

Mr. Street: The officers in the field conduct a number of sessions every month in as many places as they can, and they talk to all the new inmates that have come in that month and advise them as to parole and how they can apply for it. We also have pamphlets which are available and which explain in very simple terms what parole is, what is involved in it, and how it is applied for.

Senator Haig: Is it also explained to the inmates at what time they may apply in relation to their sentence?

Mr. Street: Yes.

Senator Thompson: Do you look after parole with respect to provincial prisoners?

Mr. Street: Yes.

Senator Thompson: There have been several suggestions from the provinces to the effect that they would like to look after the parole system. Would you care to comment on that?

Mr. Street: That suggestion has been made by some governments, and it was recommended in the Ouimet commission report. I have no strong views one way or the other. If they wanted to do it, I would have no objection. If it was done perhaps we could offer even more sophisticated assistance to prisoners in federal prisons. I feel we do a fairly good job now. One result of granting provincial jurisdiction in this area would be five to ten different systems regarding parole. Chief Justice Fauteux, in his report, recommended that there should be one uniform parole system all across Canada.

One of the important things, I think, is that Ontario has a large number of prisons and they have a parole board which deals with indeterminate portions of sentences. In my opinion, this system is not a good one because you have two parole authorities dealing with the same prisoner and the same sentence. Ontario might very well either have their own parole system, because their board does interview people, and so on, or else ask the government to put an end to indeterminate sentences. I do not think we could undertake to visit all provincial prisons in the way we visit federal prisons. Our officers visit all prisons, of course, but in order for the board to visit all prisons, both federal and provincial, it would have to be doubled.

Senator Thompson: May I just clarify the role of the Ontario Parole Board? The Ontario Parole Board interviews provincial prisoners—

Mr. Street: I did not fully explain that. If a person in Ontario receives a sentence of 12 months definite and 12 months indeterminate the Ontario Parole Board has jurisdiction over the 12 months indeterminate or the indefinite part of the sentence, and they do interview the prisoner with respect to that portion of the sentence. With respect to the 12 months definite portion of the sentence we have jurisdiction, and if we feel he is a good candidate for parole we ask the provincial board if it is agreeable to parole for the portion of the sentence over which it has jurisdiction. The result of this is, of course, that there are two parole authorities dealing with the same prisoner with the same sentence, and it is not desirable.

Senator Thompson: Do other provinces have parole boards?

Mr. Street: British Columbia has one, but it is somewhat more limited than the Ontario board because it is restricted to dealing with persons between the ages of 16 and 23. Those are the only other parole systems in the country apart from the National Parole Board, although some provinces have parole boards to deal with provincial types of offences such as careless driving, hunting without licences, and other offences contrary to provincial statutes.

Senator Hastings: May I return for a moment to the area of parole revocation? Let us assume, Mr. Street, I am placed on parole for a period of two years and at the end of one year my parole is revoked and I am returned to the institution to serve the remainder of my sentence as well as the sentence I have already served on the street.

Mr. Street: Yes.

Senator Hastings: Do you feel that it is fair to make me re-serve the time I successfully served on the street?

Mr. Street: Yes, I do feel it is fair because if the parolee does not commit an offence he has nothing to fear from having to serve his sentence in total. A parolee is not returned simply because he missed an appointment with his parole officer or because he went out of town for a day without telling anyone. Parole is revoked if there has been a serious breach of parole. I also feel this is a good thing because as the period of parole draws to an end the deterrent factor, if it were set up as you might wish it to be, would be almost negligible. In other words, if he were not to serve the remainder of his sentence including that portion served on the street, the last month or week of his parole would become absolutely meaningless. For those reasons I am in favour of it as it presently stands. The Ouimet Commission suggested or recommended that a parolee should always serve 25 per cent of the time.

Senator Hastings: I regard these as four categories of custody—that is, the maximum institution, the medium institution, the minimum institution and parole; and it seems to me that if we move a man from a minimum institution to a maximum institution because of an error on our part, we do not make him re-serve all the time he had been in the minimum institution. Now, if we place a man in the fourth category, that is, on parole, and it proves unsuccessful, as a result of which he is returned to an institution, should we make him re-serve the time that he successfully served on the street? I feel it is a rather heavy penalty to place on this individual.

Mr. Street: Well, I do not regard parole as a form of custody. He is serving his sentence on the outside, it is true, and if he serves it without violation of parole his sentence will come to an end and that will be that. If he intends to commit offences or if he does commit offences, then I do not have any particular sympathy for him whatsoever. He was placed on parole on the understanding that he would not commit any offences, and he was under no obligation to accept parole. He has nothing to fear from parole if he does not intend to break the law. We are trying to find people who do not intend to break the