

Appendix "A"

A PRESENTATION TO THE
STANDING SENATE COMMITTEE ON LEGAL
AND CONSTITUTIONAL AFFAIRS

by

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Commissioner

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Mr. Chairman, Honourable Senators:

I am happy to have this opportunity to provide you with the views of the Canadian Penitentiary Service in relation to its role in the administration of the Parole Act and the implications for individualized treatment and training programs for inmates.

The provisions of the Canadian Penitentiary Act and Regulations in relation to the treatment and training of inmates are in many respects allied to and linked with the provisions of the Parole Act in achieving what I am certain is the mutual objective of both Services, namely, the successful social re-integration of offenders as law-abiding and productive citizens.

The importance of close liaison and cooperation not only between the Canadian Penitentiary Service and National Parole Service, but also between officials along the whole continuum in the administration of Criminal Justice is considered vital if the total system is to operate in an efficient and effective way.

There should be a pre-disposition report and a judge's report which should properly form part of the correctional record of an offender and be made available to correctional authorities. It would be extremely helpful if the Judge could set forth reasons for the sentence imposed. Such information would greatly assist the offender, the Canadian Penitentiary Service and National Parole Service to plan an individualized program in line with the needs of the inmate and the "reasons" for the sentence as outlined by the Judge.

I support fully the position of the Canadian Committee on Corrections, with reference to the concept of parole being seen as an integral part of the correctional process and the acknowledgement that "treatment demands continuity and flexibility, including flexibility in determining whether a particular individual should spend all or part of his sentence in the community or in an institution. Treatment demands a coordination of knowledge about the individual offender."

If one accepts the view that parole is a continuation of correctional treatment and the function of the Board is to determine the portion of the sentence which is to be spent in the community and the kind of control and supervision which will be needed, the implications of another recommendation of the Canadian

Committee on Corrections, namely, that dealing with administrative union of the Canadian Penitentiary Service and National Parole Service can be seen as a valid proposition.

In addition to facilitating the development of unified correctional policy and programs and the attendant benefits to treatment and training of inmates, there would be increased potential for more effective use of staff, improved career planning and opportunities for advancement.

For the inmates there would be greater continuity of appraisal, treatment and program planning. The result would be a blend of professional staff from the National Parole Service coupled with the practical institutional experience of Penitentiary staff. Finally, there would be basic savings as a result of common personnel and financial services, office services and some common staff pools.

The Canadian Committee on Corrections in relation to its recommendation for administrative union of the Penitentiary and Parole Services observed:

"The need for a coordinated service from the admission of the offender to penitentiary to final release from parole or statutory conditional release should also be expressed in the administrative organization of the correctional services that are the responsibility of the Government of Canada.

Many aspects of these two services could be coordinated. Staff training could be carried on jointly. The pre-release hostels being opened by the Penitentiary Service might also serve parolees. Joint plans for citizen participation are indicated. It is suggested that a Director of Corrections within the Department of the Solicitor General should be appointed to administer both these services." The major provincial correctional systems are organized along similar lines.

The Manual of Correctional Standards issued by the American Correctional Association has the following to say about coordination of institutions and parole (pp. 35-6):

"Another step toward the fullest practicable coordination of a state's correctional services is to integrate institutions and parole as far as possible. This is wholly logical, since the period spent in the institution and that on parole are part of the same sentence, one of the institution's chief missions is to prepare prisoners for parole, the success or failure on parole depends in large part on the quality of that preparation. The chief reason why parole and institution systems have not been more closely coordinated administratively in the past is that integration of services with a mutual function has been sacrificed to ensure parole boards the maximum of independence in their quasi-judicial decisions to grant and revoke paroles.

Examples of jurisdictions where institutions and parole are in the same department, with adequate provisions for independence of the paroling authority, are the U.S. Department of Justice; the New Jersey Department of Institutions and Agencies; Division of Corrections, Wisconsin Department of Public Welfare; the Michigan Department of Corrections; and the California Department of Corrections. It can be stated categorically that this type of administrative setup is feasible and economical, and promotes proper coordination of institutional and parole services." Similar