where, in the opinion of the Commissioner or the officer in charge of a penitentiary, it is necessary or desirable that an inmate should be absent, with or without escort, for medical or humanitarian reasons or to assist in the rehabilitation of the inmate, the absence may be authorized from time to time

(a) by the Commissioner, for an unlimited period for medical reasons and for a period not exceeding fifteen days for humanitarian reasons or to assist in the rehabilitation of the inmate, or

(b) by the officer in charge, for a period not exceeding fifteen days for medical reasons and for a period not exceeding three days for humanitarian reasons or to assist in the rehabilitation of the inmate

Similarly, we accept the provisions of Section 36 of the *Prisons and Reformatories Act* which reads:

Where, in the opinion of an official designated by the Lieutenant Governor of the province in which a prisoner is confined in a place other than a penitentiary, it is necessary or desirable that the prisoner should be absent, with or without escort, for medical or humanitarian reasons or to assist in the rehabilitation of the prisoner at any time during his period of imprisonment, the absence of the prisoner may be authorized from time to time by such official for an unlimited period for medical reasons and for a period not exceeding fifteen days for humanitarian reasons or to assist in the rehabilitation of the prisoner.

The Committee accepts the three distinct categories of temporary absence as outlined in the Acts:

1) *Medical Reasons*. Unlimited temporary absence for medical reasons.

2) *Humanitarian Reasons*. "Humanitarian" leave of absence for reasons outlined in the Commissioner's Directive of June 27, 1973:⁵

- (a) To attend funeral services for a member of the family,
- (b) to visit a member of the family who is seriously ill,
- (c) to provide support in certain instances of hardship being endured by the family where the inmate's presence would be beneficial,
- (d) to attend special events such as graduations or religious ceremonies that normally call for family participation.

3) *Rehabilitative Reasons*. This provision is most closely related to parole matters and day parole in particular. There are a number of reasons why an inmate should be granted temporary absence in the interests of his adjustment to the institution and his correctional plan. The Committee accepts some but not all the reasons outlined in the Commissioner's Directive. We accept the following:

- (a) to visit members of the family,
- (c) to attend functions, lectures, seminars, or trade exhibitions in connection with special studies or interests,