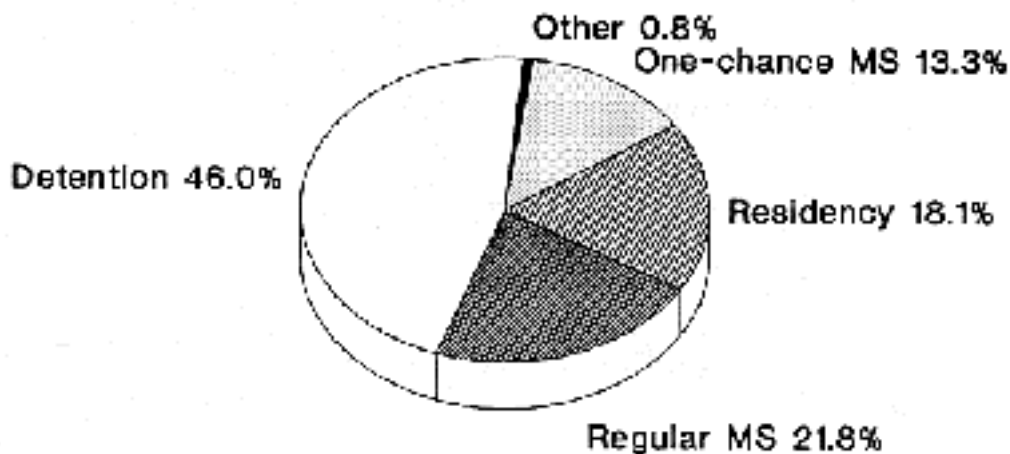


Bill C-67 to amend the Parole Act and the Penitentiary Act became law on July 25, 1986. One of the main amendments of the legislation allows the National Parole Board to detain an offender on Mandatory Supervision beyond the normal release date until the warrant expiry date, or to release the offender to a community residential facility if the offender is believed likely to commit an offence resulting in death or serious harm prior to the warrant expiry.

During the three-year period after the legislation was passed, 618 offenders were referred for detention (see chart). Of these, 46% were detained; 18% were subject to a residency order; 13% were released on one-chance Mandatory Supervision; 22% were released on regular Mandatory Supervision; and 1% were withdrawn. Excluding the first, partial year the legislation was in effect, an average of 147 offenders were referred and 90 offenders detained every year.

Figure 1

Detention Referrals: Decisions by Type



Source: Detention data base, all referrals between 25 July 1986 and 30 June 1989

A recent evaluation shows that current and previous offences (notably sexual assaults, other assaults and manslaughter) are significant variables in predicting whether an offender will be referred for a detention review.⁽¹⁾ Other significant variables in predicting the likelihood of referral are the security level of the institution, length of criminal history, race (native or non-native), expected date of release on Mandatory Supervision and current admission type. These variables only partially explain the likelihood of referral, as they are related to the past behaviour of the offender. The determining factor for detention provisions is future behaviour.

While natives are more likely than non-natives to be referred, the evaluation indicates that the occurrence of offences associated with a high likelihood of referral - manslaughter, sexual assault and assault - is higher in the native than the non-native inmate population. Thus, if the decision to refer an offender is based on these offence variables, a higher rate of referrals might be expected from the native population. Other socio-economic issues may also relate to the higher referral rate.

While the offences of attempted murder and sexual assault somewhat increased the likelihood that after a detention review an offender would be detained, none of the other demographic and criminal history factors considered were significant predictors. However, file reviews indicated that other factors influencing decisions to detain were the offender's attitude toward change and treatment, evidence of mental illness or disorder, difficulty controlling violent impulses, a pattern of persistent violent behaviour, and alcohol and substance abuse.

Evaluation of the Detention Provisions of Bill C-67, February 1990.

For further information, please contact Doug Borrowman, Program Evaluation and Information Analysis, Correctional Service of Canada, or Sheila Faure, Evaluation, Audit and Statistics, National Parole Board.

(1)The predicting factors were identified by means of multiple regression analysis on all detention referrals and a sample of Mandatory Supervision releases.