

- birth of baby, either by female inmate or an inmate's wife
- Christmas, consistent with the spirit of executive clemency

(b) *Employment and School*

- release to accommodate deadlines, either school or reasonable employment, (e.g. maple sugar season, lobster fishing, etc.)
- to preserve a particular job, especially if physically handicapped
- inmate indispensable to employer for certain specialized duties
- inmate a student prior to short sentence, and his return to school expedited, especially where exams forthcoming

(c) *Preservation of Equity*

- meritorious service to administration, during institutional riot, etc.
- sentence being served in default of payment of fine, where non-payment results from genuine financial hardship
- time in custody prior to sentence
- changes in the law following conviction
- minimum mandatory sentences
- administrative inequity (e.g. two equally culpable accomplices, different judges, different dates of sentences, different sentences)
- accomplice released by exception for any reason but especially if relevant to present case also
- to provide identical eligibility dates for accomplices in light of information not available to the Court
- extenuating circumstances in the offence

(d) *Interdepartmental Co-operation*

- generally, to accommodate the reasonable needs of other government departments or agencies
- parole for deportation before a rarely obtained travel document expires, or to otherwise avoid embarrassment with foreign governments
- entry into special treatment programs (e.g. Special Narcotic Addiction Programmes, Indian Affairs Training Courses, etc.)
- transfer from adult to juvenile correctional institution, for reasons of treatment, by a special Certificate of Parole

(e) *Special Representation from the Judiciary, Crown Prosecutor, etc.*

- Judge advises that, upon reflection or in light of new information, the sentence should have been shorter
- Appeal Court dismisses appeal stating case should have early parole consideration
- Crown Prosecutor advises of unusual co-operation by inmate during investigation, etc.
- Judge or Crown Prosecutor recommends early consideration because a more culpable accomplice was acquitted on a legal technicality

(f) *Maximum Benefit Derived from Incarceration*

- lack of facilities for self-improvement within the institution
- deleterious effects anticipated from further incarceration
- low mental capacity limiting absorption of institutional programme
- age of offender, either youth or extreme age
- combination of inter-related factors (e.g. first offender, unsuitable institutional programme, universally favourable reports, receptive community, special offer of employment)
- ethnic cultural patterns or language at variance with those exercised institutionally
- the accidental offender

(2) This listing is not intended to offer any comprehensive statement of criteria. It is anticipated that in the future individual factors, or combination of factors, will arise that comprise "special circumstances" that are not mentioned above. While the factors are listed individually, one in itself will often not have proven sufficient to warrant an exception. A *combination of factors*, however, assessed within the context of all aspects of an individual case, may have been sufficient to "tip the scales" towards the granting of an exception.

(3) The length of the exception proposed should be examined in the light of the total sentence to determine that it represents a reasonable proportion, having in mind the grounds upon which it is based. The time factor is of obvious importance as to its weight on other factors. If the time to eligibility is only a matter of days or a few weeks at the most, all else being favourable, the existence of some urgent factor such as attendance at school or to meet a deadline for a job take on much more weight. Care should be exercised, of course, to prevent manipulation on the part of articulate and manipulative inmates who are not above contriving "urgent situations".

IV. PROCEDURE

(1) The Board may conduct a review at any time following imprisonment to determine if an exception should be made from the Regulations. It is not necessary for an application to have been received from, or on behalf of, an inmate. Accordingly, staff should be vigilant at all stages of case investigation and preparation to spot likely cases for such consideration.

(2) Headquarters staff are normally responsible for presenting to the Board cases that come to attention for consideration of an exception in the period *prior* to normal preparatory activity in a case with respect to the ordinarily established eligibility date. If considered necessary by the Parole Analyst, supportive information may be requested from the Field. *Field staff are, of course, free to and should draw deserving cases to attention.*

(3) The Field staff is responsible for presenting to the Board cases that come to attention for consideration of an exception *during* the period of normal preparatory