

*National Parole Board*

As will be appreciated, one of the provisions of the bill to be introduced if the resolution carries is to amend the Ticket of Leave Act, and, in effect, to substitute a new parole system administered by a national parole board for the present system under the Ticket of Leave Act administered by the remission service of the Department of Justice which reports to the Solicitor General. The present Ticket of Leave Act authorizes the governor general, on the advice of the appropriate minister of the crown who is now the Solicitor General, to grant to an inmate of a penitentiary, jail or other public or reformatory prison a licence to be at large in Canada during such portion of his term of imprisonment and upon such conditions as may be fixed. This statute is the authority under which the parole system of Canada is presently administered by the remission service.

As hon. members will recall, in 1953 the then minister of justice appointed a committee under the chairmanship of Mr. Justice Gerald Fauteux, to make the inquiry which I have outlined. The purpose of the bill is to implement this particular recommendation of the Fauteux committee, that is the recommendation having to do with the parole system.

I should perhaps, in view of the interest that has been aroused in the matter, say a word or two about the system of parole itself. Parole is a well recognized procedure which is designed to be a logical step in the reformation and rehabilitation of a person who has been convicted of an offence and, as a result, is undergoing imprisonment. It is a procedure whereby an inmate of an institution may be released before the expiration of his sentence, so that he may serve the balance of his sentence at large in society. While serving the balance of his sentence at large he is under appropriate social restraints which are designed to ensure, so far as possible, that he will live a law-abiding life in society. Parole is, therefore, a transitional step between close confinement in an institution and absolute freedom in society. The sanction that is imposed for failure to live up to the conditions that govern the release is the return of the inmate to the institution.

I am sure, Mr. Chairman, that at this stage, as I read the temper of the house, the opinion of the house and of the country at large, it is not necessary for me to enter into a detailed statement or defence of the grounds for a parole system. I referred at some length to this matter on my estimates less than a week ago, at which time I referred in general terms to our tentative program for the reformation and modernization of the

penitentiary system, and expressed it as a fundamental goal of that program to ensure the return to society of persons who have undergone prison sentences, as useful and fruitful members of society, in the shortest possible time that can be done consonant with the obligation on the government and those who administer the prison system to protect society from any potential or possible recurrence of crime on the part of those who have undergone prison terms.

The parole system which is contemplated under the bill to be based on this resolution, is an integral part of that approach to the problem. As I have said, the present national parole system in Canada is carried on by the remission service of the Department of Justice under the Ticket of Leave Act. This act was passed by parliament in 1899 and it has not been amended in any substantial way since that time. Of this act the Fauteux committee said the following:

That this legislation was never designed to meet the complex problems of modern corrections, is quite apparent from the difficulties that are encountered in its administration under present-day conditions. We are astonished that such satisfactory results have been obtained in recent years by the service under this antiquated legislation, and much credit must be given to those who are charged with the administration of it.

I should like to echo those words of the Fauteux committee, both with respect to the personnel of the remission service of the department and with respect to the present minister, the Solicitor General, who is in charge of that administration. I know that that same feeling has been shared by former administrations with respect to the work done by the remission service in the department.

It might be useful for me to outline briefly the way in which the present Ticket of Leave Act operates, and to make a short comparison with the system which will be brought into effect by the bill. The governor general, acting on the advice of the appropriate minister of the crown, now the Solicitor General, may grant to any person under sentence of imprisonment in a penal institution for an offence against the criminal law of Canada a licence to be at large in Canada during such portion of his term of imprisonment and upon such conditions as may be indicated in the licence. Under subsection (2) of section 3 of the act, that is the Ticket of Leave Act, the licence may from time to time be revoked or altered. The sentence of imprisonment is deemed to continue in operation even though the licensee is at large; that is to say, the licensee serves the balance of his term of imprisonment by satisfying the conditions of the licence. The licence may contain any conditions that the governor general,