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MAY 1984 X

FROM THE EDITOR'S DESK

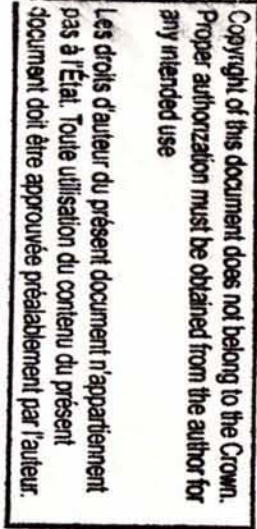
Great good news. Starting with the next issue, we will have a reporter in each of the regions to give us information and feedback, and news - anything that's fit to print, or should be printed - for the benefit of all of us.

We'll introduce our new scribes to you as soon as we get their photographs.

With their assistance, we should be better informed, not only with what's happening here in Ottawa, but on a Canada-wide basis.

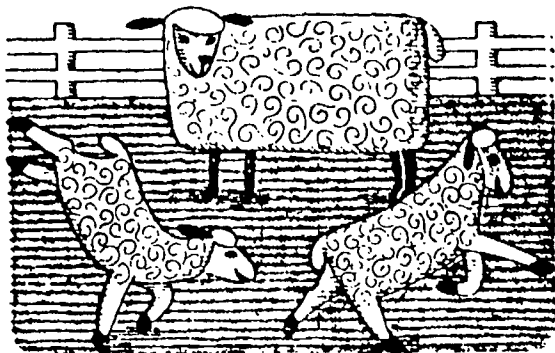
This move should help us meet our deadlines too so that, hopefully, we will be able to bring out the June Issue in June and July in July, etc. etc. It probably hasn't escaped anyone's notice that we were falling behind. But sometimes events are beyond our control. As we write this, there lies a memo on our desk from the Translation Bureau to the effect that for a week or so people there will be occupied with Bill C-9, the Act to Establish the Canadian Security Intelligence Service. This is unusual, but things like this do happen and we have to live with it.

Working for the National Parole Board, over the past few weeks you have probably been aware of the attention the Board has been getting in the media. You therefore might enjoy reading Andy Roy's story on how the NPB is responding to this unwelcome publicity - in this issue.



Canada





SUMMER CANADA 1984

That's the name under which Employment and Immigration Canada (EIC) is administering and funding the federal government job creation program for students.

According to Earle Hanratty, Personnel Officer, this year there was no increase in funding; in fact, rates of pay have remained stable for two years and range from \$ 5.38 to \$ 9.11 per hour with actual pay being based on the number of university years successfully completed.

EIC contributes 85% of wages, up to a maximum of \$ 187 per workweek, for Federal Internships which is the part of the program with which the NPB is involved. The balance of funding comes from the budgets of the respective responsibility centres, with the additional person-years being authorized by Treasury Board.

Federal Internships are designed to provide work experience to students in specialist areas and thus the Board has basically law and criminology students on its payroll this summer, with a sprinkling of students from other disciplines.

Although planning of the program is initiated with Earle (who is also coordinator and chief signing officer), administration is regional and, of course, the regions identify their own needs and specific requirements. This year, only the Atlantic and the Prairies regional offices opted out.

In the other regions we have an impressive list.

Starting with the Pacific region, there is Paul Fernando Alvas, sociology student at UBC, and Brenda Stettner who is working on her Masters in Criminology at Simon Fraser University.

In the Ontario region, there are two Margarets, Ainslie and Corion, both criminology students, and both at Carleton University in Ottawa.

In the Québec region, we have Guylaine Lavigne, law student at the Université de Montréal; Chantal Leduc, student of management information systems at the University of Ottawa (could this have anything to do with APIS?); and Luce Tousignant, criminology student, also at the U of M.

At HQ, we have one law student, Ciro Scotti of Ottawa U, and four criminology students: Nataly Chevrier, Ottawa U; Serge Gagnon, Ottawa U (his home town is Beebe, that little town that straddles the Canada/US border between Québec and New Hampshire); Susan Higginbottom, Carleton U (she was here last year), and Dominique Denis who has just completed his second year in sociology and criminology at Ottawa U.

School's in.

AND JUSTICE FOR ALL???

The evening of June 12, 1982 was in all respects like any other June evening in southern Ontario. The trees were heavy with new foliage and the wholesome smell of new growth filled the air. It seemed that everyone was celebrating something with renewed vigour.

Joseph Muglia, a 26 year-old electrician from Mississauga, was out that June night celebrating his engagement to Wendy Crisp, his childhood sweetheart. Richard Stephens, a happy 28-year-old father of three, finished his day's work at the catering business he and his brother operated in Meaford, and went with some friends to a party in Streetsville.

An ugly twist of fate would bring Joseph Muglia and Richard Stephens to an encounter that would cost Muglia his life and leave Stephens with a crushing burden of remorse, essentially alone to face public condemnation and a cry for vengeance.

It was closing time at the Streetsville bar where Stephens and his friends found themselves after the party. Joseph Muglia was also there, still celebrating. Stephens was "feeling no pain", not unlike many of the other patrons who were being urged to drink up and go home. He fumbled with the taps at the bar to the great

annoyance of the barmaid. Words were exchanged, a patron stepped in, there were more words and Stephens was punched in the mouth. He left the bar to find his two friends in a tussle with another man in the parking lot. The fight moved toward Stephens, the man fell to the ground and Stephens kicked at him once, striking him at the back of the head. Bystanders saw the kick as a repulsive but harmless act. Stephens and his friends went home.

The next morning Stephens yawned as he drove to work, paying scant attention to the mindless chatter and electronic noise substituting for music on the radio. The news report stopped him cold when the announcer said that a young man had died following a fight at a bar in Streetsville.



Stephens went home to tell his wife as guilt, remorse and horror engulfed him. He then went to the Peel Regional Police and reported his involvement. He was charged with manslaughter and released on bail.

Meanwhile in Mississauga, Les Crisp helplessly tried to console his grieving daughter Wendy whose dreams and hopes were extinguished with the life of her fiancé Joseph Muglia. Her grief was beyond words; her loss was devastating; life had become a vacuum and she had nothing to fill it with.

News reports said that the man who killed Joseph Muglia was out on bail. That, Les Crisp decided, was unacceptable. He started a petition protesting the "lax bail and probation" laws in Ontario. He gathered 215 000 names and sent them to provincial and federal government authorities.

In April 1983 Richard Stephens went to trial. He pleaded guilty to manslaughter and was sentenced to 21 months in prison and three years' probation. The Crown- still smarting from the 215 000-name petition - appealed the "light" sentence. The Ontario Court of Appeal changed the sentence to three years and in a thoughtful and sober decision said:

"...The courts of this country are required to reflect the strong community condemnation of this type of conduct by the imposition of appropriate sentences.

"There are in this case a number of very positive features in the respondent's background. The evidence indicates that he is a good husband and father and that he has made a positive contribution to the community in which he lives. There is the further mitigating circumstance that the day following the assault on the victim he voluntarily went to the police station and made a complete statement. These strong mitigating factors enable us to impose a more lenient sentence than we would otherwise have felt constrained to impose.

After giving this matter our very best judgment, we are of the view that a sentence of three years in the penitentiary is an appropriate sentence. The sentence, in our view, gives adequate weight to the factors of deterrence, both specific and general, and at the same time gives adequate weight to the positive features in the respondent's background and to the rehabilitative factor."

Richard Stephens went to a federal penitentiary to complete another step in the blackest period of his life. But it would get darker.

In October 1983 he became eligible for day parole. Although he had very good support from his community, his plans were not complete and it would be January 26, 1984 before the National Parole Board would release him to a halfway house to work and serve another stretch of his sentence.

Les Crisp meanwhile was keeping track of the case. Indeed, there were meetings with the Ontario Region Board Members. He objected to Stephens' day parole and made his objections known to the media.

Then Richard Stephens read in the Toronto dailies that he was a "vicious killer" who had "kicked an unoffending citizen to death", allegations neither supported nor substantiated by the facts.

Those same allegations were repeated in newspapers, radio and television across Ontario. In addition, Ontario Attorney General Roy McMurtry publicly called for a review of the National Parole Board and urged Solicitor General Robert Kaplan to intervene personally to modify the Board's decision with regard to Stephens. McMurtry charged that the NPB's decision was undermining the criminal justice system.

Statements by Les Crisp, suggesting that the NPB was altering sentences imposed by the courts, added fuel to the controversy. To further exacerbate the situation, the controversy coincided with the Victims of Crime week in Ontario and a Conference of Crime Victims in Toronto where numerous persons were recounting their tragic stories. The metro newspapers repeated these stories, including misconceptions about the National Parole Board.

About this time, in Montreal Wayne Boden, who had been convicted of raping and strangling four young women and denied release by the Board, made headlines when he walked away from his escort while on an ETA (Escorted Temporary Absence) granted by the warden of the institution.

John Nugent, REO (Ontario), appeared on CTV's National Canada-AM to state the NPB's case; Andy Roy, Chief, Media Relations, fielded allegations made by Les Crisp on an Ontario CBC radio program; and Chairman William Outerbridge appeared on CBC's CBOT (Ottawa) Current Affairs slot of the evening news.

The controversy raged and W-5, the major in-depth documentary news program on the CTV network, decided to set the record straight.



The story, by reporter Bill Cunningham, was a 15-minute segment at the top of the Sunday evening program on May 6. The report, "The Quality of Mercy", started with a clip of Richard Stephens, sorrow etched in his compassionate face, thoughtfully saying he was sorry. There were interviews with Wendy Crisp, Les Crisp, Stephens' lawyer, E.L. Schofield, and Stephens himself, with Cunningham feeding factual information about the NPB and the case.

Unfortunately the controversy continued. Solicitor General Robert Kaplan rejected Roy McMurtry's complaints and invited the Ontario Attorney General to meet Stephens. The Boden and Stephens cases were talked about in the same breath; the misleading reports continued with some seriously uninformed editorials being published.

In a counter move, John Nugent and I went to Toronto and met with The Globe and Mail, The Toronto Sun, the Star, CP, CFTO-TV, CTV and the CBC. The Toronto Sun and the Globe and Mail are now preparing a series of feature articles. They have acknowledged the inaccuracies that appeared in their reports and are researching the question of parole in an effort to present a complete and accurate picture on the National Parole Board.

Also, Canadian Press will be doing a feature report on the first 25 years of the National Parole Board.

Richard Stephens, who will be looking for full parole in August, from time to time still hears and reads reports saying he is a vicious killer.

And Richard Stephens continues on his day parole, a perfect illustration of the absolute need for an independent, non-partisan National Parole Board.

---Andy Roy





TEDDY BEAR FINDS A HOME

In the March issue, we mentioned that Janis Mazpolis, Executive Assistant to the Executive Director, was coordinating the Board's participation in a major fund-raising drive for the Children's Hospital of Eastern Ontario. The target for the NPB (HQ only) was set at \$ 1 132.55, an average of \$ 7.50 per employee. (Don't ask how the extra five cents got there!)

Not only did the Board surpass the goal by 182% - raising \$ 3 198 - even more noteworthy is the fact that almost \$ 1 200 (\$ 1 191 to be exact) was contributed by one Division alone, Clemency and Criminal Records, gently persuaded perhaps by Kathleen Bender, Junior Chief, Classifications.

The Board was awarded the campaign's official symbol, a Teddy Bear, but - because of this Division's outstanding performance, this bear resides, and will continue to do so, in the Clemency Division, and rightly so. By popular acclaim, henceforth he will be known as *****CLEMMY*****.

As of writing, only sixty percent of the PSC goal of \$ 750 000 has been reached so the Board can indeed be proud. But then, as Janis says, "The Board has always been generous". He expects however that the hospital's six million dollar goal will be attained by the end of August.



GENERAL BOARD MEETS IN OTTAWA

There is never enough time. The first semi-annual General Board meeting of 1984, held in Ottawa April 30 - May 4, had a lengthy agenda. Nevertheless, although about half the time was spent on the Future Perspectives Study (see story elsewhere), Board Members managed to cover all important business. The only casualty of the affair was an address by Dr. Syed Naveed Akhtar on the subject "Psychiatric Evaluations and Dangerous Offenders". Unfortunately this had to be cancelled due to time restraints.

In his opening remarks, Chairman Outerbridge welcomed our two new Board Members, Germaine Tremblay-Côté (Québec) and Ron Boucher (Prairies), as well as our new Senior Counsel, Maurice Charbonneau to their first General Board meeting. He also welcomed the return of Nan Harrison (Pacific) and Prosper Boulanger (Québec) who had been on the sick list.

Mr. Outerbridge then proceeded to discuss the status of a number of important issues, including the Voting Structure, currently under review. It appears probable that, pending the outcome of several court cases, modifications will have to be made to ensure that all voting Members be present at hearings.

The progress of the Leggatt Commission, established to investigate the cases of 93 inmates designated as habitual offenders, was reviewed. (Note: On May 23 the Commission's report was made public and 71 men had this status removed. See story on page 23 .)

The Decision-Making study was also touched on. The steering committee to develop the design consists of Chairman Outerbridge, Fred Gibson, Deputy Solicitor General, Don Yeomans, Commissioner of Corrections, and Chris Nuttall, Assistant Deputy Solicitor General - a pretty high-powered group. (More on this study will be published in a later issue.)

More travel could be in the wind for some Board personnel. Based on the success of this year's Community Board Member workshops, Lisa Hobbs Board Member and Chairman of the Public Education Committee, Nicole Deschênes, Director, Communications, Francein Finlayson, Counsel, and Marie-ève Marchand, Professional Standards Officer, are slated to attend all these workshops in the coming year. It was also decided that all Board Members (including Temporary and Community) should attend the workshops in their respective regions. (Lest readers think that these people will spend a good portion of their time on the road, Community Board Member workshops are held only once a year in each region.)

The Feedback Session, where Members ask questions and debate the Board's decisions and operations, was chaired by Norm Fagnou, REO (Prairies) and Roméo Beaupré, Board Member (Québec). Among the items discussed were: the Appeals Committee and the limits of its authority; review at first eligibility date (which is only a review and does not guarantee release); current court cases.

During the session, the Québec Region asked that the roles of Board Members at Headquarters, the Professional Standards Committee, and the Appeals Committee be clarified.

These were explained by Vice-Chairman Roger Labelle (and printed here for the edification of everyone).

Headquarters - the Members are responsible for voting on five- or seven-vote cases, or where additional votes are requested; for attending regional panels as required, and for voting on all pardon cases.

Professional Standards Committee - the Members are the Vice-Chairman as Committee Chairman; Lisa Hobbs, Chairman of the Appeals Committee; a third Board Member (currently Roy Evans); Gordon Parry, Gilles Depratto, and Marie-ève Marchand as resource people. The Committee's mandate is to develop standards and review cases in the decision-making process with respect to adherence to legislation and NPB policies and procedures, and application of procedural safeguards and professional behaviour.

Appeals Committee - all Headquarters Board Members are members, as are the Chairman and Vice-Chairman. The Committee is chaired by Lisa Hobbs. Its role is to consider appeal applications from inmates concerning Board decisions.

Feedback was also received on the new hearing format where Case Management people (from CSC) are required to leave the room following the hearing:

Pacific...Results are positive with time spent in hearings being reduced by half. Communication has improved with the CM team. The Board must be wary, however, of appearing to be in collusion with CSC or of alienating them.

Prairies...There has been some resistance by CSC to leaving the room and to appearing separate from the NPB. However it is felt there is more new information coming from the team.

Ontario...No problems, although it is felt the Board should not strive too hard to distance itself from the team.

Québec...Some CSC staff members are less intent on helping the Board or seeing inmates. There have also been problems in receiving psychiatric information from Pinel Institute via CSC.

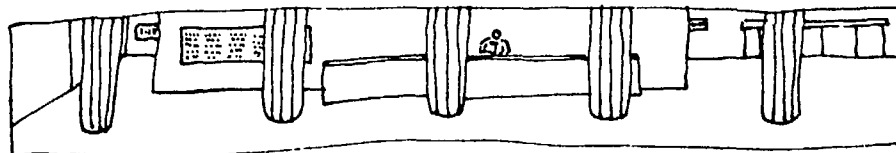
Atlantic...The CM team "have learned to cope". (In response to a question, it was established that technically the CM team should enter and leave the room with the inmate and not stay between cases.)

Headquarters...There seems to be a lower level of involvement with the inmate and CM team members are not participating as much as they did when they could talk privately.

On the afternoon of May 2, participants in the 26th General Board meeting were visited by the Solicitor General Robert Kaplan, Deputy Solicitor General Fred Gibson, and Special Advisor to the Minister Ray Foley. In commenting on recent press stories on the Board, Mr. Kaplan stated that the government had failed to adequately explain the criminal justice system to the people and therefore the work done by Board Members in the community was much appreciated. He also said he is proud of the NPB and the job it does in serving the criminal justice system.

The next General Board meeting is scheduled for September at Place de la Chaudière in Hull, Québec. Roméo Beaupré, Board Member (Québec) and Fraser Simmons, Regional Manager, Case Supervision (Pacific) will co-host the Feedback Session.

Unfinished business anyone?



GOINGS . . .

During the last month or so, three people from HQ have moved on to other opportunities.

Statistical Liaison Officer Cathy Gainer has been seconded until July 1985 to the Policy Branch of the Ministry Secretariat where she will be involved with policy analysis.

After two and a half years with the NPB, first as Acting Director, Policy and Planning, then as head of the working committee on the Future Perspectives Study, Len Epp has received a CAP (Career Assignment Program) posting to Health and Welfare Canada as grants consultant for the Atlantic Region.

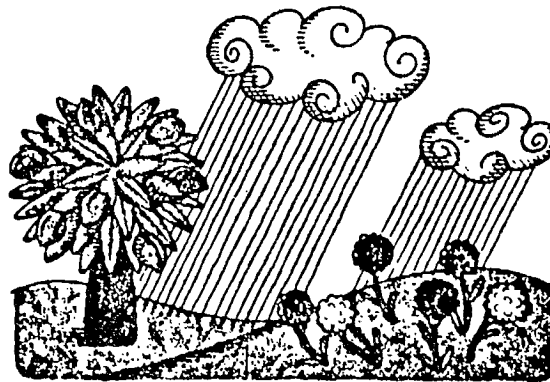
Jeff Sarazin, Chief Financial Management, also under CAP has left for the Canadian Coast Guard, Transport Canada where he will serve for a year as Manager, Fleet Program Review and Analysis.

Good luck to all.



HE'S HERE WHEN NEEDED

In the December issue of NPB ACTION, we reported that Board Member Gaston Clermont retired from active duty on December 31. But he's come back as a Temporary Member, appointed for one year effective April 2. We couldn't let him get away as easily as that. His experience is too valuable.



UPDATE:

THE FUTURE PERSPECTIVES STUDY

Two and one-half days of the General Board meeting were devoted to the Future Perspectives Study with Dr. Walter Baker of the University of Ottawa in the chair for this important workshop.

The Board considered over eighty issues contained in the report of the national workshop (referred to in the March NPB ACTION).

The conclusions of the General Board workshop will appear in a soon-to-be-released report for transmittal to Executive Committee. As plans stand at present, the Committee will meet in July to review various policy options for the future and decide among them. In order to assist their deliberations, an analysis of the feasibility of the various options has begun. Of particular concern are the planning and operational implications of selected policy initiatives.

This July meeting will mark the end of Phase I of the Future Perspectives Study and the beginning of Phase II. Phase I is the conceptual phase in which the Board explored the range of possible scenarios to determine the most desirable and feasible course. Phase II is the implementation phase. The transition from Phase I to

Phase II will involve the development of an action plan which will drive much of the policy, research, and subsequent implementation activities of the Board in the foreseeable future.

---*John Jackson*

ATLANTIC REVOCATIONS

Atlantic Regional Executive Officer Erv Williams and Senior Board Member Mary Casey met with the four Provincial Directors of Corrections in Moncton on May 9 to discuss revocation of provincial inmates. The Atlantic Office renders about 2 700 provincial decisions each year, 100 of which are revocations. These provincial decisions account for slightly more than one-third of all Board decisions in the Atlantic region where there are 38 provincial institutions and jails covered by the National Parole Board.

The purpose of the meeting was to explain to all concerned that when provincial inmates are revoked, they lose their remission time and must serve the balance of their sentence and the lost remission.

* * * * *

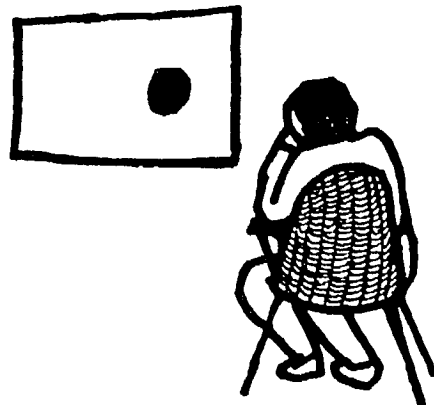
A LITTLE STRESS NEVER HURT ANYONE

This being Stress Awareness Month across Canada, we thought you'd be interested in this other side of stress. (From Communications Briefings - February 1984)

Some stress can be a plus, especially if recognized as a necessary part of challenges that can be met. People who never experience stress may not burn out, but they could rust out, according to Saletta LaRocco, educational coordinator of New York's Mt. Sinai Hospital School of Medicine.

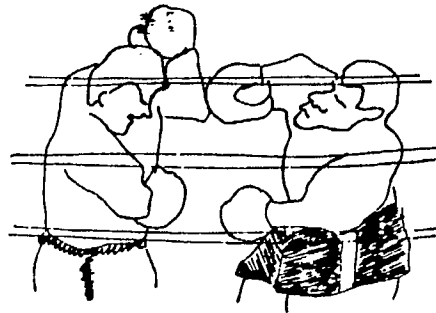
She offers these activities to help reduce unwanted stress, but cautions that worrying about doing all of them daily could itself prompt stress.

- Plan a little idleness each day, a time to relax in a comfortable chair.
- Listen to people - co-workers, friends, relatives - without interrupting them.
- Don't overstructure your leisure time.
- Seek humour in your life.



- Know your stress points so you can handle them.
- Be androgynous by adding to your personality those traits that are traditionally considered to be male or female. For example, show emotion if you are male. Be assertive if you are female.

And remember, every day is a new day.



WALKING WOUNDED

A news story reporting the details of a major accident contained this sentence: "The more severe head wounds were taken to the gymnasium."

The leg wounds, no doubt, got there under their own power.

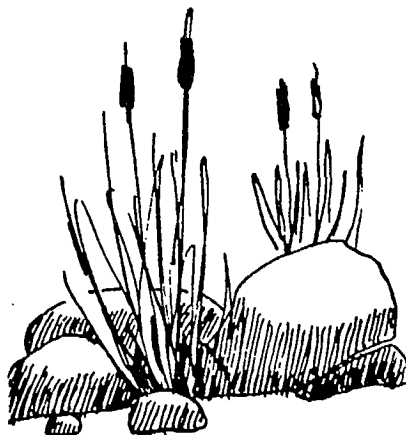
PRAIRIE TALK

It seems that the Edmonton City Police Commission has a new chairman and deputy chairman and recently - in mid-April - REO Norm Fagnou and Senior Board Member Ken Howland travelled to that city to attend a CSC-sponsored dinner/reception to meet the new members. Also at the affair were the Chief and Deputy Chief of Police of the Edmonton City Police Department, the Warden of the Edmonton Institution, and Chairman and members of the Citizens' Advisory Committee to the CSC.

Not only was the meeting meant as a "get-acquainted" session, it was also taken as an opportunity to explain the role and functions of the NPB and the CSC, and to underline the importance of a good working relationship.

During the same week, Norm and Ken met with Bob King, Associate Deputy Minister to the Solicitor General for Alberta regarding the availability of NPB services to the province. The meeting was described as "congenial". At least, they touched bases.

John Bissett, Regional Manager, Case Supervision was also on the road to Edmonton where he attended a regional meeting of the CACP/FCS (Canadian Association Chiefs of Police/Federal Correctional Services) on May 2.



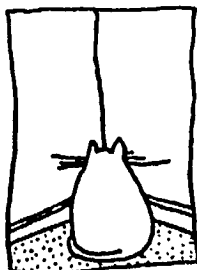
JUDGE LEGGATT COMPLETES HIS CASE

Justice Minister Mark MacGuigan and Solicitor General Bob Kaplan announced May 23 that the royal prerogative of mercy has been extended to 71 habitual criminals, following a judge's recommendation. Sixteen offenders are still not considered safe for release.

Of the 71, all but 12 have already been released over the years and are on parole. For the remaining twelve, the Government has put into place an after-care program to ensure that those who need assistance in returning to the community have access to appropriate support and counselling. The other 16 habitual criminals will not be granted relief so long as there is a question about their ability to reintegrate safely into society. Their cases will be reviewed periodically by the National Parole Board.

Judge Stuart Leggatt, of New Westminster, B.C., was appointed by the Government in July 1983 to review the cases of habitual criminals. His report was received on April 10 of this year.

Before the law was repealed in 1977, an offender convicted of three separate offences, each providing for a prison term of at least five years (such as breaking and entering) could be declared an habitual criminal by the Court. Once designated an habitual criminal, an individual could be sentenced to "preventive detention," that is, an indeterminate sentence under which she or he might be imprisoned for life, subject only to parole.



THE BOOK CORNER

The Royal Bank Letter is not a book or a periodical or a magazine per se (in fact, we're not really sure what category it belongs in) but it is, as usual, well worth reading - especially the May/June issue. The subject is entirely pertinent to the work with which we are all involved - the criminal justice system in Canada.

Entitled "Punishment and Crime" (a nice Dostoyevskyan touch!) the article has as its sub-head "Punishment is a necessary response to crime, but it degrades all concerned when it gives vent to cruelty. Society has come a long way since it was used for revenge. The question is: Can we go further? Can we make punishment pay?"

It traces the concept of punishment and the development of the prison condition - from Biblical times to the present - and discusses the role of parole, describing it as "one element of the system of non-custodial corrections which has lately been growing in Canada". These are interesting times!

You can pick up a copy free from any branch of the Royal Bank of Canada, in either official language.