

enough mistakes of our own, and I can hardly complain about being criticized when one of our parolees commits an offence. But sometimes, unfortunately, a person who is out of prison, other than on parole, commits an offence and the newspapers blame us for it. There was one bad case when a policeman was killed in Montreal and someone was held hostage. That man was not released by the National Parole Board and was not on any form of parole. There was another case of a man who killed three employees of a large company, and the newspapers indicated that he was, in some manner, a rehabilitated convict; I do not know whether they said he was on parole or not. That man was not on parole either and, in fact, the only time we had experience with him was about six years ago and he was refused parole. Unfortunately, we get blamed for those. While I do not mind being blamed for our own mistakes, I do not like being blamed for mistakes which we did not make.

The Deputy Chairman: May I ask one clarifying question? He was not paroled but he was released. Does this mean that he had completed his sentence?

Mr. Street: The one who killed three people?

Senator Hastings: Allegedly killed three people.

Mr. Street: As far as I know, he had not been in prison for a long time. I think it was five or six years ago when we denied him parole.

Senator Goldenberg: The story in the Montreal papers said that he was a parolee.

Mr. Street: I know. That is why I am complaining of it.

Senator Gouin: Then he was not on parole. The paper said he was on parole. Had he finished his conviction or was he an escapee? You mentioned two cases. I refer to the first one.

Mr. Street: The first one was released on some form of temporary absence release in order to get treatment, and it was while he was getting treatment that this happened. He was not on parole.

The Deputy Chairman: That temporary absence is something that is provided in the Penitentiary Act and not in your act.

Mr. Street: That is right.

There is another common mistake in that sometimes a man is released from prison because he gets time off for good behaviour. He gets about one-third off and is released, therefore, one-third sooner than he would if he stayed full term. Sometimes, if he commits an offence, they say that he is on parole. He is not on parole; he is released because of time off for good behaviour. Unfortunately, these mistakes occur from time to time.

Senator Thompson: It does show, Mr. Street, that there can be a duplication. There are people who are out of prison, getting their sentences finished without having gone through the scrutiny of your organization.

Mr. Street: Yes, senator. One of those cases was so.

Senator Thompson: Do you feel that this is poor? Could we tighten this up in some way, and, if so, how?

Mr. Street: No, sir, I am not suggesting anything like that. I think the idea of temporary absence, to allow a deserving inmate to go home for a weekend or to go for some compassionate reason or even to aid in his rehabilitation done by the institutions, is a good system. I am not complaining of it. Yesterday we were discussing the fact that we should get together and decide when we should do it and when they should do it, and there is a rough division of duties. I suggest, if it is a short term of three days or five days, it would be suitable for temporary absence, but if it is for more than 15 days then probably it should be done by the day parole method. We only give a day parole to allow a man to go to work or to school. We would not be allowing a man to go home for a weekend; that is not our job, but that is the proper thing to be done by them, that is what they do, and I think it is a good thing.

Senator Thompson: But in these two cases surely we need to assure the public. I appreciate that we are focussing on two which created a rather exciting situation. This is an important situation. How can the public be reassured that there is some type of scrutiny before a man is set free?

Senator Hastings: You cannot do anything about a man until he has completed his sentence.

Senator Thompson: I am not talking about a man who has not completed his sentence and apparently goes out. You are suggesting it was not under your jurisdiction? Whose jurisdiction is it under? Do they have the proper facilities?

Mr. Street: Yes, I think so. They know very well, the prisoners they are releasing, and they are able to decide whether it is a reasonable risk or whether he is liable to escape or is dangerous. This is a very unfortunate and extreme case of a type which is not likely to occur again.

Senator Thompson: Could I bore in on this a little? If they know the person and they can assess him, what is the need for your organization?

Mr. Street: Generally speaking, our job is to decide whether he should be released on parole. The idea is to have an independent parole authority outside the prison administration. This is the theory of it, but in that case to let a man go home for a weekend is not a very weighty decision, or to let a man go out to take treatment, that is not a weighty decision either, and they should be able to decide that themselves.

I have no complaint about that. I think that is a good system. We could hardly deal with all these little requests. We deal with about 15,000 cases a year as it is, without getting these little things. Before this power was given to them we had a great deal of difficulty, because the only way it could happen was under the royal prerogative of mercy. We had to screen them. We would suddenly get a request from somebody that his father or his mother or his wife had died, so that he could go home for the funeral. He might be a man who could be trusted, most times without guard but, if necessary, we could send a guard. We had actually to get that through the Solicitor General, to the Governor in Council, to get permission. So this power was