



PAROLE AND ITS ROLE IN REHABILITATION AND COMMUNITY SAFETY

Sentencing rarely repairs harm

Sometimes people behave in harmful ways. When people are found guilty of criminally harmful behaviour, a sentence is imposed. In principle, the objective of sentencing in Canada is to:

- Deter further harm and separate the person found guilty from society, where necessary;
- Provide reparations and promote responsibility for harm done;
- Denounce unlawful conduct; and
- Assist in rehabilitation of the person found guilty.

In reality, sentencing rarely repairs the harm caused to the persons or communities affected, and accountability to families and communities is taken away. Meanwhile, the focus on punishment commits most of the justice system's resources to legal processing, incarceration and prisons, rather than healing and rehabilitation.

Despite these problems, one of the more promising parts of the current justice system is parole.

What is parole?

Parole is a graduated, supervised return to the community of an incarcerated person before the expiration of their sentence. The purpose of parole is to support community safety and the rehabilitation and reintegration of incarcerated persons into society.

Parole comes in two forms. In day parole, the person abides by a curfew and specific conditions, and resides in a federally approved halfway house in the community. With full parole, while there is no daily curfew, they must abide by specific conditions, report regularly, and live in an approved residence of choice.

How does parole work?

The parole process begins with escorted passes from prison to attend, for example, religious services or support groups. These escorted absences then progress to unescorted passes, followed by limited release to a halfway house with ongoing supervision and support. Many do not ask for passes, or are turned down, and their first experience is day parole. Many day parole requests are also turned down.

Reintegration plans are created with input from prison staff, Indigenous Elders (if needed), families, volunteers, parole officers, psychologists, halfway houses, community support agencies, and the individual. Individuals work toward full parole, where they are able to live in the community with supervision, support and monitoring.

How does parole keep us safe?

Most incarcerated persons become our neighbours and friends after serving their time. Evidence shows that people leaving prison have a better chance of success if they receive supervision, opportunities, training, and support within the community. Without parole, they would be released on their Warrant Expiry Date without any supervision or community supports making them far more likely to reoffend.

Ideally, parole provides treatment with dignity, continued assessment of risk, encouragement toward a law-abiding lifestyle, assistance in returning to community life, and access to programs that will help with re-entry into society.

In 2014-2015, the Parole Board of Canada reported that 99.1% of federal day parole and 97.3% of federal full parole supervision periods were completed without reoffending.¹

¹ Parole Board of Canada. 2016. *Performance Monitoring Report 2014-2015*. <https://www.canada.ca/content/dam/canada/parole-board/migration/005/009/093/005009-3000-2015-en.pdf>



Parole requirements

Parole includes specific requirements such as where the person can live, a curfew, work or school expectations, restrictions on the use of alcohol and non-prescription drugs, who they can be with and where, and any other conditions that the court sees fit, provided they don't violate the human rights of the individual on parole.

If these requirements and restrictions are not kept during a sentence, the person is returned to prison, or their liberty is reduced in other ways such as re-employing a curfew or stiffening its rigidity.

Who is eligible for parole?

Decisions about an incarcerated person's parole are made by the Parole Board of Canada. They are based on a formal application by the incarcerated person, with input from correctional staff, the people who were harmed, and people who support the incarcerated person.

However, if rehabilitative programming is offered and refused by the person, and they are deemed to be at risk to re-offend, they may be kept in prison until their Warrant Expiry Date.

What about life sentences?

People who are found guilty of murder and sentenced to "life" are given a warrant that does not expire until they die. A life sentence includes a date for parole eligibility, and many are successful on or after that date. For their whole lives, however, they remain under the scrutiny of the government, usually through the Parole Board of Canada.

The need for parole reform

During the decade of 2006-2015, parole was undermined by a lack of rehabilitative services and changes to legislation and monitoring. This led to increased incarceration. In fact, parole grant rates declined by 20% between the years 2009-2014.²

Recent changes to the criminal justice system have meant that incarcerated persons may not get the rehabilitative and parole supports they need to contend with the problems that led their incarceration. As of 2016, many incarcerated persons were not being released until close to or at the end of their sentences, with less time to transition into society, often without supports and supervision.³ This impacts public safety.

For parole to work, reform and proper support for community reintegration services are needed.

PAROLE IS PART OF THE SENTENCE

In Canada, a person is usually given a sentence of a set number of days, months or years. Within the sentence, the following dates are usually specified:

Parole Eligibility Date: The date at which the incarcerated person can apply for parole (usually at 1/3 of the sentence).

Statutory Release Date: The date at which a qualifying incarcerated person will be released on graduated parole (usually at 2/3 of the sentence). Most incarcerated persons qualify for this release.

Warrant Expiry Date: The end of the sentence, after which the government has no further rights to detain, supervise or restrict the individual.

Long-Term Supervision Order: A period of supervision (up to 10 years) for a person designated as a dangerous or long-term offender who has served their sentence.

² Office of the Correctional Investigator. 2014. *Overcoming Barriers to Reintegration: An Investigation of Federal Community Correctional Centres*. <http://www.oci-bec.gc.ca/cnt/rpt/oth-aut/oth-aut20141008-eng.aspx>

³ Ibid.



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