

Parole Act

One of the measures announced was an amendment to the Parole Act to provide for ten additional ad hoc members of the Parole Board. The bill that we have before us seeks to do just that. Both parole and temporary absences have played an increasingly important role in recent years in our efforts to assist inmates to re-integrate in the community as responsible citizens. As I explained on June 1, inmates can be released from penitentiary under the authority of both the Parole Act and the Penitentiary Act. As one might expect, the criteria for selection by the National Parole Board and the Canadian Penitentiary Service for release on parole or temporary absence have not necessarily been the same.

These differences in criteria arise not only because of the different statutes under which they operate, but also because the considerations that apply in assessing an inmate for temporary absence differ from those applicable to parole. This has led to confusion in the public mind. In addition, as I explained previously, certain legal complexities have brought into question the legality of the back-to-back temporary absences, a practice developed by the penitentiary service in recent years whereby inmates are released on successive leaves of absence over an extended period of time, generally for rehabilitation purposes.

Because of these legal difficulties the Canadian Penitentiary Service has now discontinued the practice of providing back-to-back temporary absences for inmates in federal institutions. I might say that those who were on back-to-back temporary absences on June 1 have now been transferred to day parole. At the time of my announcement on June 1, there were approximately 100 inmates on back-to-back temporary absences, and 43 of those have been granted day parole, 16 have been denied day parole, and 15 have been given full parole. Eleven of these were persons serving a life sentence and the Parole Board does not have jurisdiction over them. Fifteen have still to be dealt with. Experience has shown, however, during those years when the practice of back-to-back temporary absences was developed, that the gradual and regular release of inmates as part of their rehabilitation program constituted an excellent device to assist them in their efforts toward re-integration in the community. While the legality of back-to-back temporary absences could be open to some doubt, it was clear that the practice itself should be continued under some other legislative scheme. This, of course, is possible by a greater use of day parole under the Parole Act, with an expanded Parole Board.

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As hon. members are aware, the National Parole Board as now constituted has a membership of nine persons. An excess workload in recent years has slowed down case decisions to the point where the chairman was compelled to suspend panel hearings held by members with inmates in the penal institutions. As a result, applications are, and have been for the last few months, considered by the board through an examination of the inmate's file but without the board or inmate having the benefit of a face to face interview. Such a practice, I am sure hon. members will agree, is inadequate both from the point of view of the proper administration of parole board functions and responsibilities and the inmate's interest in having an

[Mr. Allmand.]

opportunity to present his case face to face to members of the board.

The provision of ten additional members to the Parole Board will not only allow the board to resume panel hearings in the institutions, but also to deal satisfactorily with the added volume of decisions on day parole applications that will come before the members. As these ten members will deal primarily with day parole and panel hearings in the institutions, it is our intention to assign them in teams of two to the five regions of Canada; that is two in British Columbia, two in the Prairies, two in Ontario, two in Quebec and two in the Atlantic region.

The nine actual members of the National Parole Board have experience in various fields and disciplines relating to criminal justice such as police, social work, law, corrections, as well as the judiciary. It is my hope that we will attract to the board new members from the various disciplines that contribute to the efficient operation of the criminal justice system so as to reinforce the scope of expertise that the Canadian public has the right to expect from an institution such as the National Parole Board.

I would hope, in this respect, that I could make the necessary arrangements with provincial authorities for the appointment of a limited number of judges to the National Parole Board as ad hoc members for a limited period of time, two or three years, for example, at the end of which they would return to their judicial responsibilities in the province. This kind of arrangement would enable highly qualified and respected members of the judiciary to play an important role in the working of the National Parole Board. This would, at the same time, provide the channel for closer liaison with the judiciary as a whole.

A great deal of effort has been made in this direction in recent years by the board, with some relative success. But more must be done. I believe that the objective of closer liaison between the judiciary and the National Parole Board could be further assisted and supported by the appointment of judges to the board who would be expected to return to their judicial functions after their service as a member of the board for a short period of time. I believe that both the judiciary and the National Parole Board could greatly benefit by that kind of arrangement.

These arrangements will have to be made in concert with the provincial authorities concerned. A number of provinces have already been approached on this and the reaction to this idea has been most encouraging. I am confident that should this legislation be adopted, as I certainly hope it will be, arrangements for the appointment of judges to the Parole Board, on the basis I have just described, could be made fairly quickly.

Hon. members know that a large number of inmates in our federal and provincial institutions are native Canadians especially in western Canada where I might say, Mr. Speaker, 25 per cent of the inmates in federal institutions are native Canadians whereas they only form 6 per cent of the general population. It is my hope that I will be able to attract to the board a native Canadian who would be interested in and suitable for that kind of job. I would also like to appoint representatives from other minority groups who would be more representative of our prison popula-