

qualified and are not brought in unless they have some qualifications. If a person has a trade, he can get a job and is not turned away; if he has not got a trade, he has to compete in the unskilled labour market. At the moment we have an unemployment situation of about 6 or 7 per cent. So we have the ex-inmate having to compete with people on the outside who have never been in prison; but even then we have about 70 per cent of our parolees who are working.

Senator Fournier (De Lanaudière): Are there ever cases where an inmate refuses the privilege of being paroled?

Mr. Street: Not exactly. We have some who do not apply for parole. There would be no such thing as refusing parole because we would not consider an inmate if he did not apply. But the number who are eligible to be considered for parole but who do not apply is decreasing all the time. That is probably because of the fact that inmates see that more paroles have been granted in the last few years, plus the fact that they now know that even if they do not get parole they are going to be on mandatory supervision when they come out of the penitentiary anyway.

Senator Fournier (De Lanaudière): As it stands now, when a person is sent to prison he automatically earns a certain amount of time off so that for a five-year sentence the person is entitled to be out before that five years is up. Do you keep him inside or do you let him go just the same if he makes no application for parole?

Mr. Street: Up to now he has been released at the end of his term, which would be his full sentence less one-third. He can earn up to one-third of his sentence off for statutory remission and earned remission. But from now on that one-third remission time will be served on mandatory supervision, which is almost the same as parole.

Senator Fergusson: Mr. Chairman, can Mr. Street tell us how many cases there are of inmates who have been released on mandatory supervision?

Mr. Street: I cannot give you that exactly, Senator Fergusson. It is just coming into effect now. It was proclaimed in August of 1970, and the first persons who would be affected by it would be those who were sentenced after that date on a two-year sentence 16 months ago. So it is just starting now. We have estimated 30 a month.

Senator Fergusson: So, really, none of the mandatory supervision cases would have been completed yet.

Mr. Street: What I said is subject to the anomalous exception where a man could have got a sentence of six months for escape after he would have qualified for it. We have had a few of those cases. They might have completed it, but there are very few of those. So it is just really starting now.

Senator Haig: What exactly does mandatory supervision mean?

Mr. Street: It means that if he does not get parole he will be under supervision for his remission time, which is about one-third of his sentence.

Senator Haig: You mean he will have to report to somebody every day?

Mr. Street: Not necessarily every day, but periodically. He would also be subject to restrictions and conditions in the same way as a parolee would.

Senator Haig: Supervision by whom?

Mr. Street: By one of our parole officers or by after-care agencies. Half of our supervision has to be done by persons of outside organizations, so it could be an after-care agency.

Senator Haig: If he fails to agree to the terms, he is put back—is that right?

Mr. Street: It could be.

Senator Fergusson: I know that it is just coming into effect now, but would you know how many are on mandatory supervision now?

Mr. Street: No. It is just barely starting.

Senator Hastings: I think we should understand what mandatory supervision is. I think the invoking of this act in this particular procedure was a very retrograde step, because we must understand that, if we are taking a man who has been sentenced to a term of imprisonment and has served two-thirds of his sentence, up to now that man has been entitled to his remission, both statutory and earned, and has been free to go after two-thirds of his sentence. But under this act he is now under mandatory parole for the whole of his sentence. In other words, there are, no doubt, individuals to whom you refuse parole, and when it comes to the end of such a person's sentence and he has earned his remission, you will now tell him that parole is exactly what he needs. I am afraid that is going to receive an answer it richly deserves. I cannot accept the fact that it is going to be of any benefit whatsoever to the man.

As I have said, if a man has normally been refused parole, then to expect him to live up to your regulations and give up the time that he has lost is just asking too much of him.

What could quite easily happen would be that an individual would end up serving more time than his original sentence because he would have his mandatory parole continually revoked under the same regulations that apply to ordinary parole, namely, on the warrant of a parole officer.

It seems to me, Mr. Street, that there comes a time when these men have to stand or fall on their own and that all the supervision you could possibly give them would simply not work.

The Chairman: With all respect, Senator Hastings, you have been expressing a number of opinions one after the other, which will be of value to the committee when it discusses a report. But perhaps you could frame your opinions in the form of questions so that the witnesses might answer them, if they do have answers to the questions you have in mind.

Senator Hastings: Mr. Street, how many men have been returned to the institution as a result of forfeiture or revocation of mandatory supervision?