

demned to death, because before that time, one became eligible for parole at the end of seven years whereas now, they become eligible at the end of 10 years imprisonment. This means that, for a jealous murder, they will now have to serve three more years of their sentence. Finally, that is meaningless, from the point of view of treatment.

Senator Flynn: The distinction is very sound and very important.

Mr. Thomas: I will try to go faster.

We hope that, in the organization of the parole service, the decisions which are in the field of the treatment institutions will be taken by a mixed committee composed of members of institutions who have worked with the prisoners, and parole officers who have been present in the institutions. We hope that the parole officers, some of them,—not all the officers, but some of them,—will be integrated into the institutions and that their work will consist in the program, of preparing everything dealing with the departure, outside of the offender. Presently, there are two separate services, the officers come to us to have their interviews, return to their offices, and very often it is based on the report of Mr. X or Mr. Y; they gather all that and take the decision. The parole commissioner, who arrives later, gathers all this information, he does not really know what happened in the institutions, because, you see, a person can gain knowledge from reports; a person can also gain knowledge from the facts, but I think that, when it is a matter of predicting and of risking the setting free of an offender, that assumes that more is necessary than reading the report, it is necessary to have a better knowledge of someone than to read through what is written about him. It is for this reason that we propose that, if we want to be much more effective, much more logical, you see that goes in two directions. You see, someone can be released earlier, but someone could continue his time in prison, whereas previously, if we keep the two services for a work which is not really prepared jointly, the result is that the prisoners, who should have been released, are imprisoned longer, and those who should be imprisoned longer are freed. Therefore, it is in order to try to mitigate this objection that we often grant parole. You see, they write in the newspapers that another parolee has just committed another offence.

But, where we have information,—what value does this information have? It is often because there is too much distance between the daily life of a prisoner and the person who will decide in the final instance,—that is, the commissioners.

We would like, we would hope, in that view, for the commissioners to become consultants at the same time, if you wish, national supervisors of the parole services organization in the different regions, and also to constitute, if you wish, a court of appeal,—a court of appeal for the prisoners who believe that they were not justly treated by being refused their parole. At that time, the commissioner can come back and say: listen, it will be necessary to study that case, and become the devil's advocate, to be able to win his case and render a more enlightened decision. It is thus that we see the new role of the commissioner, not a person who, in a given region, must hold hearings; they are overburdened, most of the time, and know the prisoners only through the reports and the words of people who work in the institutions with the offender.

We have spoken of the assistance clinics.

Now, what should the parole service obviously be: it is really for the release of prisoners and the protection of society, both at the same time. We have already spoken of it, and in order to accomplish this, it is necessary for the work to begin in the institutions.

Now, admission to parole. We might ask that, if the commissioner no longer plays the role of holding hearings and meeting the prisoner, then the hearings held by the commissioner with the officer can be eliminated. You see, the commissioner actually meets the offender, and if we give a new role to the commissioner, and the role of the decision really is left to a mixed committee of parole institutions, I think that there is no longer any reason for hearings at that time.

In addition, we also propose a greater use—and this answers the question that you raised earlier, sir, regarding cases of murder, capital punishment and life sentence,—of the law regarding exceptional cases. In the cases of life sentences, we have not advocated it in our report, but this is what we want, that it can depend on the type of murderer we have. We can wait ten years, and I think we can wait 20 years in certain cases; in other cases, we can perhaps wait only three years. At that time, the jealous murderer who ends up doing ten years will therefore have seven years left to serve within the institution but which are at the discretion of the committee which will probably be able to make a recommendation to the commissioners at that time.

For example, we believe that this person would be ready to be returned to society, and that, if necessary at this time, we will make an exception for him. But perhaps the idea remains in the law that the crime committed is serious, but we leave it up to the discretion of the mixed institutional committee, with the parole services, to decide whether, in certain cases of murder, it would be good for the gentleman to be released before the ten year period.

We also believe another thing. I think that it happens in certain cases when someone's parole certificate is suspended or revoked; it is often because the parole officer at that time perhaps believes that the parolee is in a critical situation on the outside, and that perhaps he will begin to steal again, or commit an offence, but he really cannot really predict it. In certain cases, for example, there will not be an offence, but in the cases where tension exists, either a conjugal tension, a very strong family tension, where there are offenders who say to us: sir, I am on parole, and if I feel at any time that everything is not all right, then I can't take it any more, I will come and ask you: lock me up somewhere, I don't want to do anything, I don't want to hurt anyone,—you see, this would often be a method of avoiding unfortunate happenings. Because of that, we propose that there should actually be within institutions what is called pre-release institutions. In Quebec, we have the St. Hubert House, where the gentleman, before leaving on parole, can spend two or three months. He has the opportunity to work on the outside, to come back to sleep at night. That is found in the centre of the city, it is very well located. I think that we should not only, in what is called semi-open houses, permit prisoners to prepare for their coming release, but more than that, it is because there are prisoners who are on parole in difficult critical situations who can, without losing their jobs, be brought back to those houses. From previous experi-