"Discharge from parole" is defined in relation to suspension, revocation and forfeiture procedures in Sections 10 (1) (e), 16(1) and 17(1) of the *Parole Act,* which provide that, if a parolee is discharged from parole, the parole authority cannot suspend, revoke or forfeit his parole even though the sentence of the court has not yet expired.

Accordingly, except in the case of inmates released on day parole (temporary parole) and of paroled inmates serving commuted death sentences or life sentences imposed as a minimum punishment, the parole authority is now empowered to remove parole conditions to the point where it can no longer intervene in the sentences. For example, an offender serving a thirty year sentence who has completed seven years in penitentiary and six years on parole may be granted a discharge. If, during the fourteenth year of his sentence, his behaviour starts deteriorating and he is in danger of committing a serious offence, the parole authority can no longer suspend his parole. This power to discharge from parole extends to dangerous sexual offenders, habitual criminals and other types of dangerous offenders who have been on parole for approximately six years. In our opinion, the power is now too broad.

The Hugessen Report proposed a relatively automatic method of terminating parole after eighteen months, It would be mandatory for the parole authority to review the case after the inmate has been on parole for eighteen months and to justify the continuation of parole beyond that period. This is based on statistical data which show that breaches of parole tend to occur within one year of release, or soon after, and the fear that prosecuting authorities will, in some way, pressure parole authorities to revoke parole rather than "go through the difficulties and uncertainties of prosecution in the courts in the normal way".[1] A responsible parole authority does not submit to such pressure. It should act as an independent tribunal and should not use its powers to suit the prosecuting authorities any more than it should act as a clemency tribunal or prison management board. Even though parolees tend to violate parole within one year of release and there may be occasion at that point (twelve months or eighteen months) to reduce parole conditions substantially, the power to intervene by way of revocation or forfeiture should be retained for public protection and, perhaps, the interests of the parolee.

The Committee agrees that parole tribunals must have the power to alter some parole conditions by additions or deletions to suit each case. Consequently, a process of reviewing cases as parolees progress towards their goal of successful social reintegration should be maintained. Such a process should involve gradual reduction of parole conditions but should stop short of removing the power of revoking or forfeiting parole. Offenders serving long definite terms or life or indeterminate sentences may do well on parole, apparently justifying removal of all parole conditions. But, if, later in life during their parole, they threaten the security of the public, it should be the duty of the parole authority to intervene. A parole authority which is given power to determine that a sentence is to be served in the community should not have the power to prevent itself from taking appropriate action when necessary. If termination of the sentence is the desired objective, it should be effected by the appropriate clemency tribunal.