

National Parole Board

Discussion with the Prairie Region
Halfway House Association

June 2005

What is the National Parole Board?

- In Canada, the National Parole Board (the “Board” or “NPB”) is an agency of the Department of Public Safety and Emergency Preparedness (former Solicitor General).
- It is an independent administrative tribunal which makes decisions about parole for offenders.
- The Board has a National Office in Ottawa and offices in the five regions of Canada.

What is our mission?

- As part of the Criminal Justice System, the Board makes independent, quality conditional release and pardon decisions and clemency recommendations.
- The Board contributes to the protection of society by facilitating, as appropriate, the timely reintegration of offenders as law-abiding citizens.

What is the Legislative Framework?

- Corrections & Conditional Release Act (CCRA) and Regulations
- Criminal Records Act (CRA)
- The Criminal Code
- Canadian Charter of Rights & Freedoms
- Privacy Act
- Access to Information Act

Who are the decision-makers?

- The members are appointed by the Governor in Council for specified terms. They come from a variety of professional backgrounds and personal experiences (criminologists, lawyers, ex-police officers, psychologists, social workers, businesspersons, professors...)
- There are 45 full time members including the Chairperson, the Executive Vice-Chairperson, the five Regional Vice-Chairpersons and the Vice-Chairperson of the Appeal Division. They are appointed for 5-year terms. There are also approximately 40-45 part time members

Principles of Conditional Release

- Protection of society is the paramount consideration;
- Review of all available information including timely exchange of information with partners;
- Least restrictive determination consistent with the protection of society;
- Appropriate policies and training; and
- Offenders receive information used by Board members to make their decisions, as well as the reasons for those decisions
- Offenders have access to an appeal process; the grounds for appeal are : if the Board failed to observe a principle of fundamental justice, erred in law, breached or failed to apply a policy, based its decision on erroneous or incomplete information or acted without jurisdiction, beyond it or failed to exercise its jurisdiction.

How do they assess risk?

- The Board will proceed by looking at the past, the present and the future to assess the readiness of the offender to reintegrate gradually the community and if the risk is manageable in the community:
 - Past: Information from the police, courts, victims, the criminal history, family, education, employment and previous community supervision.

How do they assess risk?

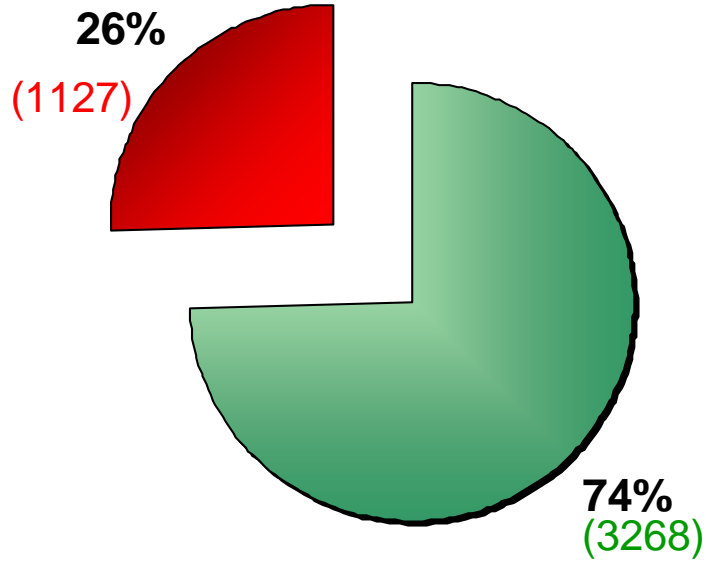
- Present or during incarceration period: Assessment of the risk factors such as drugs/alcohol, behaviour, violence, benefit from programs such as anger management, education upgrading, sex offender treatment, institutional behaviour.
- Future: Assessment of release plan such as accommodation, family and community support. CSC recommendations.
- Applies to initial releases and to potential suspension/revocation cases

Some statistics

- Over the last 10 years, the crime rate in Canada, including violent crimes, has steadily declined.
- The incarceration rate in Canada is 116 per 100,000 inhabitants.
- 70% of the federally sentenced population in Canada is comprised of offenders convicted for violent crimes. It is a more hardened and complex population.
- In 2003-2004, the numbers of decisions by the NPB was 21,000.
- 4,395 reviews of federal and provincial offenders for day parole and the grant rate was 74%
- 3,917 reviews for full parole and the grant rate was 47%.

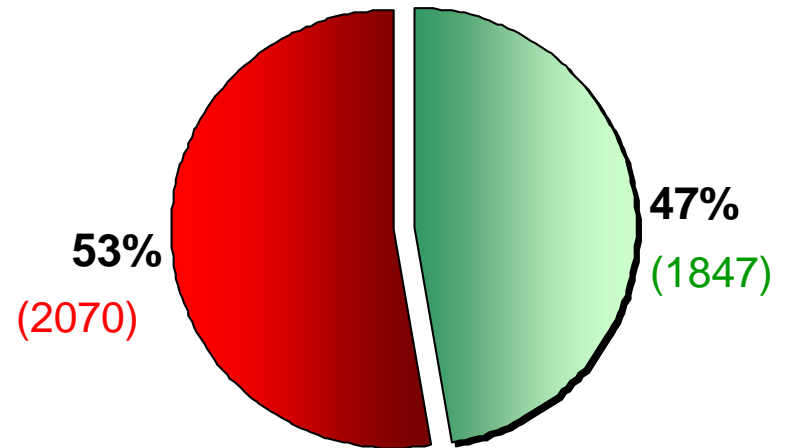
Parole Grant Rates 03-04

Day Parole



■ Granted ■ Denied

Full Parole



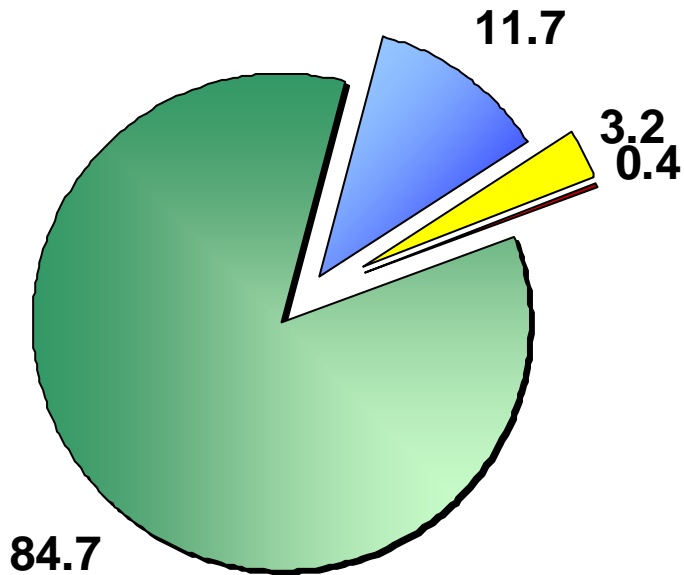
■ Granted ■ Denied

Parole outcomes

- For day parole, the success rate was 84.7%; there was reconviction for breach of condition in 11.7%, revocation for non-violent offence in 3.2% and for violent offence in 0.4%.
- For full parole, for offenders with a determinate sentence (excluding lifers), the success rate was 73.1%, there was reconviction for breach of condition in 19%, revocation for non-violent offence in 7.1% and for violent offence in 0.8%.
- So, reconviction rates while on parole are low and in decline.
- More details can be found in the NPB Performance Monitoring Report 2003-2004 shortly on our website.

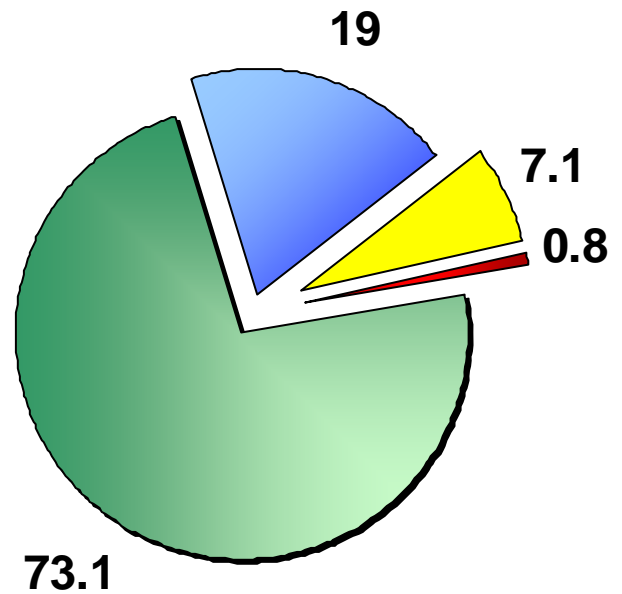
Parole Outcomes 03-04

Day Parole



- Successful
- Breached
- Non-Violent
- Violent

Full Parole



- Successful
- Breached
- Non-Violent
- Violent

Aboriginal and Diversity Initiatives Unit

Aboriginal

- Recidivism
 - The likelihood of an Aboriginal offender reoffending is approximately twice as high as a non-Aboriginal, more particularly so for those serving shorter sentences. In some research that was done in 1996, Aboriginal people have twice the probability of returning to prison for a more serious or equal offence. Homicide and narcotic sellers had a low repetition rate. Once out of two Aboriginal people would return for a further sex or violent offence compared to one out of five for non-Aboriginal.

Aboriginal and Diversity Initiatives Unit

Aboriginal

Regular Hearing: A regular parole hearing is what all offenders receive after a determined amount of time of incarceration. The setting usually takes place in a boardroom. The Offender has the right to have a person with them to act as their assistant. The Offender's Parole Officer (PO) presents the case and makes his/her recommendations to the Board. The Parole Board Members ask questions regarding the offender's crime and what lead up to it; as well as questions about their institutional behaviour including any and all programs the offender may have taken. After this is done the offender's assistant is given the opportunity to speak on behalf of the offender. The offender has the last word and is given the opportunity to address the Board Members before they break to assess the information gathered and make the decision.

Aboriginal and Diversity Initiatives Unit

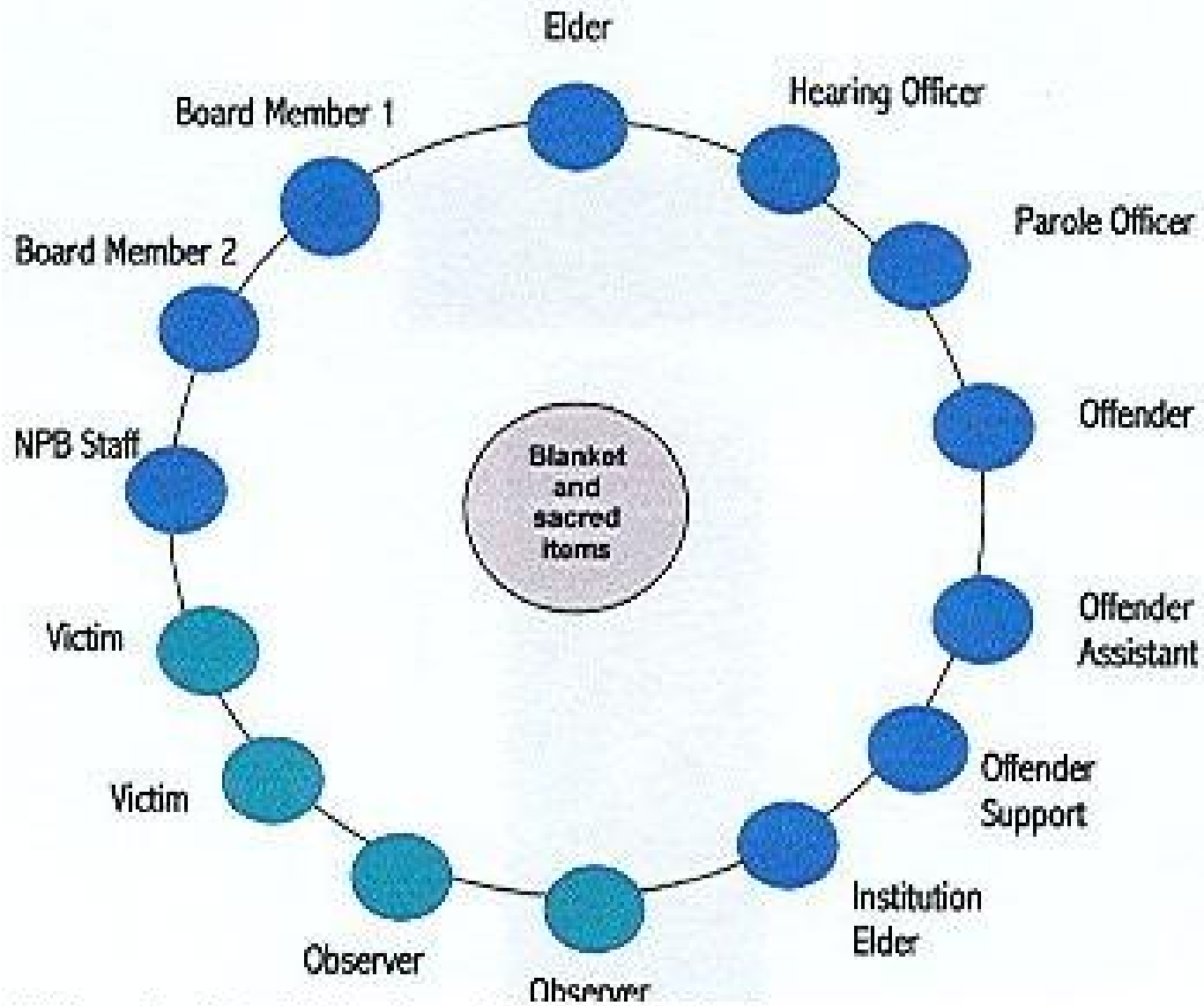
Aboriginal

Elder Assisted Hearing: An Elder-Assisted Parole Hearing is a hearing that takes into account the uniqueness of Aboriginal culture and heritage. The Board's main objective is to provide an environment of trust and respect where the offender can feel comfortable in sharing information related to his/her journey.

Aboriginal and Diversity Initiatives Unit

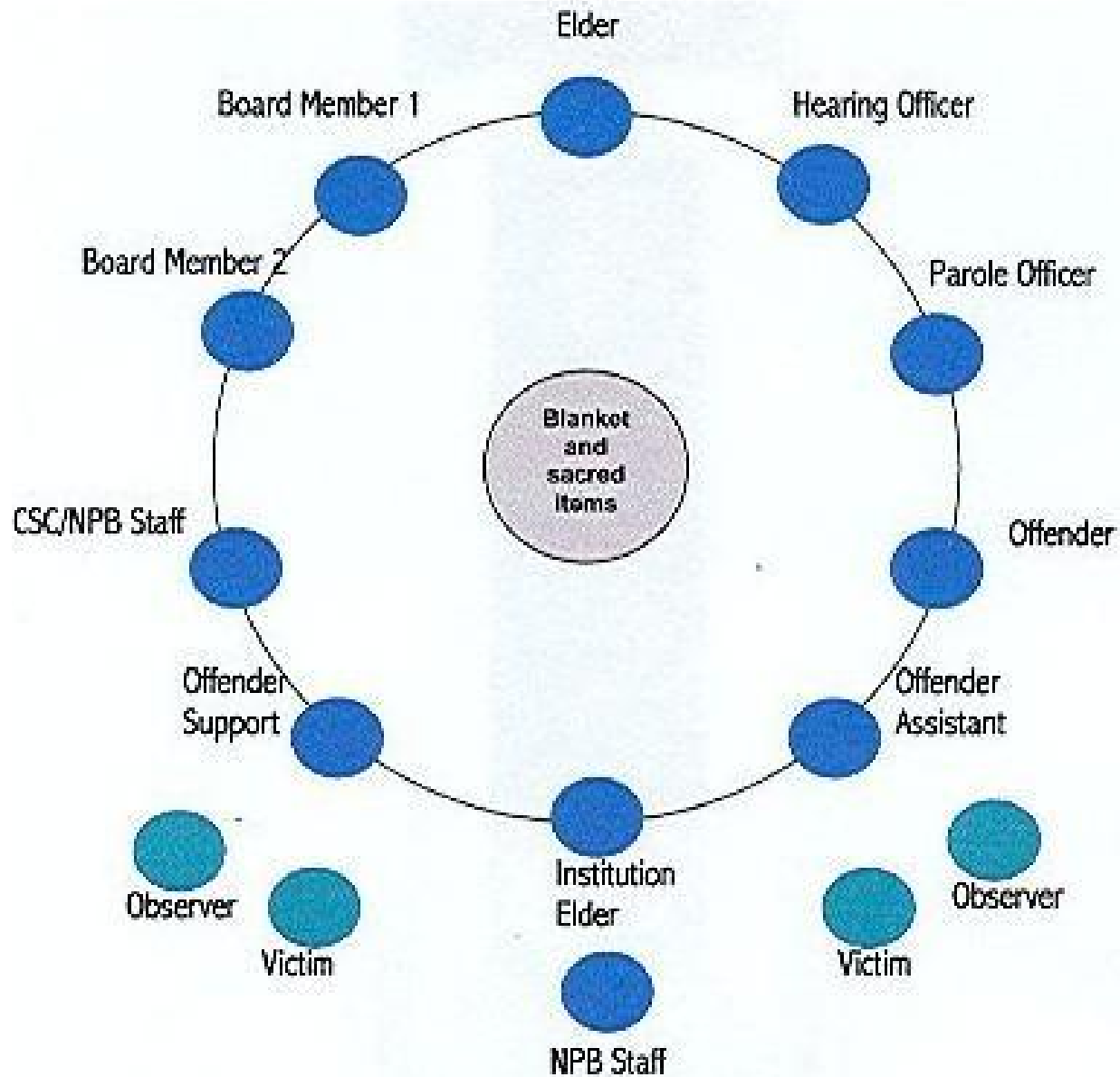
Aboriginal

Elder Assisted Hearings began in 1992 in response to a need and a desire to make regular parole hearings more culturally sensitive to the large number of Aboriginal offenders. An Elder is selected by the National Parole Board to assist the Board members responsible for making the conditional release decision, or more commonly known as the parole decision. The Elder provides advise on spiritual and cultural issues to the Board members and often to the offender as well, but does not take part in making the decision. Elder-Assisted Hearings take place at a federal institution.



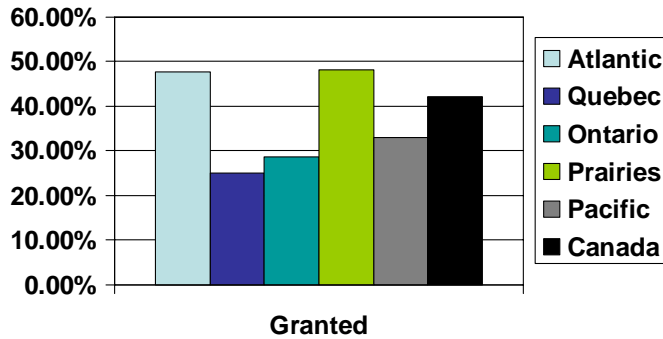
Elder Assisted Hearing - Victim In Circle

Elder Assisted Hearing - Victim in Outside Circle

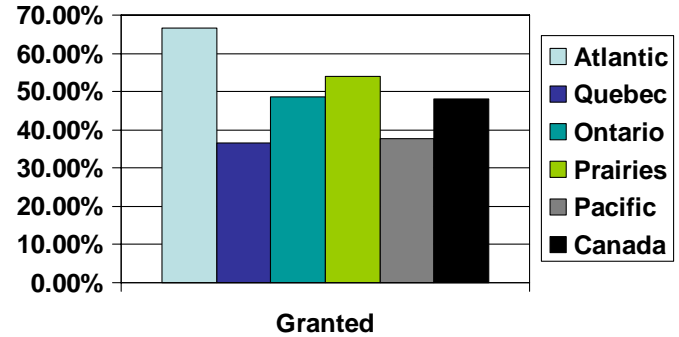


Full Parole Grant Rates

Aboriginal



Non-Aboriginal

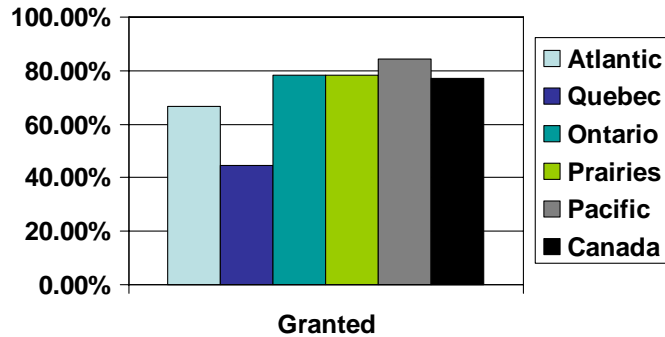


FULL PAROLE <i>Aboriginal</i> 2003-2004			
REGION	GRANTED	DENIED	GRANT RATE
ATLANTIC	20	22	47.62
QUEBEC	10	30	25.00
ONTARIO	14	35	28.57
PRAIRIES	155	167	48.14
PACIFIC	28	57	32.94
CANADA	227	311	42.19

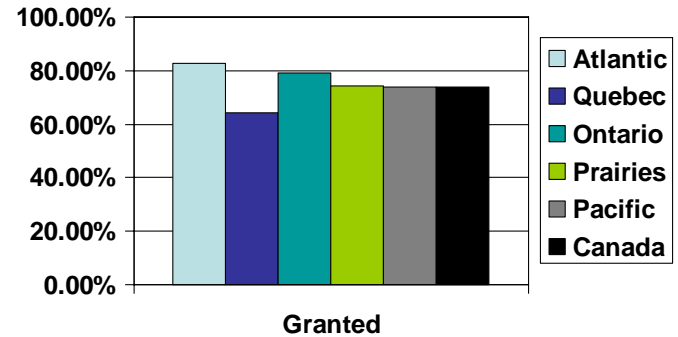
FULL PAROLE <i>Non Aboriginal</i> 2003-2004			
REGION	GRANTED	DENIED	GRANT RATE
ATLANTIC	341	171	66.60
QUEBEC	340	587	36.68
ONTARIO	387	409	48.62
PRAIRIES	401	343	53.90
PACIFIC	151	249	37.75
CANADA	1,620	1,759	47.94

Day Parole Grant Rates

Aboriginal



Non-Aboriginal



DAY PAROLE *Aboriginal* 2003-2004

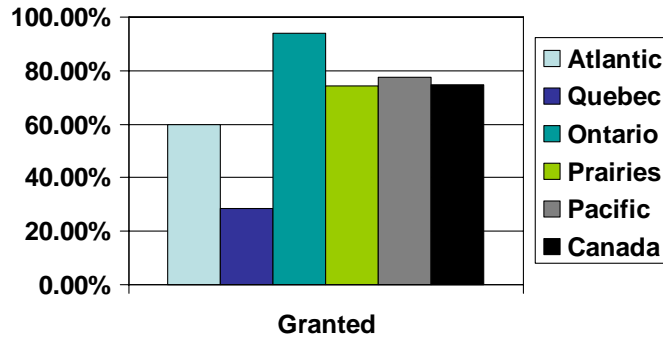
REGION	GRANTED	DENIED	GRANT RATE
ATLANTIC	20	10	66.67
QUEBEC	17	21	44.74
ONTARIO	54	15	78.26
PRAIRIES	312	87	78.20
PACIFIC	124	23	84.35
CANADA	527	156	77.16

DAY PAROLE *Non Aboriginal* 2003-2004

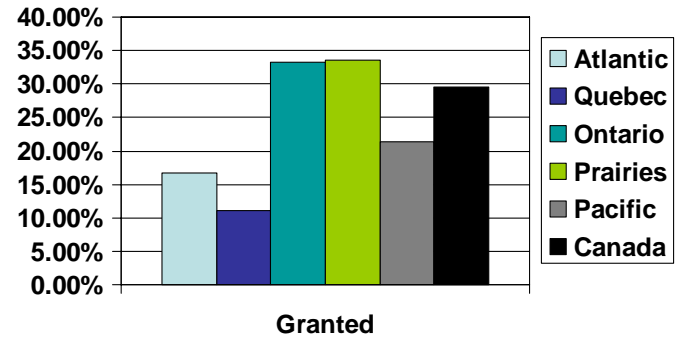
REGION	GRANTED	DENIED	GRANT RATE
ATLANTIC	408	86	82.59
QUEBEC	635	354	64.21
ONTARIO	702	186	79.05
PRAIRIES	618	212	74.46
PACIFIC	378	133	73.97
CANADA	2,741	971	73.84

Grant Rates – Elder Assisted Hearings

Day Parole



Full Parole



DAY PAROLE Assisted Hearings - Aboriginal FROM: 2003-2004			
REGION	GRANTED	DENIED	GRANT RATE
ATLANTIC	3	2	60.00
QUEBEC	2	5	28.57
ONTARIO	16	1	94.12
PRAIRIES	119	41	74.38
PACIFIC	24	7	77.42
CANADA	164	56	74.55

FULL PAROLE Assisted Hearings - Aboriginal FROM: 2003-2004			
REGION	GRANTED	DENIED	GRANT RATE
ATLANTIC	1	5	16.67
QUEBEC	1	8	11.11
ONTARIO	3	6	33.33
PRAIRIES	37	73	33.64
PACIFIC	6	22	21.43
CANADA	48	114	29.63

Aboriginal and Diversity Initiatives Unit

Aboriginal

Community Assisted Hearing: A Community-Assisted Parole Hearing is very similar to the Elder-Assisted Parole Hearing except the hearing takes place in the offender's own community. The National Parole Board will require several months' notice if the offender plans to request a Community-Assisted Parole Hearing. The request form needs to be filled out by the offender's Parole Officer. A form must be filled out and this form will identify the name of the person or persons the offender has contacted in the community to prepare for such a hearing.

What is the role of victims?

- Victims can register with the Board and be in contact with our victims liaison officers in each of our offices.
- They have a right to information about eligibility dates and about scheduled dates of hearings. They can observe hearings, submit a written impact statement and present the statement orally at the hearing.
- They also can request special conditions to prohibit contact with the offender if granted release.
- They can obtain a copy of the decision.

NPB and Victims - Today

- At any given time, 5,300 active offender files in the region, federal and provincial
- Victims must be registered in order to receive information
- 534 offender files, as of today, require information to be provided to victims
- 900 victims are registered to receive information they are entitled to according to legislation. Many offender files have more than 1 registered victim
- The numbers will increase as will the need for NPB to provide information services

What NPB Has Experienced to Date (between July 1, 2001 and March 31, 2004)

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	Atlantic	Quebec	Ontario	Prairies	Pacific	Canada
Hearings with presentations	39	35	61	68	59	262
Presentations	61	42	88	84	107	382
In person	44	33	70	49	83	279
Audiotape	11	9	16	23	13	72
Videotape	6		2	12	11	31
Requested, but did not take place	15	26	29	20	46	36

Report on Victims

Fiscal Year 2003/2004

Contacts

Telephone	1838
Letters	1623

Initial contacts

Direct victims	93
Victim's family	111
Agent (143(3))	52

Decisions sent	859
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What is a pardon?

- A pardon allows people who were convicted of a criminal offence, but have completed their sentence and demonstrated they are law-abiding citizens, to have their criminal record kept separate and apart from other criminal records.
- Individuals with summary convictions can apply for a pardon 3 years after the completion of their sentence, and for those with indictable convictions 5 years after the completion of their sentence.
- The NPB receives 22,000 request annually. The majority are pardoned. Pardons can be revoked if there is a new conviction.

Challenges

- Calls for «tough on crime» approach when tragic incidents happen in the community.
- Difficult public environment.
- Media attention on failures and not on successes.
- Pressures from victim groups.
- Fear of crime – Distorted perceptions.
- Public confidence declines.

A need for constructive ideas

- More research on tools to assess risk and readiness.
- On-going improvement to the process of appointing Board members and their training.
- Continue developing innovative hearing processes.
- Learn from positive practices.
- Better public education is key for support of parole.
- Strong partnerships with communities are important.
- Continuous enhancements to laws, policies and practices.
- Better collaboration among partners of the Criminal Justice System.