

Mr. Miller: Opinions are expressed as to how they feel the individual should be treated or as to the likelihood of his rehabilitation, in the same fashion as do the police, judges and a variety of other bodies which report to us.

Senator Buckwold: Would they recommend that no consideration be given for parole to a certain individual?

Mr. Miller: Yes, they would make such recommendations. They might also indicate that in their opinion the man could be paroled. If you wish to term it a privilege, it is exactly the same as that granted to anyone who wishes to communicate with us.

Senator Buckwold: Is more weight placed on such a recommendation from the provincial attorney general than on one from an ordinary individual?

Mr. Miller: I am not a member of the board, but was at one time. Consideration and weight are given to the opinion and the actual information and facts available as compared to other information at hand. A principle that has always been maintained throughout the history of parole in Canada is that the paroling authority is not bound by anyone's recommendation. Cases occur in which adverse recommendations are received and the decision is favourable. Reports may be received from two sources which are considered to be important opinions, one recommending one course and the other the opposite. It then becomes the function of the Parole Board staff to consider the reports in the light of their experience and to decide what weight they deserve.

Senator Buckwold: Could I summarize that by saying that in your opinion a letter from the Solicitor General of Quebec would be dealt with in much the same manner as any other letter? In other words, the influence of the Solicitor General of Quebec is not any different from that of anyone else?

Mr. Miller: I would say that his opinion would be given no undue weight.

Senator McGrand: You have made reference to the FLQ and the Doukhobors. There must be a distinction made between members of the FLQ, who are more or less political prisoners and the Doukhobors, who are detained because they refuse to conform to the Canadian law. You must give them different consideration from a criminal who has robbed a bank. The rehabilitation is entirely different, is it not?

Mr. Street: Yes. I did not mean to put them in exactly the same category, but to point out that they are special types of cases. As you say, the Doukhobors are not similar to ordinary, run-of-the-mill criminals. However, because of the extremely tense situation in British Columbia and all other provinces involved, we had special meetings with the police and the attorney general's department to consider these cases. It worked out very well, and most are now on parole. There has been one revocation, to my knowledge, in the case of a man who was charged with impaired driving or a similar offence.

Senator Williams: With regard to the Doukhobors, does the Parole Board give real consideration to the fact, that

they are not actually criminals but are possibly in some cases just as dangerous and are abnormal in their religious way of life, in that they are fanatics?

Mr. Street: We certainly do, and we spent years working on this.

Senator Williams: Do they receive the normal or average number of paroles, as compared to others?

Mr. Street: As you say, it was mostly caused by their rather strange religious conviction. I made a special trip to speak to them and the authorities in Grand Forks and other places in the area when the problem first arose. At that time I explained to them that if and when they decided to obey the law we would consider granting parole. They inquired whether the law was God's or man-made. I informed them that I was referring to man-made law and we parted company, because they were then only interested in God's law. However, one year later, after someone wrote a book and they had come to their senses and realized that they had been duped by their former leader, they indicated that they would obey the law. They were informed that they would have to demonstrate this, and they worked so hard in prison that there was insufficient employment for them. However, it was a very tense situation, one which required very careful consideration. Whether it was a religious conviction or a type of political conviction, we still had to consider that they were potentially dangerous.

Senator Thompson: Do you recognize any agency as having special knowledge that an inmate might be associated with an international organization such as the Mafia? Would their reports, therefore, receive particular consideration?

Mr. Street: Yes.

Mr. Thompson: What agency is that?

Mr. Street: The Royal Canadian Mounted Police, the Ontario Provincial Police, the Quebec Provincial Police, the Ontario Police Commission and the Quebec Police Commission. As you know, they maintain special sections dealing with Intelligence, as opposed to documented information. We receive from them reports based on Intelligence.

Senator Thompson: Might they not write through their attorneys-general?

Mr. Street: Well, they might, but I think the communication is more direct than that. They are invited to communicate with us at any time they wish.

Senator Thompson: Your answer to the effect that a letter from an attorney general would be given the same weight as one from any one else raised in my mind the question of the existence of an agency which you recognize as having particular knowledge regarding areas of crime and the danger of an inmate being released because of an association he may have with one of these organizations.

Mr. Street: Yes, but I do not remember ever seeing a letter from an attorney general in a case such as that. It is usually from police sources.