

officer of the institution may have to be assigned responsibility for fixing entitlement dates, authorizing releases under minimum parole provisions and advising the parole authority since the inmates concerned are, in many cases, serving very short sentences. Institutional authorities should also be required to notify the inmate within a reasonable period prior to his entitlement date. He should be notified at least seven days prior to such date or, for short sentences, as soon as possible following admission to the institution.

Similarly, if an inmate, having refused minimum parole, changes his mind, he should be released as soon as possible thereafter but not later than seven days after notification of the authorities.

A minimum parole procedure such as the one outlined above ensures that all inmates may – and most will – be granted conditional releases from penitentiaries and prisons. The same quality of supervision as provided for those on discretionary parole is necessary for those released on minimum parole provided their parole is two months or more. However, it is the poor risks – those refused discretionary parole – who still receive shorter paroles when, in fact, the community needs greater protection from such individuals. A greater degree of public protection may be achieved through the intensity of supervision provided although it is for only a short period.

Day Parole, Temporary Parole and Temporary Absence

One of the major contradictions and sources of confusion in the present system is the day parole – temporary parole – temporary absence controversy.

The problem lies in the delegation of responsibility for the administration of such programs: both day parole and temporary parole are administered by the National Parole Board and temporary absences by the Canadian Penitentiary Service for inmates in federal institutions, and by provincial authorities for inmates in provincial prisons.

Disregarding, for the moment, whether there is a need for two types of temporary releases available through the National Parole Board, the Committee is of the opinion that the issue can be resolved without either service relinquishing its authority to grant temporary leaves. A clear distinction can be made between the purposes of temporary releases through the National Parole Board and those through institutional authorities.

We have emphasized that parole must be an integral part of any correctional plan and we re-emphasize the primacy of parole as a release procedure. In the system that we propose, all inmates, unless they refuse, will leave the institution under some form of conditional release, either discretionary parole or minimum parole. The inmate's correctional plan must be oriented toward some form of parole release. Existing day parole – temporary parole provisions may play a part in the fulfilment of the correctional plan which is aimed at releasing the inmate, under the best possible conditions, to ensure public protection and minimize the risk of recidivism.

Before discussing day and temporary paroles, however, it is appropriate to outline the Committee's view of the operation of temporary absence programs in federal and provincial institutional systems.