

The Standing Senate Committee on Legal and Constitutional Affairs

Evidence

Ottawa, Thursday, June 29, 1972

The Standing Senate Committee on Legal and Constitutional Affairs met this day at 10 a.m. to examine the parole system in Canada.

Senator Earl A. Hastings (*Acting Chairman*) in the Chair.

The Acting Chairman: Our witnesses this morning belong to a team of psychologists from the Quebec region, and Mr. Albert Cyr,—excuse me, Mr. Cyr, because I do not speak French well,—I would ask you, Mr. Cyr, to kindly introduce the members of your delegation to us and, next, I would ask Mr. Marcel Thomas to make a statement for us.

[*Translation*]

Mr. Albert Cyr, Team of Psychologists, Quebec Region: From various Quebec institutions, here on my right are Mr. Thomas and Mr. Jean-Guy Albert.

The Acting Chairman: From which institutions?

Mr. Cyr: from Cowansville; Mr. Clement Bourgeois of the Federal Training Centre, then Mr. Paul Belanger, also from the Federal Training Centre, and Mr. Yves Cartier over there, from the Reception Centre of St-Vincent de Paul.

The Acting Chairman: Mr. Thomas?

Mr. Marcel Thomas, Team of Psychologists, Quebec Region: Well, the basic thought of our report is to consider that parole is not a service which operates independently of penal institutions as such. We find that we cannot really have useful and effective paroles if the work with offenders does not first begin in the institutions. Thus, parole is considered as the last stage in the rehabilitation of a prisoner, and not a sort of gift or a chance to be taken, only when nothing has previously been done in the institutions. This is the meaning that we give, that is, this is the spirit that we give to our report. This is why, in our preamble, that is explained, and we find that paroles actually are based on principles which are not logical, because they do not consider the whole of the rehabilitation process of the prisoner, from the moment he enters the institution until the moment when he leaves it on parole.

Therefore, this is the spirit of our report, and this is why we have emphasized in our report that it would first be necessary to begin the real work within the institutions, and integrate the parole service within this rehabilitation work that would be performed within the institutions,

because the last stage of this work is really parole, which is in itself the logical and effective outcome.

Next, we have presented the general principles which constitute, in precise terms, the very spirit of our report. For example, that the object of parole should be connected with the goal upon which the institutions should concentrate, namely the true rehabilitation of the prisoner.

Therefore, it is thus—to summarize, after all—the role of the institution appears to us to be, and we have mentioned it because it appears important to us, the role of the institution appears to be to rehabilitate the prisoner, and we indicate in our report how we see, for example, that institutions could be classified into different types in order to then be able to rehabilitate our prisoners in an effective manner, and not to mix them all together.

With this also in mind, we see the role, not only the role of the institution, but also the role of the court, for example, and we find that, if we are truly rehabilitating, the court should be able to change its method of sentencing individuals. For example, not to give them necessarily a sentence of two years, where the candidate becomes eligible after nine months, because the real work that one can do in nine months is almost useless or non-existent. It is possible, in that time, that the prisoner will not benefit from the program given to him in an institution. If we really want to have a rehabilitation program in the institutions, the court must change; if we really want parole to work and to be effective, it is necessary to give sufficient time to the persons who work in the institutions, to really work towards the rehabilitation of a prisoner, and not then give him a parole after nine months, which appears illogical. In fact, it appears magical after all that someone would be rehabilitated from the mere fact of leaving the institution and from the mere fact that he is paroled, but this is not realistic. An automobile thief who can receive a sentence of only two years is perhaps, among offenders, the most difficult to rehabilitate, whereas the jealous murderer, condemned to a life sentence, perhaps will commit only a single murder in his life, and no others, and he will receive a life sentence, and will be eligible only in ten years, therefore, you see the result that this creates. This means that individuals, who could be released earlier, must spend ten years, whereas people who, after all are still dangerous, get out after nine months, which means that the basic principle of parole, after all, is not very logical and is not truly based on an effective work. It therefore becomes certain that, at that time, we are taking risks, terrible risks. It is certainly evident that an automobile thief is less dangerous, in a sense, than a murderer, but it still remains true that it is possible for him to continue, because a person's second offence, especially when he is young, often occurs after two months, three