

**Mr. Street:** Yes.

**The Deputy Chairman:** So you will have figures on the paroles arranged by the Parole Board. But do you have figures on the paroles arranged by the system in the penitentiaries themselves, where they handle their own?

**Senator Hastings:** I think it is 2,200.

**The Deputy Chairman:** This is a question that may be addressed here, and perhaps you would indicate to us the areas where you do not have information or which you feel you ought not to speak about, and then we can arrange to get that information later, without confusing the picture by having two situations in people's minds without a clear understanding that there are two situations.

**Mr. Street:** Thank you, Mr. Chairman, that is a very important point. In the first place, I do not think I could tell you who arranged for all these various paroles. As I have indicated, some times our officer did and some times the prison warden did. For instance, your friend at Drumheller has gone out of his way to arrange for quite a few paroles, and some others have done so also. The warden at Drumheller has taken quite an active interest in this program. The result is that Alberta has a very high number of parolees as compared to some of the other provinces. You might confuse this form of absence with a form known as temporary absence, which can be granted by a prison warden for up to 15 days. I think a three-day leave can be granted by the warden and 15 days by the commissioner. This is for compassionate purposes and reasons like that.

If it is for a period of 15 days it might be under a temporary absence. There are many temporary absences being granted, but we are not involved in that. When we began our day parole program, for reasons which I have already mentioned, and Senator Laird has been kind enough to say he agrees with, we spoke to provincial authorities about the program and, since then, some provinces have begun programs of their own. They have the authority to do this. Ontario, Saskatchewan in particular, and Alberta are a few of the provinces which have done this on their own by use of temporary absences. This is fine with us. It does not matter who does this as long as it gets done.

**Senator Thompson:** There is a question which has not been answered regarding the number of day parolees who have not returned.

**Mr. Street:** We have no exact figures. My associates will correct me if I have said something which is not correct, but I can safely say that very few have failed to come back when they were supposed to or return to the prison that evening.

**Senator Quart:** Mr. Street, you mentioned that a few of the day parolees failed to return. If they do not come back, what do you do about it?

**Mr. Street:** We revoke their parole and pick them up again.

**Senator Quart:** I am very new in this business, and I have not been in prison before.

**The Deputy Chairman:** No bragging, please!

**Senator Quart:** In the meantime, if an inmate applies for parole is he or she entitled to any legal counsel or to assistance in answering questions which are put to him or her by the National Parole Board, or is the inmate left on his or her own?

**Mr. Street:** He is entitled to consult a lawyer at any time and the lawyer can do anything he pleases, but he is not entitled to have a lawyer present at his parole hearing. We do not feel this is necessary, or that a lawyer can usefully add anything to the parole hearing. Whether a person is granted parole or not is not a legal matter; it is a matter of assessing the individual, as to whether we feel he can be safely released and live in the community under supervision. It is not a legal matter or a judicial decision; it is an administrative decision. We do not feel there is any useful purpose in allowing lawyers to attend parole hearings. They are encouraged and invited to write to us any time they desire and make representations on behalf of an inmate. As I have indicated to lawyers, one of the best ways they can help, if they desire to help, is to advise inmates to take advantage of whatever is going for them, to educate themselves and overcome any problems they might have, and help them by gaining community support. This is very important. A lawyer can help in that way. This is not a legal matter; it is a social matter. We do not allow lawyers to attend parole hearings.

**Senator Thompson:** There would seem to be a number of administrative responsibilities when a prisoner is granted leave on parole. Apparently, the prison itself can grant this leave so we cannot get accurate figures of those who are on day care parole since there are other means by which an inmate can be granted this leave. Do you feel that this should be better co-ordinated? Your parole officers know the resources in the community. I wonder if the prison personnel know the resources as well. Should there not be consultation with the parole officers? Would you like to see that better co-ordinated?

**Mr. Street:** Yes, I would. There has been, and there needs to be, more co-ordination. However, consultation is going on now to decide exactly where temporary absences end and day care paroles begin. I would say that temporary absences could be granted for compassionate reasons, or because a man has done particularly well and deserves a weekend at home with his family. This could be handled by the warden. If it is for less than 15 days, I feel it could be handled by the warden. If it is for the purpose of working or going to school, I feel we should be involved in that decision. It would then be a matter of weeks or months. This is roughly the division of responsibility. Since there has been more use of this temporary absence program recently, we intend to consult with those in charge of penitentiary services to decide exactly on the division of responsibility. As I have said, some of the provinces have already used these powers by establishing a work-release program or a day parole program. We do not mind that, so long as it is being done.

**Senator Laird:** I feel this is relevant, Mr. Street. I am looking at an article that appeared in the *Windsor Star* on November 15, 1971, taken from the *Washington Post* under