province where the inmate was originally convicted and/or in the province of destination, if he is released on parole, should it be different from the province of incarceration. Should either or both of the latter wish to make representations they would act through the Attorney General of the province where the inmate is detained and the hearing is being held. The Attorney General should not be required to designate an official to attend all hearings but there may be occasions when it would be desirable for the official to attend in order to submit representations to the parole authority in the presence of the inmate.

Seven days notice should be given to everyone concerned to prepare for the hearing. The inmate would have to decide who, if anyone, will assist him. Refusal to extend the deadline should not be grounds for reviewing the decision. The restrictions would be equally applicable to the Attorney General.

2) *Disclosure of relevant information.* Rules of procedure for a hearing must provide for disclosure of facts on which the decision will be based. This is the only way that a parole applicant can take issue with information that is erroneous. To make decisions on inaccurate or false information is unjust and the applicant must be able to contest it. He should have the right to see the complete information on which the decision will be based at the time he receives notice of the hearing date. This will give him time to prepare for the hearing. The Attorney General would have the same right to information.

There can be two exceptions to this right to disclosure. The parole authorities could deny right of access to information which, if revealed, would:

- endanger the security of the state.
- endanger the security, mental or physical, of the parole applicant or any third parties.

When denying an inmate access to certain information, the parole tribunal would be obligated to tell him that it is being withheld and he could, if he wishes, seek review of this decision through the review procedures provided.

Whenever correctional authorities suggest disclosing the information they receive, there are objections by the agencies supplying it. In our view, for the proper functioning of the parole authority, it is essential that information be provided in such a manner that it can be disclosed at the appropriate hearings, subject to the two exceptions noted above. Reporting agencies such as the police, aftercare agencies and institutional services must trust the parole authority to exercise good judgment when determining what information can be shown to the inmate. The parole authorities will also have to develop complete guidelines to deal with information received. Experience with pre-sentence reports prepared for the courts already exists and, since files on parole applicants contain similar information, there should be enough knowledge available to avoid serious problems. No such problems have been brought to the attention of this Committee.

3) *Right to be present and to be heard.* A parole system that claims to act fairly in deciding on a parole application without the presence of the applicant may always act fairly but it will never convince the applicant of this if the decision is unfavourable. The system must not only act fairly but must be seen to act fairly by the person directly affected. No parole decision should be taken without a hearing and no hearing should