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E. KING

**CANADIAN ASSOCIATION OF CHIEFS OF POLICE
BRIEF
TO THE STANDING COMMITTEE ON JUSTICE
AND THE SOLICITOR GENERAL
ON BILL C-36
AN ACT TO AMEND
THE CORRECTIONS AND CONDITIONAL RELEASE ACT**

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CANADIAN ASSOCIATION OF CHIEFS OF POLICE

BRIEF

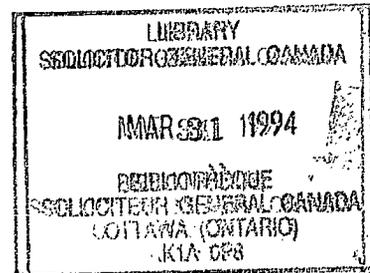
TO THE STANDING COMMITTEE ON JUSTICE

AND THE SOLICITOR GENERAL

ON BILL C-36

AN ACT TO AMEND

THE CORRECTIONS AND CONDITIONAL RELEASE ACT



Apearances:

Chief Thomas G. Flanagan, S.C., Chair
CACP Law Amendments Committee
Vice-President, Canadian Association of Chiefs of Police

Inspector Gwen Bonifacae, Vice-Chair
CACP Law Amendments Committee

Mr. S.H. (Fred) Schultz, Executive Director
Canadian Association of Chiefs of Police

Mr. Vincent Westwick, General Counsel
Ottawa Police

Standing Committee on Justice and Solicitor General

Brief of The Canadian Association of Chiefs of Police

Bill C-36

An Act to Amend the Corrections and Conditional Release Act

Opening Remarks: Chief Thomas G. Flanagan, S.C.

The Government of Canada through the Solicitor General of Canada has carried on extensive consultation on the issue of parole and conditional release. All segments of Canadian society have told them that the parole system enjoys neither the support nor understanding of the public. We believe Canadians are demanding a simpler and more understandable system of parole. The Canadian public is no longer content to be told that such things as sentence computation, risk evaluation and rehabilitation are much too complicated for the average citizen to comprehend.

Several highly publicized tragedies such as the Ruygrok case in Ottawa have highlighted many inconsistencies in the process. The task facing the drafters of this type of legislation is daunting as they must balance three, sometimes contradictory, principles;

- 1) the need for protection of society;
- 2) the need to structure and maintain community understanding and input into this system;
- 3) create a fair and equitable system of conditional and gradual release of offenders into the community.

What makes the task even more difficult is that the high costs of incarceration must be factored into the thinking and long term planning.

Canadians want to have confidence in the parole system and the CACP believes that such confidence can only be achieved if it is based on a system which the public both understands and can participate in.

Community based policing is the current approach in policing. The thrust of the concept is to involve actual citizens in the policing process which turns critics of police into volunteers who work for the betterment of their own communities. Even the most skeptical, are overwhelmed by the positive results.

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT PAROLE AND CORRECTIONS MUST CAPTURE AND MAINTAIN THE CONFIDENCE AND SUPPORT OF THE COMMUNITY IN ORDER TO BE SUCCESSFUL.

Therefore, while the CACP recognizes the magnitude of the task to be accomplished and applauds the genuine efforts of many in creating this legislation, we must state that we do not agree nor support the Bill C-36 as drafted. It is our position that the current draft of this legislation does not incorporate (or even recognize) the concerns of the communities across Canada.

Our reasons are as follows:

- A) While the Bill talks about protection of society as the main direction and principle, the structure of the legislation does not incorporate this ideology;
- B) The community, including victims and those affected by early release programs are effectively frozen out of the process.
- C) Conventional wisdom in criminal law is to increase the emphasis on the sentencing process by the trial judge. The philosophy is not addressed in the Bill in more than a token way.
- D) The concept of Statutory Release flies in the face of any logical attempt to create a positive public perception of the process.
- E) The system for computation of release times and overall sentence calculation does nothing to remove the existing arcane and utterly incomprehensible system which currently exists.

The Canadian Association of Chiefs of Police would much prefer to have come to your committee to endorse the legislation before you. We recognize, as we did in the recent gun control legislation, that it is not always possible to get everything that the police want.

However, it all too often falls to police to explain how the system works or how it fails. Police are weary of trying to explain to victims of crime - WHY!

Therefore, our request of you is to send this back to the drafting table, with a mandate to reach out to the communities and seek their involvement which we believe will win their understanding and support and therefore the endorsement of the Canadian Association of Chiefs of Police.

- replaced:

- "make amendments to as
to obtain support of CACP"

ISSUE NUMBER ONE

Section 4 Principles

(1) Community Protection of Society

Paragraph 4(a) outlines the protection of society as first principle. Paragraph 4 (d) indicates that the least restrictive measure be used which on the face of it is contradictory. The rest of Section 4 sets other equally important principles worthy of inclusion.

The concern here is not with the contradiction or with the inclusion of other principles but rather with the lack of emphasis given to protection of society. It ought to be clear to decision makers under The Act that this principle holds priority and that all actions and decisions made pursuant to The Act ought to be guided by this overriding social concern. The concern is that the message be clear to all who work within or are affected by The Act. It will be too easy to be said that this principle does not change the status quo as the Parole Board and Corrections Canada has always been concerned about the protection of society.

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT SECTION 4(A) BE GIVEN A HIGHER STATUTORY STATUS BY INDICATING THAT PROTECTION OF SOCIETY IS THE PRIMARY PRINCIPLE.

ISSUE NUMBER TWO

Section 4: Principles

(1) Community Involvement

There is nothing in this declaration of principle which addresses community involvement. If the legislation is serious about opening the process to the public, it ought to be stated clearly and unequivocally.

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT SECTION 4: THE DECLARATION OF PRINCIPLE BE AMENDED AS FOLLOWS:

Section 4(x): That all reasonable steps be taken to encourage community involvement through participation and consultation.

Note: x indicates proposed new section.

ISSUE NUMBER THREE

Section 4: Principles

(iii) Sentencing Judge

There is no reference to the input of the sentencing judge in the process. Given the increased emphasis and resources being directed at sentencing, there seems to be a gap which appears to exclude the input in this structure of The Act.

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT SECTION 4: PRINCIPLE BE AMENDED AS FOLLOWS:

Section 4 (i): That input from the sentencing judge be encouraged and consideration be given to it.

ISSUE NUMBER FOUR

Section 17: Escorted Temporary Absences

The scheme set up by The Act is generally to have the power of release into the community left in the hands of the Parole Board. In the case of releases pursuant to Section 17, this decision making power remains with the Correction Services Canada and its institution head.

The power of release ought to be centralized with the Board and ought not to be fragmented on a functional basis.

Clearly there are practical reasons in favour of the local head having this control, nevertheless such authority should remain with the Board in order to:

- 1) to ensure equal treatment and application of this section across Canada, both from the standpoint of the offender and release criteria;
- 2) to ensure that community input remains a part of all release programs;

(see Issue Number 18 concerning community input into the Parole Board operation);
- 3) to ensure accountability of decision making through the Board accountability allowing for administrative law review not applicable to a decision by officials.

As well, it is entirely possible that an inmate may have been deemed not suitable for any of the work release or conditional release programs by the Board and still successfully apply to the institution head under this section.

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT SECTION 17: ESCORTED TEMPORARY ABSENCES BE AMENDED TO INCLUDE:

Section 17(1): Where in the opinion of the Board,...

and

Section 17(x): In special or urgent circumstances, where it is impractical to have the matter reviewed by the Board and further where it is not against the Principles of The Act, the Board may delegate its power to release under this section to the institution head.

Section (x-i): Where a release is made by the institution head pursuant to this section, the institution head shall provide to the Board forthwith a complete report on the release and the Board shall comment in writing to the institution head and the Commissioner its opinion of the release.

Given that this type of release is generally to deal with unusual circumstances where the inmate may not have otherwise been prepared for release into the community, this type of release is viewed as very serious with the potential for serious problems (witness the recent breach of such an absence by Mr. Milgaard). Therefore, the CACP has recommended that the power remain with the Board.

Clearly, therefore, the CACP is opposed to any further delegation of this power to other than an institution head who will be subject to statutory review by both the Board and the Commissioner. The CACP is not in favour of the suggested delegation to a provincial hospital head as provided for in Section 17(6). Surely this type of release can be worked either by the Board or in rare and urgent cases by the local institution head.

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT SECTION 17(6) BE DELETED.

ISSUE NUMBER FIVE

Section 17: Escorted Temporary Absences

Escorted TAP's are used primarily for humanitarian reasons and if used appropriately are consistent with a compassionate system.

However, there is nothing in the section other than in 17(1)(b) which specifically addresses the overriding concern for the protection of society and the community where the inmate will be.

Further there is nothing in the section which limits this section's applicability to other than the prison population at large. While an inmate on Schedule I or II cannot be ignored, should not the onus in these cases shift to a higher standard?

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT SECTION 17: ESCORTED TEMPORARY ABSENCES BE AMENDED TO INCLUDE:

Section 17(x): The principle of protection of the community can be met;

Section 17(x) where the inmate requesting an escorted temporary absence is serving a sentence for an offence on Schedule I or II, the request will not be granted unless in the opinion of the Board, the reasons are of special merit and there is sufficient evidence to believe that the community into which the inmate is going will be protected.

ISSUE NUMBER SIX

Section 18: Work Releases

It is the view of the CACP that the power of release should be centralized with the Board. The program proposal should be subject to Board approval. In this way the Board can oversee the appropriateness of the program in relation to the principles of The Act. Since the Board will now have a mandate of protection of society and hopefully will on a local level work out a partnership with the communities involved, it more logically falls to the Board to have final approval over the program, although the inmate selection can be delegated to the institution head. However, the selection of inmates for the program by the institution head ought to be subject to some specific statutory conditions by way of eligibility criteria.

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT SECTION 18: WORK RELEASES BE AMENDED AS FOLLOWS:

Section 18(x): The work release program shall be submitted to the Board together with the inmates recommended by the institution as suitable for the program.

Section 18(x-i): The Board will review the program and eligible inmates and approve same unless there are reasons contrary to the public interest or the principles herein why the program ought to be established.

Section 18(x-ii): No person whose conviction is for an offence on Schedule I or II or who have been previously rejected for parole is eligible for a work release without a full hearing by the Board.

ISSUE NUMBER SEVEN

Section 19 and 20: Investigations

This section provides for a statutory review and investigation in situations where an inmate is injured or killed while under the authority of The Act. This is positive and is supported by the CACP. The concern here is that the section does not go far enough.

It is felt that situations where serious bodily injury or death occur to a member of the community by an inmate also ought to be the subject of an internal investigation by the Service with a report to the Board. Clearly this suggestion is not an attempt to parallel the police investigation but rather to make available another opportunity to benefit by experience to ensure that protection of the public continues to remain in the forefront.

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT SECTION 19 and 20: INVESTIGATION BE AMENDED AS FOLLOWS:

Section 20(2): Without limiting the generality of the above, an investigation shall be conducted into any situation where a person suffers serious bodily injury or death that may have resulted from the criminal actions of an inmate and further the Commissioner shall forward the results of the investigation to the Board for their review.

ISSUE NUMBER EIGHT

Section 23: Information

The thrust of this section is to ensure that the Service and later the Board has all relevant information about the inmate. This section was recommended from the Ruygrok inquest (among others) to make certain that the Service, and ultimately the Board, is aware of all available information. The reasons are obvious in that such matters as security assessment, rehabilitation or treatment decisions cannot be made on anything less than a full and complete picture. Unfortunately the legislative language used is not absolute, but should be.

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT SECTION 23: INFORMATION BE AMENDED AS FOLLOWS:

In all parts: the removal of the words
"...take all reasonable steps to..."
leaving the wording "...shall obtain..."

Section 23(1)(a): Replaced with: "all relevant and available information about the offence and previous offences where reasonably available.

Section 23(x): Add sub-paragraph: victim impact statement and transcripts of any comments by the sentencing Judge on parole eligibility.

ISSUE NUMBER NINE

Section 25: Provision of Information to the Board and Others

This is a crucial section. Another problem that was highlighted in Ruygrok, and elsewhere, was not that the information about Allan Sweeney (the offender) was not available but rather that the right people did not get it at the right time. This is no place for the statute to use inconclusive language.

It is not clear why The Act uses the language "take all reasonable steps" but in the view of the CACP, the language should be clear, unequivocal and mandatory.

It is hard to imagine a situation where the Service does not want to provide the Board with as a complete a package as possible in determining an application for parole.

Further, one is left wondering why the police are not provided with information in Section 26(2). While arguably the police do not need a full file on every inmate being released, it certainly is consistent with protection of the community that the police have basic information and background.

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT SECTION 25: INFORMATION BE AMENDED AS FOLLOWS:

Sections 25(1) & (3): The words "... take all reasonable steps to ..." should be deleted so the section reads "...shall give..."

Section 25(2): Should have the following words added "...together with background information on the inmate in question".

ISSUE NUMBER TEN

Section 26: Information for Victims

This is the first section where the openness talked about in the consultation process is put to the test. While there are times when it is inappropriate to give victims information about the offender, it is the position of the Canadian Association of Chiefs of Police that victims have, for too long, been left out of the process.

This is a situation where the onus should be in favour of giving the information unless there are compelling reason not to. Given the current wording, it is always open to say that the victim's interest in particulars about the inmate and his/her release is limited. Furthermore the general scheme begs nondisclosure of information and puts the onus on the higher order interest of the victim. The presumption should be in favour of disclosure.

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT SECTION 2: INFORMATION FOR VICTIMS BE AMENDED AS FOLLOWS:

Section 26(1): The Commissioner shall, at the request of a victim of an offence committed by an offender, disclose to the victim any of the following about the offender, unless there are clear and compelling reasons why the disclose of such information to the victim would cause serious or irreparable harm to the offender.

For all the reasons given above, the same approach ought to be taken with transfers. Given the likelihood of release of the inmate into the community into which he has been transferred to , the reasons for disclosure of this information to the victim are more compelling.

Section 26(2) "...the Commissioner shall, at the time of the request ...the name of the province in which the the provincial correctional facility is located, unless there are clear and compelling reasons why the disclosure of such information to the victim would cause serious or irreparable harm to the offender."

ISSUE NUMBER ELEVEN

Section 28: Criteria for selection of Penitentiary

This is one of those situations in The Act where the specific section wording does not support the primary principle of The Act. Notice that the wording structures "the least restrictive environment" as the primary criteria.

It is the position of the CACP that the principle of protection of society ought to always be the primary criteria and underlying structural mandate. This is not to say that other factors are not important or should not be considered but rather that there is an overriding concern which must always be focal.

THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE ALSO SUPPORTS THIS CRITERIA BEING PRIMARY IN ANY TRANSFER WITHIN THE SERVICE OR TO A PROVINCIAL INSTITUTION.

Section 28: In selecting the penitentiary to which a person is be confined or transferred to, the Service shall give primary consideration to the protection of the community, taking into account;

Section 28(x): The one that provides the least restrictive environment for that person.

PART II: CONDITIONAL RELEASE AND DETENTION

ISSUE NUMBER TWELVE

Section 100: Purpose and Principles

The section puts protection of society front and centre as a guiding principle and this is fully supported by the Canadian Association of Chiefs of Police. The Canadian Association of Chiefs of Police also calls upon The Act to give prominence to the principles of openness and reliance on the input of the sentencing judge.

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT SECTION 100: PRINCIPLES PLACEMENT AND TRANSFER OF INMATES BE AMENDED AS FOLLOWS:

Section 101(b): The parole boards shall consider ...and information from the victim, police, offender.

Section 102(a): The offender will not, by reoffending present a risk to society..."

Section 102(x): That the release is consistent with the protection of the community and the victim and is not contrary to the the public interest, and the objectives and principles of this Act.

ISSUE NUMBER THIRTEEN

Section 115: Unescorted Temporary Absences

This type of release while in many instances, crucial to the reintegration of the offender into the community, nonetheless presents a considerable threat to the community.

It is for this reason that in the view of the Canadian Association of Chiefs of Police the criteria for this program should exclude those persons whose offence is on Schedule I or II. While this would reduce the number of eligible candidates, it also maintains the principle of protection of society and does not affect those offenders who may not present the same degree of risk.

It is also consistent that this power specifically in The Act given to the Board not be delegated. If there are large numbers of inmates who present low risk and can best be handled by the Service than the Board ought to retain at least a supervisory capacity.

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT SECTION 115: UNESCORTED TEMPORARY ABSENCE AMENDED AS FOLLOWS:

Section 115(3): Offenders whose offence is listed on Schedule I or II are not eligible for an unescorted temporary absence.

Section 115(2-x): Where an unescorted temporary absence is authorized by someone other than the Board, the person authorizing the release shall forthwith report to the Board.

Section 117(x): Where the Board authorizes, confers or delegates its power under this Part, the Board shall monitor such delegation to ensure the operation of this program is at all consistent with the objectives of this part and The Act at large. Without limiting the generality of the above, the person to whom such delegation is made shall report to the Board at regular intervals on the program and in any case, in not more than every thirty days.

Section 117(2): Delete.

Section 117(x): The Board or the person to whom the power under this Part is delegated shall complete a report on each situation where an inmate released under this Part, does not comply with the conditions or is charged with a criminal offence.

Issue 14 missing - it relates to
Acad. Rev. (they're opposed)

ISSUE NUMBER FIFTEEN

SECTION 127: STATUTORY RELEASE

In the middle of this century, an informal sentence remission process developed such that wardens could release an inmate early in order to reward that inmate for good behavior while in custody.

In the middle 1970's, this process was legitimized with the implementation of earned remission. The idea was two fold;

- 1) that good behavior would be rewarded and;
- 2) that such a program added an element of stability to the institution by introducing incentive and reward.

Correction Service Canada is now acknowledging that this concept did not survive practical application. The fix however is to make the remission automatic rather than simply allowing the sentence to run subject to the parole provision in place.

The Canadian Association of Chiefs of Police strongly disagrees with this approach. It seems trite to say that when a person is sentenced by a judge after that court has considered all the information before it, the person sentenced, the court and all present as well as the general public should believe that the sentence will be served, subject to early release through parole.

Nobody, including the offender, and least of all the society is well served by a sentence that really means one third less than what it is said to be. It is like winking at reality.

This is not an argument for longer sentences but rather an argument that says perception is important. Reducing automatically every sentence given creates an unfavorable impression in everyone eyes.

Mandatory supervision as it used to be known had benefits in that offenders were under a cloak of supervision and were not released cold turkey to the community.

The Canadian Association of Chiefs of Police believes that Canadians and ultimately the correction field is better served by stating that every sentence will be followed by a period of mandatory release for a period equal to one third (or other acceptable percentage) of the total sentence. Further sentencing Judges should have the option of increasing the time of supervision by coupling the sentence with a probation order. This is currently the practice in provincial sentences but requires an housekeeping amendment to the Criminal Code to effect the same result at the federal level.

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT THE STATUTORY RELEASE PROVISIONS BE DELETED FROM THE ACT AND BE REPLACED BY A SYSTEM OF MANDATORY SUPERVISION FOR A PERIOD OF ONE THIRD THE TOTAL LENGTH OF THE SENTENCE FOLLOWING THE COMPLETION OF THE SENTENCE

IT IS FURTHER THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT THE CRIMINAL CODE OF CANADA BE AMENDED TO ALLOW THE PERIOD OF MANDATORY SUPERVISION FOLLOWING THE SENTENCE TO BE EXTENDED BY THE SENTENCING JUDGE BY WAY OF A PROBATION ORDER.

Note: The intention of these recommendations is not to increase the length of time a person spends in custody but rather to have a system which does not present to the public that offenders are laughing at a system that means every three year sentence is really only two years and every nine year sentence is really six and so on.

ISSUE NUMBER SIXTEEN

Section 133(3): Conditions of Release

The standard conditions which are now found in policy ought to be statutory conditions and ought to include:

- 1) keep the peace and be of good behavior and;
- 2) obey all instructions given by the Board and parole officer and;
- 3) comply with all other conditions of the release.

ISSUE NUMBER SEVENTEEN

Section 139: Multiple Sentences

Currently there are few people in the criminal justice system who are able to compute sentence roughly if at all. It is common for judges and lawyers to seek the assistance of a passing probation officer to interpret their own sentence.

There are two main reasons for this which are the terms "concurrent and consecutive". Judges often fix in their minds the length of time that they feel is appropriate for the offences and then attempt a "package" of sentences. This becomes even more confusing when a court sentences someone already serving a sentence.

It is submitted that the last judge should always state on the record the total length of time he/she intends the person to be sentenced to. Appropriate wording and some education of judges will, with any luck, eliminate this confusing problem.

ISSUE NUMBER EIGHTEEN

Section 140: Review Hearings

The Act is billed as being more open and more sensitive to the needs of the community and its members including victims. The CACP supports this philosophy completely, and encourages the incorporation of specifics into the wording of The Act.

As indicated in the opening remarks portion of this presentation, police have in many areas opened community police centres which have as a mandate the establishment of a real and working partnership with the very people that are being policed. They participate by doing the job by way of volunteering and taking part in programs which not just affect policing but are policing.

Even the most skeptical police officer is now recognizing the value of this approach. Years ago the community police officer was looked down on but now attitudes have changed such that the position is now one of growing significance and prestige within the police environment.

It is submitted that the same must be accomplished within the correction program particularly parole. If parole and its many programs are going to work, they must have the genuine support of the community. They do not now enjoy that support but to the contrary are distrusted and disliked by the community.

In order win this community support, The Act must reach out to community involvement in other than token ways. It is submitted that while the language of Bill C-36 talks about community involvement, there are not sufficient real attempts at direct community input.

The first step in this process is to ensure community representation on the Board (not its elimination as called for under this Act), and further the statutory establishment of Community Advisory Groups which report to the Board on issues under The Act. Also critical to this process is ensuring that interested parties like victims have standing at the hearings. Decisions on parole hearings must be open, and available to the public.

It is argued in a discussion paper that community Board members were unable to stay current with the complex case law associated with parole. The process ought not to be so complicated that the person on the street is unable to grasp the issues. Risk evaluation is on one hand a complex human dynamic and on the other a simple issue that the public intuitively is able to assess, (like the jury).

Finally, it is important that the groups formerly called Citizens Advisory Groups be formalized (under the name Community Advisory Groups) and have their mandate extended to include input to the Board on a general and policy level. In this way, it is hoped that the Board will always have a link with the communities they are involved with.

IT IS THE POSITION OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE THAT SECTION 140: REVIEW HEARING BE AMENDED AS FOLLOWS:

Section 103(x): The Board shall include a number of community representatives appointed to represent the views of communities and the Board shall attempt where ever feasible to ensure that each panel has at least one community member.

Section 103(x-1): The Board shall oversee the appointment of Community Advisory Boards that will advise the Service of issues elated to the communities in which institutions exists and advise the Board on general issues related to conditional release.

Section 140(4-x): Without limiting the generality of the above, the Board shall grant standing to a victim of the offender whose case is being reviewed. The Board has the right to limit the participation of the victim, in circumstances where it is no longer in the public interest to allow such participation.

Section 142(1): The Board shall, at the request of a victim of an offence committed by an offender, disclose to the victim, any of the following about the offender, unless there are clear and compelling reasons why the disclose of such information to the victim would cause serious or irreparable harm to the offender.

Section 144(x): Where such disclosure is denied pursuant to Subsection (2), the Board shall consider releasing a deidentified version of the decision unless the the concern in Subsection (2) would still exist.

CONCLUSION

The thrust of the Canadian Association of Chiefs of Police position is to reinforce the following themes:

- 1) protection of the community (society) and;
- 2) simplifying and opening the release system in order to ensure community involvement and support;
- 3) increasing the emphasis on the role of the sentencing judge.

Notwithstanding the number of issues addressed, the major concern of the Canadian Association of Chiefs of Police is not with the underlining philosophy, of The Act as reflected in the Principles, but rather with the apparent lack of implementation in the day to day operation of the Service and Board.

This is extremely important legislation which must enjoy through its lifetime, the continued support not only of the police community but more significantly that of the community at large.

