

he will be required to serve and what he must do to qualify for parole consideration again. He should also be told when he will become entitled to minimum parole. Finally, he should be told how the revocation decision may be reviewed.

### Recommendation

63. Parole legislation governing parole revocation hearings should include provision:

- a) for written notice of hearing,
- b) for disclosure of relevant information,
- c) for the right to be present and to be heard,
- d) for giving reasons for the decision.

ASSISTANCE AT REVOCATION HEARINGS. Parolees should not have the right to legal counsel but assistance should be permitted on the same basis as proposed in Chapter VI.

REVIEWS. The review of revocation decisions should follow the same process as recommended for parole application hearings in Chapter VI.

### *Eligibility for Parole Following Revocation.*

Parole legislation now specifies where the parolee whose parole has been revoked will serve the remainder of his sentence, and the length of time he will serve. In the system we recommend the length of time would be different since there would be no remission and time successfully completed before a suspension warrant was issued would be credited towards completion of the sentence. The present provisions for determining where he will serve the remainder of his sentence are adequate. If released from a provincial institution, he should be returned to the same institution or one which corresponds to it where he is arrested and parole is revoked in a different territorial jurisdiction. With respect to eligibility for parole in the future, it is our view that the time to be served upon revocation should be considered a new term and subject to the same process as the original term, i.e., eligibility at one-third for discretionary parole and minimum parole entitlement at two-thirds.

### Recommendation

64. The remainder of the sentence to be served following revocation of parole should be considered a new term.

5) *Forfeiture.* If a parolee commits an indictable offence punishable by a term of imprisonment of two years or more, his parole is automatically forfeited. He is returned to detention to serve the remainder of the original sentence plus any new term imposed for the second offence. The law now provides that these two terms must be served consecutively. The role of the parole authority is limited to taking cognizance of the conviction for another offence and issuing warrants of arrest and/or committal upon forfeiture. Section 18(1), of the *Parole Act* provides that: "If any parole is . . . forfeited, the board . . . may, by a warrant in writing, authorize the apprehension of the paroled inmate" (emphasis added). As we have already seen, conviction for an offence