

_____ **Research Report** _____

**Waivers, Postponements and
Withdrawals: Offenders, Parole
Officers and National Parole
Board Perspectives**

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**Waivers, Postponements and Withdrawals:
Offenders, Parole Officers and National
Parole Board Perspectives**

Tammy Cabana
Research Branch
Correctional Service Canada

Tara Beauchamp
Policy, Planning and Operations
National Parole Board

Karla Emeno
Policy, Planning and Operations
National Parole Board

&

Shauna Bottos
Research Branch
Correctional Service Canada

Correctional Service of Canada

March 2009

Acknowledgements

We would like to offer a special thanks to other Correctional Service Canada (CSC) staff Renée Gobeil, Colette Cousineau, Kim Allenby, and Aileen Harris for their assistance with the data collection process.

The authors would also like to thank the staff from the regional National Parole Board (NPB) offices as well as the federal institutions in the Atlantic region (Dorchester Penitentiary and Westmorland Institution), Quebec region (La Macaza), Ontario region (Kingston Penitentiary and Pittsburgh Institution), Prairie region (Bowden Institution) and Pacific region (Masqui Institution) for their assistance with the coordination of, and participation in, this study. This project could not have been completed successfully without the help of Connie Carter, Theresa Thiessen, Ron Harrison, Genevieve Ricard, Denise Theriault, Jennifer Fillmore and Jim Russion who coordinated our site visits and interviews. Additionally, we would like to share our appreciation to the NPB Regional Directors: Brain Chase, Jean-Marc Trudeau, Denise Preston, Bernard Petrie, and Michelle Van De Bogart who organized the focus groups within the regions with NPB representatives. We would also like to thank the NPB regional staff and Board members and parole officers interviewed for discussing their experiences and providing valuable insight.

We would like to acknowledge and thank Shelley Trevethan, Brian Grant, Kelley Blanchette and Rick Ruddell for their guidance and insight throughout the research process.

Finally, we would like to thank all participants who agreed to be interviewed. Without their participation, this project would not have been possible.

Executive Summary

The waivers, postponements, and withdrawals research was conducted collaboratively by the Correctional Service Canada (CSC) and the National Parole Board (NPB) to examine the reasons offenders chose not to appear before the NPB for a parole review (waived, postponed, or withdrew a parole application). This research also examined the impact and reasons for adjournments and administrative adjournments of parole hearings.

Trends in delays and cancellations of parole reviews are of concern to both the CSC and the NPB. The proportion of federal full parole pre-release decisions delayed (postponed, and adjourned) or cancelled (waived or withdrew) increased from 55% in 1998/99 to 62% in 2007/08 (NPB, 2008a). Identifying measures that may reduce the number of delays and cancellations of parole reviews is a key step toward promoting offenders' safe and gradual community re-integration. Examining the reasons behind these trends is also important for managing the costs of incarceration and parole hearings, and for ensuring that periods of incarceration are not longer than necessary from a risk management perspective.

A two part study, a profile and qualitative study, was undertaken to provide a better understanding of the characteristics of offenders who waive, postpone or withdraw a parole review application and the reasons for choosing not to appear before the Board.

The profile study examined offenders who waived, postponed or withdrew a parole application between April 2005 and March 2006. A comparison of these offenders with offenders who applied for a parole review and did not subsequently waive, postpone or withdraw their application suggested that those who delay or cancel their parole review were more likely to be male, Aboriginal offenders and to have higher risk and need ratings. This group was also characterized by a more extensive criminal history, and were serving longer sentences for more serious and multiple offences.

The qualitative study examined reasons for delays and cancellations as reported by offenders, parole officers and NPB staff and Board members, and was developed based on the profile study. A total of 118 offender interviews were completed (104 with offenders who waived, postponed or withdrew an application and 14 with offenders who had parole review adjourned or administratively adjourned). In addition, 22 institutional parole officers were interviewed and focus groups were conducted with NPB representatives (members and staff) in all five regions.

The most frequently reported reasons for parole cancellations cited by offenders interviewed were related to incomplete correctional programming, perceived lack of support from their parole officer and/or case management team, and recent or past factors that reflect poorly on their behaviour (e.g., institutional misconduct, recent security increase, previous failed releases, or positive urinalysis).

Interviews with parole officers suggested that, in general, they did not view the rates of parole waivers, postponements and withdrawals of applications as problematic. Most felt that these were being used in appropriate circumstances. When asked about reasons they perceived as influencing offender's decisions not to appear before the Board, parole officers provided a broad range of responses. Factors they perceived as contributing to delays and cancellations included: program completion/waitlists, staffing and increasing offender caseloads, intake assessment and case management practices, and challenges with the information sharing process.

There was consensus among NPB staff and members that most waivers, postponements and withdrawals occur for legitimate reasons; however, last minute decisions (within 21 days of the scheduled hearing date) are of concern because they have considerable time and resource implications. Factors perceived by NPB staff and Board members as contributing to delays and cancellations included incomplete correctional programming, challenges related to the information sharing process, offenders waiting to be released at their statutory release (SR) date, and a high turnover of CSC staff resulting in a lack of continuity in case management and supervision.

Furthermore, NPB staff and Board members and parole officers identified challenges with the information sharing process. It is not clear whether this is a result of difficulties with the process itself or because reports and other documentation are incomplete and/or not available to be shared. However, from the perspective of CSC and NPB staff participants, the information sharing process is an area of concern and greater attention may help determine how it can be improved. NPB staff and Board members also noted that last minute decisions are an issue because they are costly, both in terms of time and financial resources. This highlights the importance of accuracy in monitoring and reporting on the decision processing timelines, which may help to determine how to reduce and/or eliminate last minute decisions.

One interesting observation of trends in this study was that a relatively small group of offenders (n = 376) accounted for almost one-quarter of the delays and cancellations for the entire nation. In FY 2007/08, for example, 66% of offenders had only one decision recorded, approximately one-quarter of all offenders had two or three delays or cancellations, while 8% of offenders had four or more decisions each, accounting for 24% of the total number of decisions (1,899 of 8,061 decisions). Follow-up studies will examine the characteristics of this group and the factors that may be contributing to multiple decisions.

Several key findings and observations can be drawn from this study. Findings indicate that the majority of offenders interviewed felt that being released on parole, both day and full, was important to them. When asked about their understanding of the parole decision-making process an equal number reported having a good or very good understanding as those who reported having limited to no understanding of the process.

Taken together, this suggests that offender-focused measures, such as orientation, information sharing and open communication, are important for reducing the number of delays and cancellations.

Findings from this research provide several different perspectives on the factors contributing to delays and cancellations of parole review. Together, these can provide direction for the development of strategies to reduce the number and impact of these decisions. Suggestions for future direction were formulated as recommendations and include: strengthening information sharing processes, offering offender orientation and/or information sessions, early identification and minimization of last minute decisions, improving the accuracy of recorded timeframes (e.g., the dates entered into OMS), efforts to reduce program waitlists and improve program availability, defining the roles and responsibilities of staff, encouraging more effective communication and developing appropriate training and knowledge transfer practices.

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Introduction

The Correctional Service of Canada (CSC or the Service) and the National Parole Board (NPB or the Board) share responsibility under the *Corrections and Conditional Release Act* (CCRA) for federal corrections in Canada and contribute to public safety by ensuring the safe transition of offenders to the community. While CSC is responsible for administering federal sentences, preparing offenders for release, and supervising offenders in the community until warrant expiry, the NPB is responsible for making independent decisions for appropriate and timely release, as well as making pardon and clemency recommendations. Both agencies recognize that a gradual, controlled and supervised release is the most effective way of ensuring public safety (Motiuk & Cousineau, 2006; NPB, 2008b). In fact, research suggests that offenders are most likely to become productive law-abiding citizens when there has been a gradual and structured transition from the correctional environment to the community (Motiuk & Cousineau, 2006).

Under the legislative framework of the CCRA, conditional release programs provide offenders the opportunity to serve a portion of their sentence in the community under the supervision of a parole officer. The discretionary release process is informed by assessments of risk to re-offend and has been found to effectively identify those offenders most likely to successfully return to the community (Motiuk & Cousineau, 2006). Findings indicate that offenders granted discretionary releases (e.g., day or full parole) are less likely to violently re-offend while under supervision than offenders returning to the community at their statutory release date (Motiuk & Cousineau, 2006).

Despite having clear criteria in place upon which parole boards can make informed, rational decisions about who to release into the community under supervision, very few systematic investigations have been conducted examining the actual influence of these criteria on release decisions. The literature in this area, drawn from the United States has, nevertheless, revealed that the most influential factors in predicting release decisions are those variables that are assessed during the initial risk assessment stage, particularly those offence-related variables pertaining to sentence length, offence severity, total felony convictions, and the number of previous paroles (Heinz, 1976; Morgan & Smith, 2005; Scott, 1974). In general, as the length of

the original sentence, the severity of the offence, and the total number of felony convictions and prior parole releases increase, the likelihood of being granted parole decreases. Although institutional variables such as offenders' participation in treatment programs and the number of disciplinary infractions incurred are predictive of parole release decisions, they appear to be less critical in the decision-making process than offence-related variables (Feder, 1994; Heinz, 1976; Morgan & Smith, 2005; Scott, 1974), though one study did find that positive personnel recommendations were amongst the strongest predictors of offenders being granted parole (Morgan & Smith, 2005). The few studies that have also examined offender characteristics have provided mixed evidence regarding their impact on release decisions. Where Scott (1974) found that younger, married offenders, and those with more educational and employment experience before their incarceration, were more likely to be granted parole, Morgan and Smith (2005) reported that of these variables, only educational attainment had a marginal impact on release decisions. Similarly, while some have found offenders' race to impact parole decisions (e.g., Carroll, 1976; Scott, 1974), recent studies have not (Morgan & Smith, 2005). As a result, further research examining factors influencing the Board's decision to grant or deny parole is needed.

There are several circumstances under which a parole review for a discretionary release may not take place as scheduled. For example an offender may waive, postpone or withdraw an application for a parole review. A waiver is a written statement by the offender that renounces his or her legal right to a hearing and/or review by the NPB (Commissioner's Directive [CD] 712-1; *Corrections and Conditional Release Act*, ss. 123(2)). Generally, a waiver is valid until the next review date (two years) as required by legislation (*Corrections and Conditional Release Act*, ss. 123(5)). A postponement is a request made by the offender to delay a review or hearing and can be made anytime before the review or hearing begins (CD 712-1). Postponements should not normally exceed three months (NPB Policy Manual, 2009) however, the Board may accept requests for lengthier postponements. An offender may also withdraw a parole review application to appear before the Board by submitting a request advising the Board that they no longer wish to be reviewed (CD 712-1). The Board may also temporarily suspend or adjourn a parole hearing or review. An administrative adjournment generally occurs when one or more required documents are not available to the Board 21 days prior to the scheduled hearing or review. If the Board has already begun reviewing the information presented for their decision and find they do not have sufficient information to reach a decision, they may adjourn the

hearing or review (*Corrections and Conditional Release Act*, ss. 122(3), 123(4); *Corrections and Conditional Release Regulations*, 157(4), 158(4)). (Appendix A provides a summary of the terms defined here). Under any of these conditions, a parole review is not completed as scheduled and a decision to release is not made. As discussed in the second phase of this study, these decisions have implications for the offender, the CSC and the NPB.

Although offender population profiles frequently focus on rates of admission, conditional release decisions, parole outcome, and rates of return, these do not provide information on decisions occurring during the sentence that may help understand in-custody and community supervision trends.

In recent years, federal releases from institutions have decreased (1.5% decrease in 2006-07) (NPB, 2007). More specifically, the number of offenders released on day and full parole has decreased while statutory release has remained relatively stable and the number released at warrant expiry has increased (NPB, 2007). Furthermore, there has been a steady increase in the statutory release population over the last 12 years (NPB, 2007). This trend may be attributed, in part, to the increase in the number of offenders not appearing before the Board for full parole reviews (e.g., waiving all reviews or withdrawing all parole applications) (NPB, 2007). Since 1998/99, the number of full parole reviews that were waived and parole applications withdrawn has increased 29.1%, while during the same period the statutory release population increased 8.4% (NPB, 2007). Between 1992 and 2008, offenders who had not been released on parole during their sentence were equally likely to have waived all parole reviews (50%) as they were to have appeared before the Board and received a negative decision (50%) (NPB, 2008a). Furthermore, 23% of all offenders who began and completed a determinate sentence between April 1st, 1992 and March 31st, 2008, waived all parole reviews (NPB, 2008a).

Trends in delays and cancellations of parole reviews are of concern to both the CSC and the NPB. The proportion of federal full parole pre-release decisions delayed (postponed or adjourned) or cancelled (waived or withdrew) increased from 55% in 1998/99 to 62% in 2007/08 (NPB, 2008a).

Figure 1 presents the trends for parole hearing postponements, waivers, withdrawals, adjournments, and administrative adjournments for all federal offenders between 1998-99 and 2007-08. Trends specific to Aboriginal offenders are presented in Figure 2. These figures show that trends in delays and cancellations vary considerably over time and between decision types. They also suggest that rates of delays and cancellations may be inter-related and that variations in trends may be influenced by individual decision types.

Figure 1. Historical trends in delays and cancellations for all offenders.

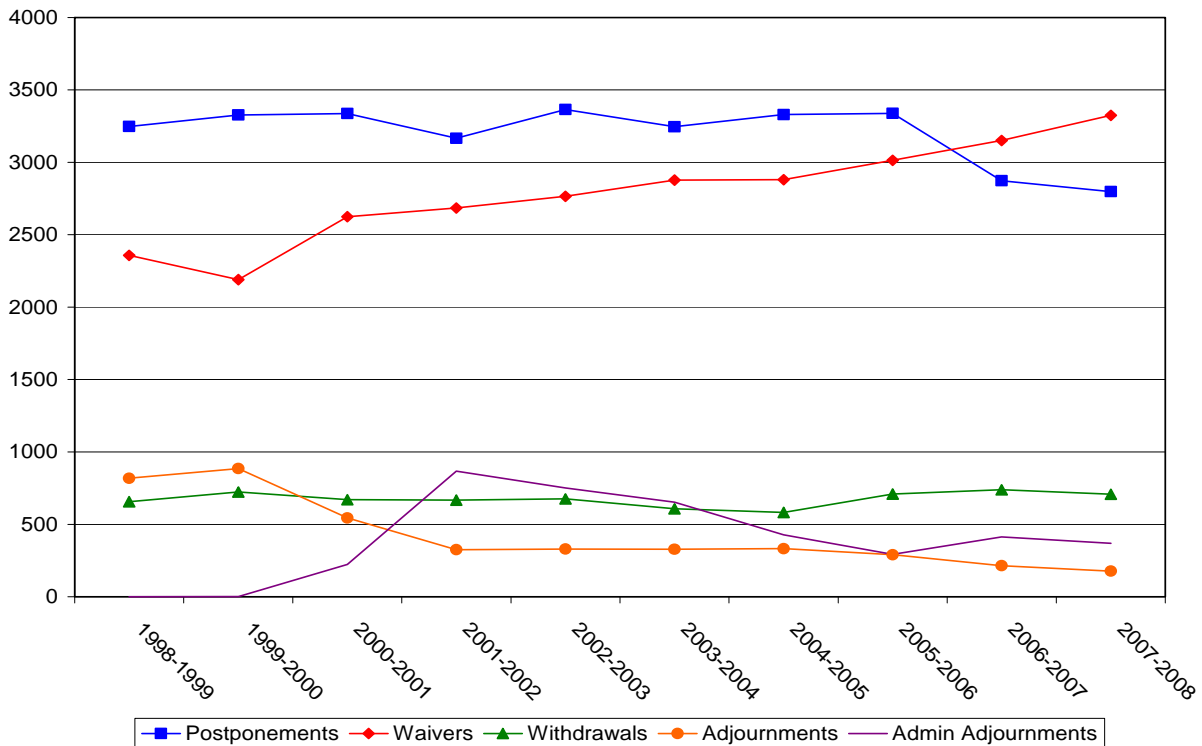
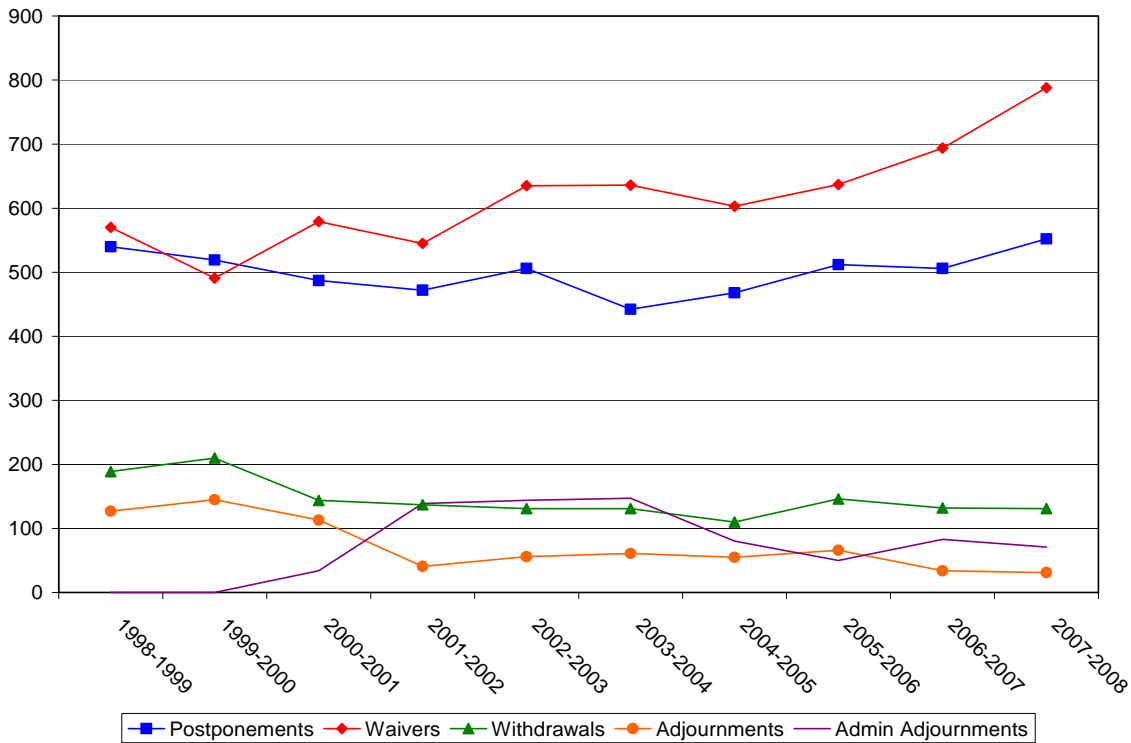


Figure 2. Historical trends in delays and cancellations for Aboriginal offenders.



In 2007-08, waivers accounted for the largest proportion of full parole delays and cancellations for the general offender population as well as for Aboriginal offenders (45% of all offender and 50% of Aboriginal offender decisions) (NPB, 2008c). There has been a steady increase in the number of waivers since 1999-00 (from 2,190 to 3,324 – an increase of 52%) (NPB, 2008c). A similar increase in the number of waivers by Aboriginal offenders also occurred during this timeframe (from 570 to 788 – an increase of 38%) (NPB, 2008c).

The number of postponements decreased among the general offender population but has increased among Aboriginal offenders since 2003-04 (from 442 to 552 – a 25% increase) (NPB, 2008c). Postponement trends for Aboriginal offenders may be explained, in part, by the increase in the Aboriginal offender population in-custody since 1999-2000 (from 2,179 to 2,657 in 2007-08) (Public Safety Canada, 2004, 2008).

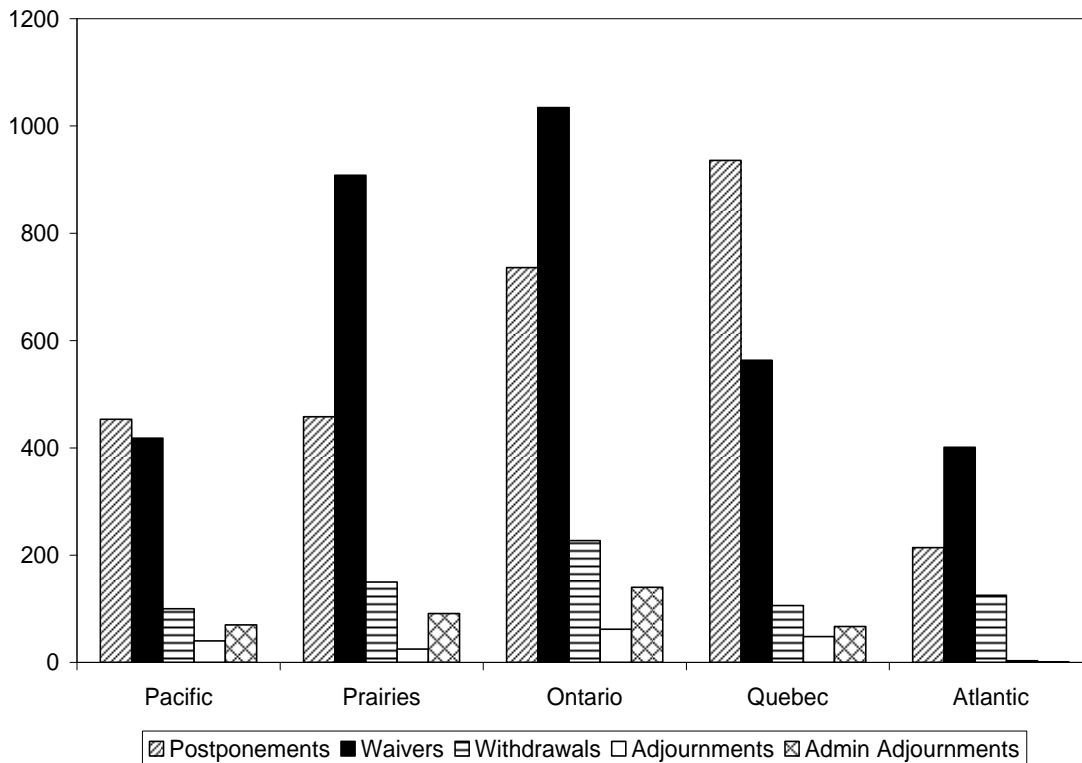
Withdrawals have been fairly consistent across years for the general offender population (from 656 to 708 – increase of 8% since 1998-99) (NPB, 2008c). However, the number of withdrawals has been decreasing for Aboriginal offenders (from 189 to 131 – a decrease of 31%) (NPB, 2008c).

The number of adjournments and administrative adjournments has declined considerably over time. The number of adjournments decreased from 885 in 1999-00 to 178 in 2007-08 (a decrease of 80%), while the number of administrative adjournments increased until 2001-02 (from 0 to 868) and have since decreased (369) (NPB, 2008c). The number of adjournments for Aboriginal offenders has decreased (from 127 to 31 – a 75% decrease), while administrative adjournments increased until 2003-04 (from 0 to 147) then decreased to 71 in 2007-08 (NPB, 2008c).¹

Shifts in delay and cancellation trends over time are likely influenced by several different factors including changes in the offender population profile, changes in the interpretation, application and reporting of these decisions, as well as level of attention to decision types for administrative reasons. One factor that may be influencing national trends in delays and cancellations are regional differences. Figure 3 shows clear regional differences in the types of delays and cancellations in 2007-08. For example, in the Quebec and the Pacific regions, postponements made up the largest proportion of hearing delays and cancellations (54% and 42%, respectively), whereas in the Atlantic, Ontario and Prairie regions, waivers made up the greatest proportion (54%, 47%, and 56%) (NPB, 2008c). In the Atlantic region, by contrast, adjournments and administrative adjournments rarely occur (NPB, 2008c). Although reasons for these regional variations remain unclear, it is possible that waivers and postponements in particular, may be used differently by offenders in each region. That is, in some regions offenders may be requesting lengthier postponements, generally greater than three months, while in other regions offenders may be requesting several shorter consecutive postponements. The data presented in Figure 3 suggest that although examining delay and cancellation trends at a national level is useful, it is important to further examine regional differences to better understand the factors contributing to these trends.

¹ It should be noted that these trends are based on the number of decisions recorded, not proportions. Information on the total number of offenders eligible for parole was not available to calculate these proportions.

Figure 3. Number of parole hearing delays and cancellations by region for 2007-08.



A large body of research has focused on the discretionary release decision-making process (Bonham, 1986; Feder, 1994; Gottfredson & Gottfredson, 1988; Morgan & Smith, 2005; Serin, 2006), the population of offenders granted or denied parole (Carroll, 1976; Public Safety, 2008; Welsh, 2000) as well as offenders supervised in the community (Lefebvre, 1994; Taylor & Flight, 2004; Trevethan, Moore, & Rastin, 2002; Trevethan & Rastin, 2003). Several publications also report on trends in conditional release decisions, statutory releases, as well as delays and cancellations (e.g., Motiuk & Cousineau, 2006; NPB, 2007; Public Safety, 2008). However, there is a gap in the research literature with regards to the sub-population of offenders who choose not to appear before the Board for a day or full parole review and the factors influencing these decisions.

Between April 1st, 2007, and March 31st, 2008, a total of 4,924 offenders accounted for 8,061 decisions that resulted in delays or cancellations of day or full parole review hearings. Ninety-two percent of cases had three or fewer decisions recorded on file during this timeframe

and two thirds (66%) of offenders had only one decision recorded. Correspondingly, 376 offenders with four or more decisions accounted for 24% of the total number of delays and cancellations across Canada (1,899 of 8,061 decisions). This suggests that a small number of offenders may be driving the larger trends². It is important to note however, that these reflect the number of decisions and that two decisions, one for day parole review and one for full parole review, are sometimes recorded for the same scheduled parole review or hearing.

The Office of the Correctional Investigator (OCI) has recommended that research be conducted on parole waivers, postponements and withdrawal. In the OCI's 2000-01 annual report, it was recommended that CSC initiate a review of program access and timely conditional release focused on the specific reasons for waivers, postponements and adjournments as well as to identify actions required to reduce these numbers (OCI, 2001). Similarly, in recent reports the OCI identified waivers, postponements and withdrawals of NPB hearings related to program access as a barrier to reintegration, and made further recommendations to bring attention and resources to address these issues (OCI, 2007, 2008).

In response to the need for research in this area, a two phase study was undertaken. The first phase provides a descriptive profile that examines the characteristics of offenders who waived, postponed or withdrew an application for a parole review. The second phase, building on the results of the first, used interviews to examine reasons for delays and cancellations. This qualitative research examined the reasons offenders chose not to appear before the NPB for a day or full parole review. It also aimed to collect information on reasons for adjournments and administrative adjournments of parole hearings.

Better understanding the characteristics of this offender sub-group, the reasons influencing decisions to waive, postpone or withdraw a parole review, and the factors contributing to adjournments and administrative adjournments places the Service and the Board in a better position to determine how and where to focus efforts to minimize the impacts of delays and cancellations of parole reviews. Research in this area also provides a broader perspective on the impacts of delays and cancellations, one that includes the offender, CSC, and the NPB. In sum, examining factors that may be contributing to delays and cancellations of

² Available data suggest that multiple decisions per offender occur at a similar rate across regions except for lower numbers in the Atlantic region. Further research on this group is required.

parole reviews is important for several reasons, including: (1) promoting and working toward a safe, gradual return of offenders to the community; (2) considering time and resource costs associated with these decisions for CSC in terms of population management and for NPB in terms of parole hearings; (3) ensuring that periods of incarceration are not longer than necessary from a risk management perspective; and (4) to recognize that in instances where offenders are released without appearing before the Board, victims are not given the opportunity to attend the hearing and to provide a victim impact statement.

Altogether, this research examines an issue important to both the CSC and NPB. The following sections describe the two phases of the study conducted, findings, implications for both CSC and NPB, and provide a discussion and summary of findings that suggest possible next steps to minimize the number and impact of delays and cancellations of parole reviews.

Part 1: Profile Of Federal Offenders Who Waive, Postpone Or Withdraw A Parole Review

The purpose of this component of the study was to develop a profile of offenders who waived, postponed, and/or withdrew their initial parole review and to address the following research questions:

- What characteristics describe federal offenders who waive, postpone, and/or withdraw their first parole hearing or review during their current sentence?
- Are there significant differences between offenders who waive, postpone, and/or withdraw their first parole review and those who do not?

Method

Data for these analyses were obtained from the CSC Offender Management System (OMS) database. The population studied included all federal offenders who waived, postponed, or withdrew their first parole review between April 1st, 2005 and March 31st, 2006. For this time period, a total of 2,495 offenders waived, 1,800 postponed, and 281 withdrew their initial parole application ($n = 4,576$). A comparison group was selected by randomly sampling 3,744 federal offenders who had not waived, postponed, or withdrawn their parole review.

Three broad classes of variables were examined including: *offender characteristics* (e.g., gender, age, and ethnicity, intake and most recent risk/need ratings); *offence-related variables and criminal history* (e.g., current offence information, including sentence length, number of current offences, offence type and seriousness, and prior offence history information, including previous contact with adult or youth courts, previous incarceration, and previous community supervision and conditional release failure); and *institutional variables* (e.g., number of institutional misconducts).³

³ Although mental health variables were not examined in this study, the impact of mental health needs on parole reviews and decisions should be examined in future research.

Results

When compared with offenders who had a parole review decision recorded for the identified timeframe (see Table 1), male offenders were found to be more likely to waive, postpone or withdraw a parole review relative to female offenders. Chi-square analyses revealed that this difference was statistically significant (56% vs. 35%, respectively; $\chi^2(1) = 65.13$, $p < .001$).⁴

Table 1:
Comparison of Waiver, Postponement and Withdrawal Group and Comparison Group by Gender.

Gender	Waiver, Postponement, Withdrawal Group		Comparison Group	
	%	(n)	%	(n)
Male	56.0	(4438)	40.0	(3490)
Female	35.2	(138)	64.8	(254)

An examination of the gender composition across the group of offenders who waived, postponed or withdrew a parole application revealed that both male and female offenders were more likely to waive or postpone a parole review than apply and withdraw their application (see Table 2). However, a higher percentage of female offenders postponed (49%) than waived (40%), while male offenders were more likely to waive (55%) than postpone (39%).

Table 2:
Comparison of Waivers, Postponements and Withdrawals by Male and Female Offenders.

Gender	Waived		Postponed		Withdrew		Total	
	%	(n)	%	(n)	%	(n)	%	(n)
Male	54.9	(2440)	39	(1733)	6.0	(265)	100	(4438)
Female	39.9	(55)	48.6	(67)	11.6	(16)	100	(138)

⁴ The chi-square is a non-parametric statistic used to determine whether there are significant differences between groups, while an ANOVA tests whether mean differences between groups are due to chance or represent real differences between groups (Gravetter & Wallnau, 2000).

Of those offenders who waived, postponed or withdrew a parole application, 19.5% were Aboriginal while 80.5% were non-Aboriginal. This is consistent with the proportion of offenders who are Aboriginal in the general offender population (Public Safety Canada, 2008). When compared with offenders who had a parole review decision recorded for the identified timeframe (see Table 3), Aboriginal offenders were more likely to delay or cancel their parole review relative to non-Aboriginal offenders (62% vs. 54%, respectively; $\chi^2 (1) = 28.63, p < .001$).

Table 3:
Comparison of Waiver, Postponement and Withdrawal Group and Comparison Group by Ethnicity.

	Waiver, Postponement, Withdrawal Group		Comparison Group	
	%	(n)	%	(n)
Aboriginal	61.5	(890)*	38.5	(558)
Non-Aboriginal	53.8	(3671)*	46.2	(3157)

*Data was missing for 15 cases in the Waiver, Postponement, Withdrawal Group, and 29 cases in the Comparison Group. Percentages in the table were calculated from a total of 4,561 offenders and 3,715, respectively.

As shown in Table 4, a greater proportion of Aboriginal offenders chose to waive (63%) or withdraw (7%) their parole review relative to non-Aboriginal offenders (52% and 6% respectively). Slightly more non-Aboriginal offenders (42%) postponed their parole review than Aboriginal offenders (29%).

Table 4:
Comparison of Waivers, Postponements and Withdrawals by Aboriginal and non-Aboriginal Offenders.

	Waived		Postponed		Withdrew		Total	
	%	(n)	%	(n)	%	(n)	%	(n)
Aboriginal	63.1	(562)	29.4	(262)	7.4	(66)	100	(890)*
Non-Aboriginal	52.4	(1924)	41.8	(1533)	5.8	(214)	100	(3671)*

*Data was missing for 15 cases, percentages in the table were calculated from a total of 4,561 offenders

The risk and need levels assessed at intake and those obtained from the most recent assessment prior to the decision to waive, postpone or withdraw produced very similar results. That is, the majority of the offenders in the waiver, postponement and withdrawal group, at both

intake and most recent assessment, were classified as high or moderate risk and need, while considerably fewer fell within the low risk and need categories (see Table 5). The parole waiver group showed the highest percentage of offenders in the high risk and need categories relative to offenders who postponed or withdrew their application, the latter two groups of which presented with roughly comparable percentages. This suggests that the higher risk and higher need offenders are choosing not to appear before the Board when parole eligibility is reached.

Table 5:
Risk/Need Assessment at Intake and Most Recent Assessment for Offenders who Waived, Postponed or Withdrew.

	Waived		Postponed		Withdrew	
	%	(n)	%	(n)	%	(n)
Risk Rating at Intake						
Low	3.7	(92)	5.0	(88)	6.9	(19)
Moderate	28.9	(715)	44.0	(781)	37.0	(102)
High	67.4	(1668)	51.0	(904)	56.2	(155)
Need Rating at Intake						
Low	2.1	(51)	3.4	(60)	1.4	(4)
Moderate	20.9	(518)	27.6	(490)	30.1	(83)
High	77.0	(1906)	69.0	(1223)	68.5	(189)
Most Recent Risk Rating						
Low	4.2	(94)	5.8	(99)	6.9	(18)
Moderate	30.4	(688)	46.2	(788)	40.1	(105)
High	65.4	(1481)	48.0	(820)	53.1	(139)
Most Recent Need Rating						
Low	2.9	(66)	4.1	(70)	1.9	(5)
Moderate	25.3	(572)	33.1	(565)	33.2	(87)
High	71.8	(1625)	62.8	(1072)	64.9	(170)

* The total number of cases for each risk/need variable may not add to 4,576 due to missing data

A comparison of offenders who waived, postponed or withdrew with those offenders who did not revealed a significant association between the parole review decision and the offenders risk rating at intake, ($\chi^2(2) = 919.78, p < .001$), and need level at intake ($\chi^2(2) = 798.24, p < .001$). Of those offenders rated to be high risk at intake, only 30% applied for parole and did not postpone or withdraw this application compared to 81% of offenders rated to be low risk (see Table 6). In other words, 70% of the high risk offenders waived, postponed, or withdrew their parole review, whereas only 19% of the low risk offenders took such actions. Similarly, 34% of offenders classified as high need at intake applied for parole and did not later postpone or withdraw this application compared to 85% of the low need offenders. Consistent with these findings, significant associations were found between offenders' decision and their most recent risk rating ($\chi^2(2) = 763.11, p < .001$), and need level ($\chi^2(2) = 608.20, p < .001$).

According to the most recent needs assessment, the highest percentages of offenders with identified needs (i.e., "some" or "considerable" need ratings) in each of the seven need domains assessed could be found in the parole waiver group. Analysis of the domains also suggests that for each of the groups examined, offenders demonstrated particularly high needs in their personal/emotional functioning and the substance abuse areas relative to the other domains (i.e., approximately 91% and 77%, respectively).

Associations between decisions to not appear before the Board and need ratings were found in six of the seven need domains (family, associates, substance abuse, community, personal/emotional, and attitude domains). That is, offenders assessed as having "some" or "considerable" needs in these domains were more likely to waive, postpone, or withdraw their application than offenders assessed as having no needs in these areas. Differences between the waiver and comparison groups indicated that offenders who waived, postponed or withdrew their application had considerably lower levels of educational attainment and were less likely to have a high school diploma. The waiver group was also significantly more likely to have been unemployed at the time of arrest and had unstable job histories relative to the comparison group.

Sentence length across the three groups (waiver, postponement, and withdrawal) was found to be comparable ($M = 4.60$ years). However, significant differences in sentence length were found between offenders who waived, postponed or withdrew an application and those who

did not ($t(8318) = -8.40, p < .001$). Interestingly, offenders who waived, postponed, or withdrew their first parole review were serving notably longer sentences relative to offenders in the comparison group ($M = 4.60$ years vs. 3.66 years). The waiver, postponement and withdrawal group was also more likely than the comparison group to be serving a sentence for a serious offence (83% vs. 69%, respectively; $\chi^2(1) = 204.26, p < .001$). Similarly, there was a noticeable difference between the groups on whether they were serving their sentence for more than one offence, ($\chi^2(1) = 373.60, p < .001$), with offenders in the waiver, postponement and withdrawal group twice as likely to be incarcerated for having committed at least two offences relative to offenders in the comparison group (42% vs. 20%, respectively). Table 6 provides a breakdown of offence types between the two groups and indicates statistically significant differences.

Table 6:
Between Group Comparison of Offence Type.

Offence	Waiver, Postponement, Withdrawal Group		Comparison Group		Test Statistic χ^2
	%	(n)	%	(n)	
Attempted Murder	2.6	(103)	1.0	(32)	26.12*
Homicide	7.8	(302)	6.8	(220)	2.37
Sexual Offence	15.1	(586)	7.1	(231)	109.30*
Other Violent Offences ^s	60.4	(2350)	27.3	(883)	779.05*
Drug Offence					
Drug Cultivation	0.9	(34)	3.7	(119)	66.28*
Drug Importation	0.6	(24)	5.2	(169)	142.58*
Drug Trafficking	6.0	(234)	24.0	(776)	470.31*
Forced Confinement/ Kidnapping	8.0	(310)	3.6	(118)	58.30*
Arson	1.5	(59)	1.2	(39)	1.24

Note. * $p < .001$, ^a Other violent offence includes robbery and assault.

The total number of cases may not add to 4,576 for the Waiver, Postponement, Withdrawal Group and 3,744 for the Comparison Group due to missing data.

In comparison to offenders who did not cancel or delay their parole review, offenders who waived, postponed or withdrew an application were more likely to have had prior contact with adult ($\chi^2(1) = 93.54, p < .001$) and youth court ($\chi^2(1) = 135.35, p < .001$). Table 7 provides a comparison of the criminal histories of offenders in these two groups. Of particular interest, offenders in the waiver, postponement, and withdrawal group were significantly more likely to have been previously supervised in the community and to have had a failed release than offenders in the comparison group. More specifically, 51% of the waiver, postponement and withdrawal group had previously failed on a conditional release in comparison to 32% of offenders who did not waive, postpone or withdraw their parole review.

Table 7:
Between Group Comparison of Criminal History.

Variable	Waiver, Postponement, Withdrawal Group		Comparison Group		Test Statistic (χ^2)
	%	(n)	%	(n)	
Prior Adult Court Contact	87.6	(3414)	79.1	(2558)	93.54*
Prior Youth Court Contact	53.3	(2073)	39.5	(1267)	135.35*
Previous Provincial Term	75.7	(2947)	62.0	(2000)	156.24*
Previous Federal Term	40.9	(1593)	15.0	(483)	575.67*
Prior Convictions					
At least 1	67.8	(2616)	44.8	(1436)	378.72*
3 or more	43.3	(1674)	22.1	(707)	354.62*
Prior Violent Offence	53.8	(2063)	34.7	(3171)	257.53*
Prior Community Supervision	79.7	(3101)	68.0	(219)	127.02*
Failure on Conditional Release	51.3	(1984)	32.1	(1032)	264.54*

Note. * $p < .001$. The total number of cases may not add to 4,576 for the Waiver, Postponement, Withdrawal Group and 3,744 for the Comparison Group due to missing data.

Results from the profile suggest that, within the waiver group, offenders who waived a parole review instigated the highest number of institutional incidents ($M = 5.09$, $SD = 12.73$), followed by those who withdrew ($M = 4.62$, $SD = 10$) and those who postponed ($M = 3.12$, $SD = 8.3$). Statistically significant differences were found between the offenders who waived and the comparison group wherein offenders in the waiver, postponement and withdrawal group were twice as likely to have been instigators of institutional misconduct.

In sum, this profile provides preliminary descriptive characteristics of offenders who waive, postpone or withdraw a parole review. This offender sub-group is more likely to be male, Aboriginal, have extensive criminal histories, be serving a sentence for a violent offence, have instigated institutional incidents, and have had a previous failed release. Given that the profile provides a description of the characteristics of offenders who waive, postpone, or withdraw a

parole review, it follows that the reasons influencing offenders' decisions not to appear before the NPB for a parole review should also be examined

Part II: Qualitative Study of Reasons for Delays and Cancellations

The purpose of the qualitative study was to examine the reasons for delays and cancellations of parole review hearings. The aim was to obtain a better understanding of the reasons offenders choose not to appear before the NPB for parole reviews as well as to obtain the perspective of CSC and NPB staff and Board members on the factors contributing to and impacts of delays and cancellations. In addition to the reasons reported for waivers, postponements, and withdrawals, the following factors were examined:

- The extent to which offenders understand the parole review and decision-making process.
- The role and impact of an offender's parole officer and case management team (CMT) on their decision to waive, postpone or withdraw their parole review.
- The offender's level of motivation to participate in programming and to engage in their correctional plan.
- The offender's level of motivation to be conditionally released and to return to the community under supervision.
- Parole officers, NPB staff, and Board member perspectives on reasons for delays and cancellations.

Method

In order to examine the reasons offenders chose not to appear before the Board for a parole review, the following data sources were used:

- Offender files
- Offender interviews
- Interviews with parole officers
- Focus groups with National Parole Board representatives (Board members and staff)

Offender Files

Data from the Offender Management System (OMS), an automated CSC database containing offender file information, was used to identify the sub-population of offenders whose parole review was delayed or cancelled between April 1st, 2007⁵ and March 31st, 2008. When available, demographic variables and other factors related to an offender's decision not to appear before the Board were also obtained from OMS.

Offender Interviews

The sample selected for offender interviews was obtained from the total number of offenders who waived, postponed or withdrew an application between April 1st, 2007, and March 31st, 2008. Potential interview participants were chosen at random for each of the selected sites. Selection of sites across the five regions was based on the frequency of cases available for interviews and security level. See Appendix B for more information pertaining to the institutions where interviews took place and the distribution of offender interviews for each site.

Women offenders accounted for only 4% (192 of 4,924 cases) of cancellations and delays of parole reviews during the identified timeframe. As a result, women offenders were not included in the interview sample since a limited number of interviews could have been

⁵ This study has a federal focus and does not specifically address the unique challenges of provincial offenders (e.g., sentence length and program wait times) which may be associated with increased delays and cancellations.

completed at women's institutions making analysis and conclusions that would be generalizable to all women offenders difficult.

One-on-one interviews were completed with 104 male offenders who waived, postponed or withdrew an application for day or full parole review and 14 offenders whose parole review was adjourned or administratively adjourned. The response rate for the waiver, postponements and withdrawal interviews was approximately 41%. That is, of 255 offenders selected for interviews, 104 consented to participate. In addition to offenders failing to answer intercom requests to present themselves at a check-in location for their interview, some attrition to the sample occurred due to recent releases or transfers, segregation and inability to participate due to work, programming, and court appearances. In addition, a serious incident resulting in a lock-down at one site delayed interviews and raised suspicion among offenders being called to be interviewed, resulting in a considerable number refusing to meet with research team members. Because the number of adjournments and administrative adjournments on a national level is relatively small, a convenience sample was used based on the institutions selected for the waiver, postponement and withdrawal interviews. The focus of these interviews was to explore qualitatively the level of awareness and understanding of adjournments and administrative adjournments and was not intended to be generalized to the entire offender population. We recruited and interviewed a minimum of one offender at all site locations who had a hearing adjourned or administratively adjourned.

Prior to participating in the study, all of the offenders signed informed consent forms. These consent forms contained general information regarding the study and informed the offenders that they could leave the study at any time during the interview if they no longer wished to participate. Offenders were also informed that they would not be penalized in any way if they chose not to participate in the study and their refusal would not impact their chances of being granted parole in the future (see Appendix C).

A semi-structured interview guide was used to obtain information on the factors that contributed to the offender's decision to waive, postpone or withdraw an application. In particular, interviews allowed for a more focused look at an offender's level of awareness, knowledge, motive and needs as they relate to their decision not to appear before the Board for a

parole review hearing. Interview questions were designed to examine five key areas: (1) reasons for waiving, postponing or withdrawing an application for parole review; (2) level of understanding of the parole review and decision making process; (3) level of motivation to participate in programs and their correctional plan; (4) level of motivation to be released to the community; and (5) impact of an offender's parole officer and/or CMT on their decision not to appear before the Board.

Interview questionnaires were completed on-site and included both closed and open-ended questions (see Appendix D). A slightly modified version of this guide was used to interview offenders who had their parole hearing adjourned or administratively adjourned to examine the impact of these decisions (see Appendix E). Offenders were interviewed individually by a member of the research team, which included both NPB and CSC staff. Typically, interviews were 30 minutes to one hour in length.

Parole Officer Interviews

A semi-structured interview was used to obtain the perspectives of 22 parole officers, representative of all regions, on the reasons offenders choose not to appear before the Board for a parole review (see Appendix F). Factors perceived as contributing to delays and cancellations and measures that may address these issues were also discussed.

National Parole Board Focus Groups

In order to gain a greater understanding of the issues surrounding waivers, postponements and withdrawals, focus groups with NPB representatives were conducted in each of the five CSC regions. Loosely structured focus group discussions were held in person with staff and by teleconference with Board members (see Appendix G).⁶ All regions were represented by both staff and Board members. The focus group size ranged from two to eight participants and took between one to three hours to complete. A typical focus group included four participants and was about two hours in length.

⁶ In some cases Board members submitted their opinions and perspectives in writing

Analyses

A series of descriptive analyses were completed in order to examine the characteristics of the sample of offenders who were interviewed regarding waiving, postponing or withdrawing an application. Analyses were also conducted in order to examine differences between these three sub-groups. Chi-square and ANOVA tests were used to examine differences between the sub-groups as well as to discern any differences based on factors such as age, ethnicity, and sentence length. Information specific to reasons for waiving, postponing or withdrawing was collected from open-ended questions. Initial variable codes had been defined prior to interviews based on OMS categories, however, new classifications were created during the analysis of data to better capture emerging themes and to reflect responses that were not well represented in the original categories. Also, reasons reported varied considerably and were collapsed into broader categories to facilitate analysis and interpretation. Due to the broad range of reasons and low cell counts, statistical testing of differences between groups was not possible in some instances.⁷

Content analyses were completed to extract key themes from interviews with parole officers and focus group discussions with NPB staff and members. Results from adjournment interviews were also examined qualitatively since statistical analyses were not possible as a result of the small sample size.

⁷ A chi-square statistic test should not be used when expected frequency of any cell is less than five cases. This tends to occur when the sample size is small and observed frequencies are distributed across multiple levels of a variable

Results

The majority of offenders interviewed had waived their full parole review (74%), while 18% had postponed either a day or full parole hearing, and 9% had withdrawn an application for parole. The sample is comparable to the full group of offenders who waived (63%), postponed (27%), or withdrew (10%) a parole review application between April 1st, 2007, and March 31st, 2008.

Over half of offenders interviewed (53%) reported at least one previous waiver, postponement or withdrawal of an application for parole during their current sentence. When asked whether they planned on appearing before the Board in the future, 40% reported wanting to appear for a parole review, 17% would not see the Board again before their statutory release date, and 16% reported plans to waive future parole hearings (one-quarter of participants either refused to answer this question or said that their decision would depend on the circumstances at that time).

Of the offenders interviewed 32 (31%) were Aboriginal (see Table 8). Similar to non-Aboriginal offenders, Aboriginal offenders were most likely to have waived a full parole review (23 of 32 Aboriginal offender cases). There were, however, no statistically significant differences in the proportion of Aboriginal and non-Aboriginal offenders who waived, postponed, or withdrew an application for parole review ($\chi^2(2) = 1.1, p = .574$).

Table 8:
Percentage of Aboriginal and Non-Aboriginal Offenders Interviewed who Waived, Postponed or Withdrew a Parole Review.

Ethnicity	Waived		Postponed		Withdrew		Total	
	%	(n)	%	(n)	%	(n)	%	(n)
Aboriginal	71.9	(23)	21.9	(7)	6.3	(2)	100	(32)
Non-Aboriginal	73.6	(53)	15.3	(11)	11.1	(8)	100	(72)

Note. For the purpose of the present study, the Aboriginal offender group includes Inuit, Métis and First Nations. The non-Aboriginal group captures all other ethnocultural groups.

Since more than two-thirds of the total number of decisions (to delay or cancel a parole review) in 2007-08 were made by offenders in medium security facilities, the majority of interviews were conducted at medium security sites (77 or 74%). Additionally, 13 (12.5%) interviews were conducted at a maximum security institution, and 14 (13.5%) interviews were completed in minimum security facilities.

The average age of offenders interviewed was 40 years ($SD = 11.7$). This is comparable to the average age of the full group of offenders who waived, postponed or withdrew a parole review during this timeframe ($M = 38$, $SD = 11.5$, $n = 4,730$). ANOVA analyses revealed that the average age of offenders who postponed ($M = 47$, $SD = 11$) was significantly higher than the average age of offenders who waived ($M = 38.5$, $SD = 11.6$) their parole review or withdrew ($M = 37.8$, $SD = 10.5$) their application ($F(2, 94) = 4$, $p < .05$).

According to CSC (2008) data for the general offender population, 25% of offenders have a sentence of less than three years, 30% are serving a sentence between three and six years, and 23% are serving a life or indeterminate sentence. The average sentence length for offenders interviewed was 4.88 years. Again, this is comparable to the average sentence length for the full group of offenders who waived, postponed, or withdrew a parole review ($M = 4.4$, $n = 4,730$). There were no statistically significant differences between the length of sentence of offenders who waived ($M = 4.84$, $SD = 6.6$), postponed ($M = 5.00$, $SD = 6.4$) or withdrew ($M = 4.98$, $SD = 3.6$) their parole review, $F(2, 94) = .005$, $p = .995$.

For offenders interviewed who waived, postponed or withdrew an application for parole review, the most serious index offences included homicide, robbery, and sexual offences. About one-quarter (23%) of offenders who waived a parole review were serving a sentence for homicide. These rates are proportionate to offence categories reported for the general offender population in custody, where one-quarter of offenders are serving a sentence for homicide, one-third for robbery and one-sixth for sex offences (CSC, 2006).

Knowledge and Understanding of the Parole Review Process

When asked how well they understood how the NPB makes parole decisions, over one-third of offenders interviewed (39%) reported having a good or very good understanding of the

process, 22% said they had some understanding, and the remaining 38% reported limited to no understanding of the process. Forty-one percent of respondents said that other inmates were one of their main sources of information, which could lead to the circulation of misinformation if the other offenders are not providing them with accurate advice regarding the parole review process. Slightly fewer respondents (37%) reported that parole officers were among their main sources of information.

Over one-half (52%) of respondents reported an interest in obtaining more information or a better explanation of some aspect of the parole review process. Examples of areas where offenders would like further information included: specific factors taken into account when the NPB makes a parole decision, details on the proceedings of a hearing, information on community options, assistance and services available, and a clear explanation and rationale for parole officers reasons to support or not to support an offender's release.

When asked about factors that would likely *positively* impact their chances of being released on a day or full parole, the majority of offenders (84%) identified factors related to positive institutional behaviour (e.g., no misconduct, maintained employment) and completion of correctional programs. Slightly under half (46%) identified positive factors related to release plans (e.g., pro-social support network, employment plans) and community management (e.g., support from a community residential facility) while only 9% mentioned issues related to criminal and social history (e.g., no previous offences, no convictions for violent offences).

Offender's assumptions about what impacts their chances of obtaining parole are relatively accurate. Section 2.1 of the *NPB Policy Manual* describes the criteria for assessing if an offender presents an undue risk to society and the process for pre-release decisions. Board members will consider: the offender's criminal and social history, and his/her functioning and attitude on any previous conditional release, the functioning and attitude of the offender during incarceration indicating a modification of the offender's behaviour, as well as professional reports and relevant actuarial scales and the concrete results and treatment gains of interventions as acknowledged by correctional authorities and others, such as; Parole Officers, Primary Workers in Women's Institutions, treatment personnel, the Institutional Elders, Native Liaison

Personnel, LifeLine, and In-Reach workers; the release plan, and the community management strategy (NPB, 2009).

When asked about factors that would likely *negatively* impact their chances of being released on a day or full parole over half (59%) identified aspects related to poor institutional behaviour (e.g., positive urinalysis, misconducts, institutional charges) and incomplete correctional programs, 33% identified factors related to criminal and social history (e.g., revocations of previous paroles), and 14% mentioned issues related to release plans and community management (e.g., lack of community support).

Community Reintegration

Offenders who waived, postponed or withdrew an application for a parole review were asked how important it was to them to be released on day or full parole. Their responses are presented in Table 9 .

Table 9:
Level of Importance Offenders Attributed to Day and Full Parole.

Parole Type	Not Important		Indifferent		Important	
	%	(n)	%	(n)	%	(n)
Day Parole (n = 102)	30.4	(31)	8.8	(9)	60.8	(62)
Full Parole (n =101)	26.7	(27)	14.9	(15)	58.4	(59)

For both day and full parole, the majority of respondents (61%) stated that it was *important* for them to be released on parole and approximately one-third (30%) responded that it was *not important*. A few offenders indicated that parole was *not important* because they felt that these release options were unattainable given their current circumstances. They felt it was expected of them to ‘cascade’ through the system and that other objectives had to be met before appearing before the Board for a conditional release (e.g., Escorted Temporary Absences, Unescorted Temporary Absences, or reducing their security levels).

Almost half of offenders interviewed (47%) reported having concerns about returning to the community (e.g., offenders serving long sentences were apprehensive about adjusting to life outside prison, others were worried about finding and maintaining employment and staying

substance free). Of these, only 13% reported that these concerns were important enough to lead them to consider delaying their release.

Reasons for Waivers, Postponements and Withdrawals

Offenders were asked an open-ended question about the reasons for their decision to waive, postpone or withdraw their application for parole review. A summary of their responses is presented in Table 10. Offenders most frequently reported reasons related to programming for their decision to delay or cancel their parole hearing (42%), followed by perceived lack of support from PO/CMT (35%), and reasons that may reflect poorly on their behaviour such as previous failed release, recent institutional misconduct or security increase (12%). Reasons falling under each of the remaining categories were reported by less than 10% of offenders. It is important to note that although a considerable number of reasons fall under the programming category, this category should be interpreted with some caution and is discussed in further detail below.

Table 10:

Summary of Reasons Offenders Reported for Waiving, Postponing or Withdrawing a Parole Review.

Reasons	%	(n)
Reasons related to programming – <i>see</i> Table 11	42.3	(44)
Perceived lack of support from PO/CMT.	34.6	(36)
Reasons related to factor that reflects poorly on behaviour – <i>previous revocation, institutional misconduct/charge, positive urinalysis, recent security increase.</i>	11.5	(12)
Not interested – <i>in being released/in appearing before the Board.</i>	9.6	(10)
Reasons related to release plan – <i>incomplete plan, application to community residential facility not approved, no community support, and adequate support system not in place.</i>	9.6	(10)
Transfer application/pending.	8.6	(9)
Case preparation incomplete – <i>pending psychological assessment, pending program performance report, other missing or incomplete documents.</i>	5.8	(6)
Believes parole will be denied.	5.8	(6)
Lower security level/more gradual release process.	4.8	(5)
Reasons related to parole review process – <i>avoid a negative decision, intimidated by process, avoid specific Board member.</i>	2.9	(3)
Other reasons – <i>pending court decision, waiting for statutory release, new/conflict with parole officer, offender not ready for release.</i>	18.3	(19)

* The Reasons Summary count is greater (161) than the number of offenders interviewed (104) since offenders frequently reported more than one reason for their decision. However, when categories were collapsed only one reason per category was included, therefore percentages are based on the number of offenders interviewed rather than the total number of reasons identified.

Due to the broad range of reasons reported and low number of responses for certain categories, a statistical comparison of reasons reported by Aboriginal and non-Aboriginal offenders was not conducted. However, when reasons were disaggregated by Aboriginal and non-Aboriginal, the two most frequently reported categories remained consistent across both groups; *reasons related to programming* and *perceived lack of support from their parole officer and/or CMT*. This suggests that Aboriginal offenders are waiving, postponing or withdrawing for reasons similar to those reported by non-Aboriginal offenders.

Table 11 provides a more detailed overview of the reasons related to incomplete correctional programs reported by offenders as contributing to their decision to waive, postpone, or withdraw their parole review. Of the offenders interviewed who were waiting to complete a program before appearing before the Board for a parole review, one-third reported having previously participated but had not successfully completed the program in question.

Table 11:
Sub-Categories of Reasons Related to Programming.

Programming Sub-Categories	%	(n)
Currently completing program	34.1	(15)
Waitlisted	27.3	(12)
Program required not available	11.4	(5)
Not interested in participating in programs	4.5	(2)
Change in treatment plan – programs added to correctional plan	4.5	(2)
Other reasons (transfers, segregation, language barrier, programs unsuccessfully completed)	9.1	(4)
Programs incomplete – reason unspecified	9.1	(4)
Total	100	(44)

In 2007-08, the rate of completion for programs for all male federal offenders was 76% while the dropout rate was 13% (CSC, 2009c). According to OMS data, of the 104 offenders interviewed, 80 were assigned an average of 2.9 programs (no programs were identified/recorded

for the remaining 24)⁸. Of the 80 offenders assigned to programs, 91% (73 offenders) participated in one or more programs assigned to them, while 75% (60 offenders) participated in all assigned programs. OMS data indicates that the average completion rate (programs in which offenders participated that were successfully completed) for offenders interviewed was 70%, which was slightly less than the national average.

Of the 44 offenders who reported reasons related to programming, 32 reported that timely access to programs was a factor contributing to the delay or cancellation of their parole review (includes those that reported being in the process of completing the required program, being waitlisted, and having to complete a program that was not available at their site). Even before removing cases where the offender had previously participated but had not completed the program causing the delay, access to programs specifically appears to have been an issue raised in only 31% of offender interviews. These offenders were asked about the program causing the delay. Of the 32, most (88% or 28 offenders) were able to provide information on the program causing delays. When possible, information reported relating to ongoing program participation and waitlists was verified in OMS. The programs most often identified as causing delays were National Substance Abuse Programs (16 of 28 cases) followed by Sexual Offender Programs (5 of 28 cases).

Over 70% of offenders interviewed attributed some importance to participating in programs identified in their correctional plan. Of those who reported program participation to be important, offenders cited internal or personal motives (e.g., wants to make permanent behavioural changes, does not want to re-offend) more frequently than external motives (e.g., need to complete programs to transfer to lower security, programs are required for early release).

Parole Officer and Case Management Team

When asked specifically about parole officer or CMT support, over one-third (36%) of offenders reported a perceived lack of support from their parole officers or CMT as a reason contributing to their decision to waive, postpone or withdraw an application for parole review. It should be clarified that the parole officer's decision to support or not to support an offender for a

⁸ For the purpose of this research programs included those found under the categories of family violence, living skills, sex offender programs, substance abuse programs and violent offenders programs. Aboriginal specific programs are included within these categories.

conditional release was not in question here. Rather, interviews with parole officers revealed that it is common practice for parole officers to inform the offender of the recommendation for release they will be making in their report to the Board (as required in the Assessment for Decision for day or full parole, Commissioner's Directive 712-1).

Offenders were asked about the discussion they had with their parole officer concerning their upcoming day or full parole review. Almost three-quarters (72%) reported that their parole officer suggested that, given their circumstance, a waiver, postponement, or withdrawal of parole review was an appropriate option. One-quarter (22%) reported either making the decision to delay or cancel their parole review without their parole officers input or reported that their parole officer did not suggest any particular course of action⁹. Nearly half (48%) of offenders interviewed reported being in agreement with their parole officer regarding the delay or cancellation of their parole review while 28% disagreed with their parole officer's point of view or rationale, 10% did not know or could not say whether they were in agreement or not and 14% chose not to answer this question. Examples of grounds on which offenders disagreed with their parole officer included feeling that they had demonstrated progress and should be supported for release, disagreements on programs identified and to be completed, and being displeased with the management of their file and case work preparation.

In order to facilitate interpretation of the findings on reasons for waivers, postponements and withdrawals offender responses were summarized according to the following four broad categories: Offender-specific, operations/programs-specific, parole officer/CMT-specific, and community-specific. Offender-specific factors include lack of interest in participating in programs, lack of interest in appearing before the Board or being conditionally released, as well as other issues identified by offenders which reflect poorly on their behaviour (e.g., failed urinalysis or institutional misconduct). The parole officer and case management-specific factors pertain mostly to the offender's perception of lack of support for a conditional release but also include incomplete reports and incompatibility with the offender. As mentioned previously, the parole officer's decision to support or not to support is not in question here. Rather, the impact of knowing their parole officer's recommendation for release on their decision to appear before the

⁹ The remaining offender responses did not provide a clear indication of the parole officer's position with regards to their upcoming parole review.

Board is of interest. Operations/programs-specific reasons include all factors related to the availability and accessibility of required programs as well as other operational activities that may cause delays (e.g., pending transfers). Community-specific reasons are those related to lack of support from community networks or an incomplete release plan.

Table 12 shows the distribution of offender responses according to these four categories. There is a fairly even split across offender-specific reasons, parole officer/CMT-specific reasons, and operations/programs-specific reasons with all three categories being reported by approximately 40% of offenders.

Table 12:
Summary of Reasons for Waivers, Postponements and Withdrawals.

	%	Number of reasons
Offender-Specific Reasons	43.3	45
Parole Officer/CMT-Specific Reasons	40.4	42
Operations/Programs-Specific Reasons	42.3	44
Community-Specific Reasons	3.8	4

Since offenders could report more than one reason for their decision, the summary count will not add to 104 and added percentages will be greater than 100. However, when categories were collapsed only one reason per category was included, therefore percentages are based on the number of offenders interviewed (n = 104) rather than the total number of reasons identified.

Adjournments and Administrative Adjournments

As previously mentioned, in addition to waivers, postponements, and withdrawals of parole review hearings, the current study also examined reasons why NPB hearings are adjourned or administratively adjourned. In total, 14 offenders were interviewed whose NPB hearing had been adjourned or administratively adjourned. Given the small sample size, the description of characteristics of respondents may not be representative of all federal offenders whose parole reviews are adjourned or administratively adjourned. Offender characteristics (e.g., age, ethnicity) are presented for the sole purpose of providing information concerning the 14 offenders interviewed in this study. Please note that only frequencies (e.g., *n* values) are reported in this section as percentages could be misleading with such a small sample.

Offender Characteristics

Of the offenders interviewed, ten were non-Aboriginal and the remaining four were Aboriginal offenders. Nine interviews were conducted at medium security institutions, four were at minimum security institutions and one was completed at a maximum security institution. The average age of the 14 offenders interviewed was 42.4 years ($SD = 8.01$).

Awareness

During the interview, offenders were asked to report on their level of awareness in regards to their parole hearing being adjourned. Four of the 14 offenders reported that they were not aware that their parole review had been adjourned. Of those who were aware that their parole review had been adjourned (10), six stated that the adjournment had a big impact on them, three reported that it had a medium impact and one stated no impact. Nine of the offenders stated that they were informed of the reason why their parole review was adjourned. To their knowledge, reasons for the adjournments included waiting on a community assessment (2), paperwork not completed (2), program not completed (2), psychological assessment/report not completed (2), and missing documents (1). According to OMS, five of the ten offenders had previous adjournments or administrative adjournments during their current sentence. However, when asked, only three offenders reported having had a hearing adjourned or administratively adjourned during their current sentence. This again suggests that offenders were not always aware that their parole reviews had been adjourned.

Knowledge and Understanding

Offenders were asked whether they understood why the NPB decides to adjourn a parole review. Six of the 14 offenders stated that they understood very well, two stated that they had some level of understanding, while the remaining five said they had little to no understanding of the adjournment process. Furthermore, five of the offenders felt that they were not given enough information about the reasons for their adjournment. When offenders were provided with information about adjournments in general, the most commonly cited sources of information were parole officers (6) and other inmates (5), followed by legal aid (2), NPB staff (2), family

members (1), Commissioner's Directives (1), Lifeline (1), CSC mission statement (1), Aboriginal Elder (1), and sections 81-84 of CSC pamphlet (1)¹⁰.

Role of Parole Officer/Case Management Team

Offenders were also asked several questions about the discussions they had with their parole officer with regards to their parole review. According to these respondents, three parole officers recommended the offender appear before the Board for a review, two parole officers recommended waiving the review, two parole officers recommended postponing the review, and the remaining seven parole officers did not make a recommendation to the offender about their parole review. Six of the offenders did not agree with their parole officer's recommendation for their review. In addition, eight of the 14 offenders felt that their parole officer played a role in their adjournment for reasons such as paperwork not being completed on time (4), lack of communication (2), not having their parole officer's support (1), and delays in receiving a psychological assessment due to a late request by the parole officer (1). Some of the offenders also felt partially responsible for the adjournment with four reporting that they could have done something to prevent it, such as being more proactive (2), fighting harder (1), or refusing to sign it (1)¹¹. Some also believed others, such as someone on the outside (1) or CSC employees (1), could have done something to prevent the adjournment.

Parole Officer Perspective

Waivers, Postponements, Withdrawals.

The 22 parole officer interviews were analyzed qualitatively. Generally, parole officers did not view the rates of parole waivers, postponement and withdrawals of applications as problematic. Most (55%) felt that these were being used in appropriate circumstances. Respondents who reported that waivers, postponements and withdrawals were sometimes an issue emphasized that the decision not to appear before the Board was usually justified, however, the underlying factors leading to these decisions may require attention.

¹⁰ Please note that the values add up to more than 14 as offenders were able to report more than one source of information.

¹¹ The Board makes the decision to adjourn or administratively adjourn a parole review and the offender is not required to sign a form in order for an adjournment to take place. This offender's comment demonstrates that the adjournment process may not be well understood.

When asked, from their perspective, why offenders choose not to appear before the Board, parole officers provided a broad range of responses. Consistent with those identified by offenders, the reasons most frequently cited by parole officers were related to programming, including the need to complete programs underway, and program waitlists. Interestingly, several felt that offenders wanted to avoid a negative recommendation and/or decision from the Board, a factor cited infrequently by offenders. Parole officers appeared to be aware of the impact of their recommendation for parole as an important factor influencing the offender's decision to appear before the Board. Table 13 provides a frequency ranking for each reason based on the number of respondents who reported that reason (e.g., ranking of 1 was assigned to the reason reported most frequently); frequency rankings are provided for both parole officers and offenders. For example, reasons related to programming were most frequently reported by both offenders and parole officers. Examination of Table 13 reveals that offenders and parole officers were similar, but not identical, in their frequency rankings. For example, perceived lack of support from PO/CMT was cited second most often by offenders, whereas reasons related to parole review process were reported second most often by parole officers.

Table 13:
Ranking of Reasons by Frequency Reported by Offenders and Parole Officers.

Reasons	Frequency Ranking	
	Offenders (n = 104)	Parole Officers (n = 22)
Reasons related to programming.	1	1
Perceived lack of support from PO/CMT.	2	4
Reasons related to factor that reflects poorly on behaviour.	4	7
Not interested (in being released/in appearing before the Board).	5	3
Reasons related to release plan.	6	5
Transfer application/pending.	7	-
Case preparation incomplete.	8	8
Lower security level/more gradual release process.	9	-
Reasons related to parole review process.	10	2
Other reasons.	3	6

Adjournments and Administrative Adjournments

The majority of parole officer respondents felt that adjournments of parole review occur infrequently but were usually the result of missing information, incomplete reports, and/or requests that could not be fulfilled within the 28 day timeframe. Many respondents felt that offenders may not understand why their parole review did not take place, which may lead to feelings of confusion and frustration. However, some felt that adjournments allow for valuable information to be shared with the Board for their review. When asked about the impact of adjournments for CSC, most indicated that impacts were indirect in that there are clear internal pressures on parole officers to avoid having cases adjourned. Parole officers also acknowledged the time and resource losses for the NPB as a result of adjournments of parole review.

When asked about factors contributing to delays and cancellations, parole officer's responses touched on four main themes; programming, staffing and offender caseload, intake assessment and case management, and the information sharing process. Several parole officers identified the need for more program facilitators in order to increase the frequency of programs and reduce program waitlists. Respondents noted the high turnover in parole officers and the impact of having a new parole officer, often with limited experience, take on a case approaching a parole review date. Parole officers perceived that their case load size were increasing and identified this as a factor limiting the amount of time available for case preparation and one-on-one time with offenders. Another issue identified was the need to strengthen the link between intake assessment reports, correctional planning, and the content of reports provided to the NPB for release recommendations. It was felt that greater attention should be given to parole review and release planning, particularly during intake assessment. Lack of continuity in case management was also a factor causing challenges. For example, parole officers noted that is it sometimes difficult to prepare reports for parole review if they disagree with the results from the intake assessments (e.g., risk/needs ratings) or if they feel that the initial correctional plan was not realistic. Finally, measures that would facilitate the information sharing process, such as having information sharing clerks at all sites, as well as identifying a point of contact in each regional NPB office may help to strengthen communications between institutions and the NPB

and in turn reduce time and resource costs incurred from delays and cancellations of parole reviews.

NPB Staff and Board Member Perspective

NPB staff and Board members from all five regions participated in focus groups that examined the issues of waivers, postponements, withdrawals, adjournments and administrative adjournments. A content analysis of their responses was conducted in order to interpret their comments and feedback. Although a series of questions were used to guide the focus group discussions, the content analysis revealed that, overall, many of the opinions expressed during the focus groups could be grouped into two categories: (1) reasons why waivers, postponements, withdrawals, adjournments or administrative adjournments are occurring, and (2) ways to decrease the number of these delays. This suggests that most NPB staff and Board members had not only reflected upon the issue of waivers, postponements, withdrawals, adjournments and administrative adjournments within their region, but had also considered ways of resolving these issues. More specific findings from the NPB staff and member focus groups are presented below. It is important to note that the following are observations made by NPB staff and members and are not meant to serve as recommendations.

When asked whether or not waivers, postponements and withdrawals are a cause for concern, the general consensus among NPB staff was that delays and cancellations that are done for legitimate reasons (e.g., offender wants to wait until he/she has finished a particular program or it is not possible for a necessary report to be completed in time for the hearing) are not an issue. Rather, it is the last minute waivers, postponements and withdrawals that are problematic because they can be costly for the NPB. Any delays and cancellations that are made after Board members have begun reviewing the case file are considered last minute. Thus, the exact timeframe for a decision to be considered last minute will vary depending on how far in advance Board members begin reviewing their cases and this may vary by region.

When asked about the implications of an increase in waivers, postponements and withdrawals, NPB staff and members stated that when parole review delays are identified early, they have little impact on NPB casework. Last minute delays, however, do impact on efficiency and are costly in terms of time and resources, especially when travel is involved.

When asked what effect adjournments or administrative adjournments have on the NPB, many NPB staff and members mentioned how adjournments are costly in terms of time, money, and resources. When an adjournment occurs, time must be spent re-reviewing the file until the hearing finally proceeds. Adjournments are costly enough when the file is re-examined by the same Board member, but many times the file is handled by a different Board member the second time around, which only adds to their workload demands.

NPB staff and Board members mentioned a number of reasons for unnecessary waivers, postponements, and withdrawals. These reasons included:

- Some offenders are simply waiting until they reach their statutory release date instead of going before the Board for review because they are aware that fewer conditions and/or less supervision will be imposed on them.
- There is high turnover for the CSC (e.g., parole officers), which results in a lack of continuity in case management and preparation.
- Quality control issues result in some files having mistakes that could have been addressed prior to the offender appearing before the Board.
- In Quebec, the province will cover the expenses associated with an offender having a lawyer serve as their assistant. As a result of this, it is more likely in Quebec than in other regions that the offender's assistant will be a lawyer. Some delays in Quebec are due to the fact that the offender's assistant might not see the file until the last minute, at which time they may advise the offender to delay their parole hearing.

In terms of decreasing the number of waivers, postponements, withdrawals, adjournments and administrative adjournments, NPB staff and Board members made the following suggestions:

- Incomplete programming is a common cause for delay in parole hearings. Allowing offenders to participate in one program at a time and shortening certain programs may help offenders complete programs in a more timely manner.
- Obtaining proper case documentation also causes delays in parole hearings. Timely sharing of documents, submitting paperwork on time, getting mandatory psychological reviews done

in a timely manner, and encouraging communication between NPB and parole officers, reduces the number of parole hearing delays caused by late documents.

- The NPB could conduct mandatory orientation and training sessions for new parole officers. Annual training updates would also be useful for all parole officers. This ensures that parole officers understand what needs to be submitted to the NPB for parole hearings and when. It would also be beneficial to offer this training to other relevant personnel, such as information sharing officers.
- The quality of reports submitted to the Board for review could be improved. In addition, there should be ownership/accountability for cases being properly prepared.
- The criteria for accepting waivers, postponements, or withdrawals at panel could be changed. More specifically, if the case isn't ready, the offender could be encouraged to postpone, but put limits in place (e.g., do not approve all last minute postponements; establish criteria for reasons to waive or postpone after a specific date). Consequences could be imposed on those offenders who change their mind at the last minute without a valid reason.
- Frequent communication should be strongly encouraged between offenders and their parole officers in order to better prepare the offender for their hearing and provide them with the information necessary to make an informed decision about their parole review in advance. For example, instituting mandatory meetings between an offender and parole officer one month prior to their hearing date might result in fewer unnecessary last minute hearing delays and cancellations.
- Identify or flag cases that will likely be delayed to prevent time loss in unnecessary case preparation.
- Formally verify at a specific point in time that all requirements for the hearing have been met (e.g., support persons have been identified, victims invited to attend, offender has seen his or her assistant and the offender wants to proceed).

When asked whether their region currently had any initiatives in place to reduce the number of waivers, postponements and withdrawals, NPB staff and Board members responded with the following:

- The Pacific region is in the process of setting up an online Frequently Asked Questions (FAQ) system for institutional parole officers that responds to areas of the parole process that

are recurring problems/issues. This online FAQ system is intended to reduce the number of waivers, postponements and withdrawals. In addition, the Pacific region holds monthly quality control meetings. For lifers and other offenders who waive their legislated review every two years, the Board in the Pacific region requests that the offender appear for a decision after 2-3 consecutive waivers (offenders who are eligible but choose not to see the Board over a period of approximately six years). A paper decision is made if the offender chooses to not appear for the hearing.

- In Quebec, informal meetings via videoconference are arranged between the offender and the hearing officer prior to the hearing. This usually occurs when hearings are to be held at geographically isolated locations where cancellations are most costly in terms of travel. These informal meetings help increase offender accountability for their decision to appear before the Board and help reduce the number of last minute decisions.
- The Prairie region does not have any specific measures in place at this time, but parole officers do understand the importance of identifying waivers, postponements and withdrawals as early as possible and do a good job briefing the offender. Offenders are also notified well in advance of victims, observers, media, and others who may be present during their hearing in order to avoid last minute delays and cancellations in cases where the offender does not want to face these participants or observers.
- The Atlantic region currently takes part in institutional site visits to improve communication between CSC and NPB staff. A key focus of these visits is information sharing issues and the clerical staff involved in the sharing process. This region is also committed to maintaining a low rate of administrative adjournments. Working with CSC, they ensure that every occurrence is investigated and corrective action is taken.
- The Ontario region did not identify any formal initiatives to reduce the number of waivers, postponements, and withdrawals.

Discussion

This research provides a number of different, though often overlapping, perspectives on the reasons for delays and cancellations. Circumstances under which offenders choose not to appear before the Board are varied and often multi-faceted. Given the broad range of reasons for waivers, postponements and withdrawals of applications, the findings are discussed in terms of offender-specific factors, parole officer and case management-specific factors, and operations/programs-specific factors.

Offender-specific factors pertain to reasons given by the offender that are related to the individual's behaviours, attitudes and beliefs, and are generally factors within his/her control. This category captures features that are relevant to offender's motivation and level of engagement. The CSC Review Panel Report (2007) notes that there is "a portion of offenders who have no interest in rehabilitation and are content to 'wait out' the system until they reach statutory release" (p.9). Findings from this study show that approximately one-third of offenders interviewed were not interested in programming, reported no motivation to be released on parole, and stated that they had no intention of appearing before the Board for a parole review, thus waiting to be released at their statutory release date. However, over half (61%) indicated that being released on parole, both day and full, was important to them. Most respondents also expressed interest in participating in correctional programs and planned on appearing before the Board for a parole review in the future.

Since reasons in the offender-specific category are related to behaviours, attitudes and beliefs, changes in the number of waivers, postponements or withdrawals of parole applications require offender-focused measures. Over a third of offenders interviewed reported limited understanding of the parole review process. NPB and CSC could work together to provide instructional videos or distribute educational pamphlets in an attempt to improve offender's understanding of parole decision options and implications, as well as help manage offender's expectations. Given that almost half of respondents reported other inmates as their main source of information regarding the parole review process, it is particularly important that offender-to-offender sharing of misinformation is minimized and that offenders receive consistent and accurate information.

Issues related to offender motivation, engagement and accountability extend far beyond the decisions to waive, postpone or withdraw parole applications. The Review Panel Report (2007) raised the need to make greater efforts to motivate disengaged offenders while also highlighting the importance of shared responsibility in the rehabilitative process. The Service is responsible for providing the opportunities and the tools needed by offenders to change their behaviour, however, the offender should be held responsible for learning from these opportunities and applying the tools of rehabilitation to attain and maintain long-term behavioural and lifestyle changes (Review Panel Report, 2007).

Parole officer and case management-specific factors reflect the impact of a parole officer's recommendation on an offender's decision to delay or cancel their parole hearing. A parole officer is required to make a release recommendation when an offender appears before the Board for a parole review. Regardless of the factors influencing this recommendation, findings from this study suggest that almost one-quarter of offenders are waiving, postponing or withdrawing an application for parole because of a perceived lack of support for release from their parole officer or CMT. This suggests that some offenders perceive their parole officer's recommendation to weigh heavily on the outcome of their parole hearing. With respect to the decision not to support an offender for release, some parole officers interviewed noted that, although program participation is an important factor, having completed identified programs does not automatically translate into support for release. Future research should examine how trends in the changing offender profile, CSC recommendations for release to the Board, and subsequent decisions to waive, postpone, or withdraw a parole review application are inter-related. It is possible that an increase in the number of offenders assessed as high risk and high need are associated with negative recommendations for parole, and impact upon offender decisions to not appear before the Board for a parole review.

Operations/programs-specific factors pertain to reasons for waivers, postponements and withdrawals that included activities related to sentence management and rehabilitation. The need to address issues related to incomplete correctional programming and the implications for meeting parole eligibility dates has been identified in previous reports (OCI, 2001, 2007). Incomplete programs was also a key issue raised by offenders, parole officers and NPB staff. It is, without question, an important factor contributing to delays and cancellations of parole

review. In the context of CSC's Transformation Agenda, correctional interventions have been identified as key priorities for immediate action (CSC, 2009a). CSC is currently moving forward with initiatives meant to facilitate the management and delivery of correctional programs. For instance, developers of the Integrated Correctional Program Model (ICPM) anticipate that this approach will allow for more timely access to, participation in, and completion of correctional programs (CSC, 2009b). Other initiatives include the implementation of a revised intake assessment process as well as making programs available at intake (CSC, 2009a).

Although findings from this research provide support for the need to address program availability and program waitlists, it also highlights the importance of properly defining OMS codes and interpreting information used to record waiver reasons in a useful and meaningful way. Codes used to record waiver reasons currently provide an incomplete picture of circumstances under which these decisions are made. Code categories for waivers, postponements and withdrawals may be over-stating operational factors contributing to these decisions while under-representing the impact of other important factors. That is, by allowing only one reason to be recorded, which is usually the *programs not completed* classification, any additional information that would explain why programs are incomplete is lost. In this way, the existing codes fail to capture the inter-relatedness of reasons contributing to delays and cancellations which may lead to misinterpreting data to mean that these issues exist in isolation of each other.

According to NPB staff and Board members, many delays and cancellations are the result of information not being shared in a timely manner. Parole officers also identified challenges with the information sharing process. It is currently unclear whether information required by the Board is not shared as a result of deficiencies with the information sharing process (e.g., staff are not clear as to which documents are required, sites need a sharing clerk to facilitate this process, and/or lack of communication between CSC and NPB) or because reports and other documentation are incomplete and/or not available to be shared (e.g., psychological assessments are not complete, program performance reports have not been received, assessment for decision is incomplete). Such challenges are likely the result of a combination of these factors and will vary across regions and sites. Investigating this further could help to determine exactly where the information sharing process needs improvement so that measures can be introduced in order to

decrease the number of delays and cancellations that result from incomplete documentation and sharing.

NPB staff and Board members also reported that delays and cancellations that occur for valid reasons are not the cause for concern; however, last minute decisions have considerable time and resource implications. Thus, the goal is not necessarily to reduce the number of parole hearings delayed and cancelled in general, but rather to focus on reducing those delays and cancellations that are not done for legitimate reasons or are submitted shortly before the scheduled parole hearing. Current OMS data make it difficult to assess the frequency at which decisions to waive, postpone or withdraw an application are submitted within 21 days of a scheduled hearing. Greater accuracy in monitoring and reporting on the decision processing timelines may help determine how to reduce these last minute decisions.

Together, issues related to the information sharing process and last minute decisions not to appear for a scheduled hearing suggest that proactive measures could be introduced to minimize preventable delays and cancellations. In previous efforts to address the number of cases scheduled for hearings where a parole decision was not made, NPB staff in the Quebec region developed a set of guidelines that more clearly defines the roles and responsibilities of all CSC and NPB staff involved in the parole review process. For example, NPB hearing officers are responsible for preparing case files for review and liaising with the parole officer or sharing clerk to ensure that all information is received. It also outlines actions that should be taken by parole officers in preparation for parole hearings such as meeting with the offender 7 to 10 days prior to the hearing to verify that the offender still wishes to move forward, sharing of all documents with NPB, and helping the offender prepare for the hearing. Development of more formal guidelines that ensures that all procedural verifications have been made and that measures are in place to prevent last minute decisions may help ease the time and resource costs associated with these decisions.

In line with the above statement, informal discussions with parole officers also provided insight into the extent to which delays and cancellations have been construed as negative and undesirable. It is necessary to explore, and perhaps better define, when delays and cancellations are perceived as appropriate and acceptable in order to make a distinction between those that are

done for valid reasons and those that are not. It may be worthwhile to formalize guidelines defining appropriate and acceptable use of waivers, postponements and withdrawals in order to prevent the misuse of these parole decision options.

In addition to waivers, postponements and withdrawals, the current study also examined adjournments and administrative adjournments. Although adjournments have steadily decreased over time, they have implications for offenders and NPB. Some offenders who were interviewed in this study were not aware that their parole review had been adjourned, which indicates that better communication needs to take place between the parole officer, offender, and the Board. Almost half of offenders identified issues with their case file (e.g., missing documents, waiting on reports, incomplete paperwork) as the reason for the adjournment. This finding suggests that improving case preparation would reduce the number of adjournments. These results also suggest that adjournments have a key impact on almost all offenders who are aware that their parole review had been adjourned. Given that adjournments are last minute, which makes them costly to NPB and results in a significant impact on the offender, it is important that the reasons for adjournments are addressed so that they can be avoided whenever possible or at the very least be identified earlier in the parole review process.

Recommendations

Identifying measures that may reduce the number of waivers, postponements and withdrawals of parole reviews is an important step toward promoting offenders' safe and gradual community reintegration. For CSC, examining the reasons for these trends is important for managing the costs of incarceration and for ensuring that periods of incarceration are not longer than necessary to ensure public safety. From an NPB perspective, decisions not to appear before the Board for a scheduled hearing have time and resource implications. Findings of the current research provide some suggestions as to where to direct efforts to address the factors contributing to delays and cancellations, thereby minimizing the impacts on offenders, CSC and NPB. Several of the following recommendations may appear to overlap, however, they are meant to address different elements of the parole review process.

These recommendations include:

1. Increase training and knowledge transfer.

CSC staff should receive proper training in case preparation and the parole review process. Orientation training at hiring as well as regular training updates should be mandatory. Training will increase consistency across staff, institutions, and regions in terms of document sharing and report preparation. Ongoing communication between NPB and CSC, as well as between parole officers and offenders, will ensure that knowledge is shared among all parties involved in the parole review process.

2. Clarify roles and responsibilities of staff.

CSC and NPB should have a clear understanding of both agencies' roles and responsibilities regarding case file preparation and the parole review process. A better definition of expectations for CSC staff working with offenders and involved in the information sharing process will ensure a more efficient process.

3. Encourage more effective communication.

CSC and NPB should encourage open communication at all levels. The national and regional Interlinkages meetings of senior executives of the NPB and CSC are one example of where discussions could take place. In addition, CSC should promote enhanced communication between the offender and their CMT.

4. Strengthen information sharing.

Measures that enhance the information sharing process should be identified for each region. CSC should establish clearly defined timelines for document sharing. In addition, CSC and NPB should also identify a point of contact in each institution and regional office. This process should also include ways of identifying quality control issues (e.g., missing information) in advance. This approach will be most beneficial in cases that are adjourned or administratively adjourned.

5. Enhance offender orientation.

There is a need for a uniform method of orientating offenders to the parole process, their rights and responsibilities, and the steps that they need to take in order to work toward their release. One low-cost and high-impact approach is to produce an orientation video that could be shown to every offender during the reception process. As many offenders have limited literacy skills, this might be a more effective tool than paper-based materials, such as handouts. Moreover, such a presentation could be produced in a number of languages, including Aboriginal dialects.

6. Expand program availability and completion.

Keeping in mind that OMS data may over-emphasize the need in this area (e.g., some offenders previously attempted but had not completed programs in question), both waitlists and the availability of programs are important factors contributing to delays and cancellations that require continued efforts. Research should examine the effectiveness of the new Integrated Correctional Program Model in addressing issues of program management and delivery.

7. Improve case management and early identification

Earlier identification of cases that are likely to fail to appear before the Board on scheduled dates needs to occur. Further research could inform typical timeframes for decisions to cancel or delay parole reviews and may help develop measures to offer assistance to the offender. Forms of assistance could include information sessions, formal opportunities to ask questions, and/or regularly scheduled meetings with their case management team.

8. Minimize last minute decisions.

Given that last minute decisions are costly, both in terms of time and financial resources, mechanisms should be developed (e.g., legislation that prevents unwarranted cancellations within a specified timeframe) to minimize and/or eliminate last minute decisions.

9. Improve accuracy of information recorded in OMS.

Codes used to record waivers, postponements and withdrawals could be expanded to better capture the circumstances under which these decisions are made. Also, greater accuracy in monitoring and reporting on the decision processing timelines would help determine how to best minimize last minute decisions.

10. Reducing barriers to reviews.

Strategies should be developed to identify potential problems for the offender or in elements of the review process as early as possible so that there is ample time to address the problem before the parole review. Adhering to many of the recommendations listed above will ensure these proactive approaches are developed.

Concluding Remarks

The parole review process requires that CSC and NPB work closely to achieve the common goal of ensuring public safety through the safe reintegration of offenders into the community. Given that, offenders, parole officers and NPB staff and Board members have important roles in this process, their perspectives each contribute to a better understanding of the factors leading to delays and cancellations as well as providing better insight into the impacts of these decisions.

The sample of offenders interviewed in this study represents only a small portion of offenders who do not appear before the Board for a parole review each year. Although a broad range of reasons were reported for waivers, postponements and withdrawals of parole application, incomplete correctional programs were the most frequently cited reason. As the CSC Transformation Agenda initiatives move forward, Research should re-examine offender's decisions not to appear before the Board to assess whether these initiatives help reduce the number of delays and cancellations related to programming access and completion. Although interest in this research addressed different needs for CSC and NPB, it is evident that delays and cancellations are a shared concern and efforts to address issues contributing to these decisions will have a greater impact if they are undertaken jointly.

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Appendices

Appendix A: Delays and Cancellations Definitions (CD 712-1)

Delays (includes NPB parole reviews that are postponed, adjourned, or administratively adjourned):

- A **postponement** is a delay of the review or hearing, at the request of the offender, at any time before it begins.
- **Administrative adjournment** is a term used by the NPB to refer to the situation where a decision is taken “in office” to adjourn a case because one or more of the required reports are not available at the NPB office 21 days prior to the scheduled hearing.
- An **adjournment** is a temporary suspension of a hearing or review after the Board members have begun reviewing the information presented for their decision.

Cancellations (includes NPB parole reviews that are waived or withdrawn):

- A **waiver** is a written declaration given voluntarily by an offender that explicitly relinquishes the offender’s legal right to a hearing and/or a review by the NPB.
- A **withdrawal** is a voluntary request from an offender advising the NPB that he or she no longer wishes to be reviewed for a day or full parole review as indicated by his or her earlier application.

Appendix B: Sites Visited and Distribution of Offender Interviews within Institutions

Table B1 : Sites of interviews are indicated below:

REGION	INSTITUTION	SECURITY LEVEL
Atlantic	Dorchester	Medium
	Westmorland	Minimum
Quebec	La Macaza	Medium
Ontario	Pittsburgh	Minimum
	Kingston	Maximum
Prairie	Bowden	Minimum/Medium
Pacific	Matsqui	Medium

Table B2 : The following indicates the breakdown of interviews conducted at each institution

INSTITUTION	WAIVE, POSTPONE, WITHDRAW	ADJOURN, ADMINISTRATI VE ADJOURN
Dorchester	17	1
Westmorland	5	1
La Macaza	21	3
KP	13	1
Pittsburgh	9	3
Bowden	22	5
Matsqui	17	-
TOTAL	104	14

Appendix C: Sites Parole Waiver Project Research Branch, Correctional Service of Canada Policy, Planning & Operations, National Parole Board

What is this study about?

There has been an increase in the number of offenders who waive, postpone, or withdraw their parole review and who have their parole review adjourned. This study is to help us better understand the reasons offenders decide not to appear before the National Parole Board when they become eligible for a parole review. We will be asking you questions about what influenced this decision, your release and returning to the community, correctional programs, and information you received about parole review in general. This information is meant to help us understand why these rates are increasing and to identify ways that will make it more likely, when appropriate, that offenders go before the Board for a parole review when they become eligible.

What will you be asked to do?

Each person who takes part in the study will be interviewed for approximately 30 to 45 minutes. You will not be asked to write anything, only to answer the interviewer's questions.

Why were you asked to participate?

You were chosen at random among other offenders who waived, postponed, or withdrew their parole review or had their review adjourned in the past year.

Who will know about what you tell us?

Whatever you tell us will be kept strictly confidential. When you agree to the interview you will be assigned a participant number which means that what you tell us cannot be linked to your identity. This confidentiality is guaranteed by the Canadian Human Rights Act, and we will also give our personal guarantee that it is respected. The data will ONLY be used for research purposes. It is also important to understand that we are only collecting information, if you have issues you would like to discuss unrelated to our study, please know that there is nothing we can do to change your current situation. However, if you do agree to take part we will try our best to listen to what you have to say.

We need to inform you that there are circumstances when we can *not* guarantee confidentiality. We are required to report the following: 1) if you tell us anything that threatens the good order or security of the institution, 2) if you give us information about the abuse or maltreatment of a child, and/or 3) if you give us detailed information about a future crime that might cause serious

harm to someone, including yourself. Please be aware of these limits to confidentiality when you answer our questions.

Your participation in this study is voluntary. Although we would appreciate your participation, you do not have to agree to take part in the study. If you agree to be interviewed, you may stop at any time. Please let us know if there are questions that you do not feel comfortable answering and we will move on. Please feel free to ask us questions during the interview if you need further clarification on anything.

Who is conducting the study?

This study is being conducted by Correctional Service of Canada in close collaboration with the National Parole Board. Interviews will be conducted by research staff under the direction of Shelley Trevethan, Director, Policy, Planning, and Operations, National Parole Board and Kelley Blanchette, Senior Director, Correctional Research, Correctional Service of Canada. If you have any questions about today's interview, please ask a member of the research team. If you have any complaints or questions later, please contact your unit manager or Kelley Blanchette at (613-947-8866) or by email at blanchettek@csc-scc.gc.ca.

Thank you for your participation!

Parole waiver study

Consent Form

I have been asked to take part in a research study examining the reasons offenders waive, postpone or withdraw their parole review and/or have their hearing adjourned.

I, _____, agree to take part in this study, and to be interviewed about this decision. I understand that I will not be rewarded in any way for participating in this study, nor will I incur any losses for refusing to participate. I also understand that my participation in this study is purely voluntary. I am aware that I may choose not to answer specific questions and that I may withdraw from the study at any time.

I understand that any information I give will be strictly confidential. My answers will be used for research purposes, to help better understand the reasons offenders do not appear before the NPB when they become eligible for parole. I have been told that my answers will be coded or changed so that I cannot be identified in documents reporting the results of this study.

My signature below indicates that I have read the above and I agree to participate in the Parole Waiver study.

_____	_____	_____
Date	Participant Name (print please)	Participant Signature
_____	_____	_____
Date	Interviewer Name (print please)	Interviewer Signature

Appendix D: Offender Interview Questionnaire – Waivers, Postponements and Withdrawals

Offender interview questionnaire

Parole Waiver Project Extension: Examining Reasons Why Offenders Waive, Postpone and/or Withdraw their Parole Review
Research Branch, Correctional Service of Canada
Policy, Planning & Operations, National Parole Board

Interviewer: _____ Interview Date: _____
Region: _____ Institution: _____
Respondent # _____

SECTION A: OFFENDER INFORMATION (complete from OMS data)

1. Parole Review Type:

- [1] Day Parole
- [2] Full Parole

2. Parole Review:

- [1] Waived
- [2] Postponed
- [3] Withdrew
- [4] Rescheduled
- [5] Adjourned
- [6] Other – specify: _____

3. Reference Date: _____

4. On [indicate - reference date], when you became eligible to go before the National Parole Board for your [indicate - day or full] parole review, we have noted that you [indicate – waived, postponed, withdrew, rescheduled] the parole review. Is this correct?

- [1] Yes
- [2] No (go to follow-up question)
- [7] DK
- [8] Refused

A. *If no*, can you describe what happened

[77] DK

[88] Refused

[99] NA

[INTERVIEWER NOTE: if the respondent provides different information than what is in OMS, continue the interview using the information he has provided]

SECTION B: PAROLE REVIEW

In this first section I will ask you about the reasons you decided to waive, postpone or withdraw your parole review.

5. Why did you decide to waive, postpone or withdraw your parole review (select all that apply)? [Interviewer note: prompt for other reasons]

Reasons related to **treatment** or **programming**:

- [01] Wanted to complete program currently taking
 - [02] Waiting for program availability (waitlist)
 - [03] Program not available in institution/region
 - [04] Not interested in participating in specific programs in correctional plan
 - [05] Other reason related to treatment or training program - specify:
-

Not interested:

- [06] Not interested in being released (*go to follow-up question A*)
- [07] Not interested in appearing before the Board (*go to follow-up question A*)
- [08] Not interested in participating in correctional plan in general (*go to follow-up question A*)
- [09] Other reason not interested - specify: _____
(*go to follow-up question A*)

A. **Follow-up question:** Why are you not interested in...?

[77] DK [88] Refused [99] NA

Reasons related to **release plan**:

- [10] Incomplete release plan (*go to follow-up question B*)
- [11] Application to CRF not approved (*go to follow-up question B*)
- [12] Community does not support release (section 84) (*go to follow-up question B*)
- [13] Adequate support system not in place (*go to follow-up question B*)

B. **Follow-up question:** Why was the release plan...?

[77] DK [88] Refused [99] NA

Information/records missing:

- [14] Waiting for psych review
- [15] Waiting for program performance report
- [16] Other reason related to missing information - specify: _____

Assistance not available:

- [17] Legal aid lawyer not available (*go to follow-up question C*)
- [18] Aboriginal assistant or Elder not available (*go to follow-up question C*)
- [19] Translator not available (*go to follow-up question C*)
- [20] Other type of assistance not available - specify: _____
(*go to follow-up question C*)

C. **Follow-up question:** Why was assistance not available?

-
- [77] DK [88] Refused [99] NA

Parole review process:

- [21] Wanted to **avoid a negative recommendation** and/or decision (*go to follow-up question D*)
- [22] Intimidated by parole review process (*go to follow-up question E*)
- [23] Worried about appearing before the Parole Board (*go to follow-up question E*)
- [24] Wanted to avoid a specific board member (*go to follow-up question E*)
- [25] Wanted to avoid facing the victim(s) (*go to follow-up question E*)
- [26] Victim not able to attend (*go to follow-up question E*)

D. **Follow-up question:** How would a negative recommendation/decision affect you?

-
- [77] DK [88] Refused [99] NA

E. **Follow-up question:** Why were you concerned about...?

-
- [77] DK [88] Refused [99] NA

Other reasons:

- [27] Transfer application
- [28] Pending court or appeal decision
- [29] Illness or medical condition
- [30] Concerns about community supervision
- [31] Other concerns about returning to the community – specify: _____
- [32] Other reason not specified:

- [77] DK
- [88] Refused

*****INTERVIEWER NOTE – ASK: Are there other reasons we haven’t talked about that influenced your decision to waive, postpone or withdraw your parole review? [if yes – go back to Q5 and fill in other responses]*****

6. Before [indicate reference date], was there any other time where you made this type of decision (to not appear before the National Parole Board at the date set for your parole review)?

- [1] Yes (go to follow-up question)
- [2] No
- [7] DK
- [8] Refused

A. If yes, what was the reason for that decision?

- [77] DK
- [88] Refused
- [99] NA

7. Since your decision to [waive/postpone/withdraw], have you been before the National Parole Board for a parole review?

- [1] Yes
- [2] No
- [7] DK
- [8] Refused

A. If yes, what was their decision?

- [01] Day Parole Granted
- [02] Day Parole Denied
- [03] Full Parole Granted
- [04] Full Parole Denied
- [05] Rescheduled
- [06] Adjourned
- [77] DK
- [88] Refused

B. If no, what do you plan to do the next time you are eligible for a parole review?

- [01] Go before the Board for a decision (go to follow-up question)
- [02] Waive parole review
- [03] Postpone review
- [04] Withdraw application for parole review
- [05] Will not have a parole review before stat. release date
- [06] Other - specify: _____
- [77] DK

[88] Refused

i. If would ‘Go before the Board for a decision’, what do you think their decision would be?

[01] Day Parole Granted

[05] Rescheduled

[02] Day Parole Denied

[06] Adjourned

[03] Full Parole Granted

[77] DK

[04] Full Parole Denied

[88] Refused

SECTION C: COMMUNITY REINTEGRATION

The next few questions focus on what you think about being released and returning to the community.

8. On a scale of 1 to 5 (1 being “not important to me” and 5 being “very important to me”) how important is it to you to be released when eligibility is reached for:

A. Day Parole:

	1	2	3	4	5
Not important to me					Very Important to me

[7] DK [8] Refused

B. Full Parole:

	1	2	3	4	5
Not important to me					Very Important to me

[7] DK [8] Refused

9. Are there any advantages to *not* being released (i.e., staying inside the institution)?

[1] Yes (*go to follow-up questions*) [2] No [7] DK [8] Refused

A. *If yes*, what are the advantages?

[77] DK [88] Refused [99] NA

B. *If yes*, are these advantages important enough for you to think about delaying your release?

[1] Yes [2] No [7] DK [8] Refused [9] NA

i. Please explain.

[77] DK [88] Refused [99] NA

10. Do you have concerns about returning to the community?

[1] Yes (*go to follow-up questions*) [2] No [7] DK [8] Refused

A. *If yes*, what are your concerns?

[77] DK [88] Refused [99] NA

B. **If yes**, are these concerns important enough for you to think about delaying your release?

[1] Yes [2] No [7] DK [8] Refused [9] NA

SECTION D: PROGRAM PARTICIPATION AND COMPLETION

The next set of questions focus on programs in your correctional plan.

11. On a scale of 1 to 5 (1 being “not important to me” and 5 being “very important to me”), how important is it to you to participate in core programs identified in your correctional plan [core programs include: Violence Prevention Program, Family Violence Program, National Substance Abuse Program, Sex Offender Program, Reasoning and Rehabilitation/Cognitive Skills]:

Not important to me (<i>go to follow-up question A</i>)	1	2	3	4	5	Very Important to me (<i>go to follow-up question B</i>)
--	---	---	---	---	---	---

[7] DK [8] Refused

A. *If not important (rating of 1 or 2)*, why not?

[77] DK [88] Refused [99] NA

B. *If important (rating of 3, 4 or 5)*, why do you see participating in programs identified in your correctional plan as important?

- [01] To secure early release
- [02] To obtain transfer to lower security level
- [03] Other external pressure – specify: _____
- [04] Want to make permanent lifestyle changes
- [05] Do not want to reoffend
- [06] Other internal motivating factor – specify: _____
- [77] DK
- [88] Refused
- [99] NA

12. Were you waiting to complete a program before seeing the National Parole Board for your parole review?

[1] Yes (*go to follow-up questions*) [2] No [7] DK [8] Refused

A. *If yes*, which program(s) are you waiting to complete?

- [01] Violence Prevention Program
- [02] Family Violence Program
- [03] National Substance Abuse Program
- [04] Sex Offender Program
- [05] Reasoning and Rehabilitation/Cognitive Skills
- [06] Other – specify: _____
- [77] DK
- [88] Refused
- [99] NA

B. *If yes*, what is preventing you from completing the program?

- [01] Currently participating in program, needs to be completed
- [02] Placed on waitlist
- [03] Not available in this institution/region
- [04] Language barrier
- [05] Incompatibles
- [06] Other reason – specify: _____
- [77] DK
- [88] Refused
- [99] NA

C. *If yes*, have you participated in this program before?

[1] Yes (*go to follow-up question*) [2] No [7] DK [8] Refused [9] NA

i. *If yes*, why did you not complete the program before?

- [01] Transfer
- [02] Dropped-out
- [03] Disciplinary measures (incl. administrative segregation)
- [04] Scheduling conflict
- [05] Missed too many sessions
- [06] Other reason - specify: _____
- [77] DK
- [88] Refused
- [99] NA

SECTION E: PAROLE OFFICER (P.O)/CASE MANAGEMENT TEAM (CMT)

This section includes questions about the discussion you had with your parole officer or case management team about appearing before the National Parole Board for a parole review.

13. What did your PO/CMT suggest you do for your parole review?

- [01] Appear before the Board for parole (*go to follow-up questions A&B*)
- [02] Withdraw the application (*go to follow-up questions A&C*)
- [03] Waive parole review (*go to follow-up questions A&C*)
- [04] Postpone parole review (*go to follow-up questions A&C*)
- [05] Other recommendation - specify: _____
(*go to follow-up question A*)
- [77] DK
- [88] Refused

A. **For all responses**, why do you think your PO/CMT suggested that?

[77] DK [88] Refused

B. **If PO/CMT suggested appearing before the Board**, since you had the support of your PO/CMT, why did you decide not to appear before the Board for parole?

[77] DK [88] Refused [99] NA

C. **If PO/CMT suggested withdrawing/waiving/postponing**, if you had the support of your PO/CMT, would you have gone before the Board for a parole review?

[1] Yes [2] No [7] DK [8] Refused [9] NA

14. Do you agree with your PO/CMT's suggestion for parole review?

[1] Yes [2] No [7] DK [8] Refused

A. Why or why not?

[77] DK [88] Refused [99] NA

**SECTION F: INFORMATION/KNOWLEDGE OF PAROLE DECISION-
MAKING PROCESS**

This last set of questions ask about the information you received about how the parole review process works and how satisfied you are with the information you were given.

15. On a scale of 1 to 5 (1 being “I do not understand the process at all” and 5 being “I understand the process very well”), how well would you say you understand how the National Parole Board makes decisions about parole?

Do not understand the process at all	1	2	3	4	Understand the process very well
--------------------------------------	---	---	---	---	----------------------------------

[7] DK

[8] Refused

[9] NA

16. Do you think you were given enough information explaining how the parole review process works?

[1] Yes

[2] No

[7] DK

[8] Refused

17. Are there any parts of the parole review process you would have liked to have better explained to you?

[1] Yes (*go to follow-up question*)

[2] No

[7] DK

[8] Refused

A. *If yes*, which parts of the parole review process would you have liked to have better explained to you? (*check all that apply*)

[01] Offender-related factors taken into account in making a parole decision

[02] Who will be present

[03] File information and records required by the Board to make a decision

[04] Services and assistance available to the offender

[05] Other – specify: _____

[77] DK

[88] Refused

[99] NA

18. Who or what were your main sources of information regarding the parole review process? (*check all that apply*)

[01] Parole officer

[06] NPB staff

[02] Legal aid

[07] Other – specify: _____

[03] Family member

[77] DK

[04] Other inmates

[88] Refused

[05] Commissioner’s Directives

19. In your situation, what do you think would help you get parole? What are some positive things that might help you get a day or full parole?

[77] DK [88] Refused

20. What do you think would play against you? What negative things might make it more difficult for you to get a day or full parole?

[77] DK [88] Refused

21. How would you feel about being asked to confirm that you will be at your parole hearing a few days before the hearing?

[77] DK [88] Refused

22. What impact would this have on you?

[77] DK [88] Refused

23. Is there anything that we haven't talked about that you would like to mention about your decision to waive, postpone or withdraw your parole review?

Thank you for taking the time to do this interview

Appendix E: Offender Interview Questionnaire – Adjournments and Administrative Adjournments

Offender interview questionnaire- adjournments

Parole Waiver Project Extension: Examining Reasons Why Offenders
Waive, Postpone and/or Withdraw their Parole Review
Research Branch, Correctional Service of Canada
Policy, Planning & Operations, National Parole Board

Interviewer: _____ Interview Date: _____
Region: _____ Institution: _____
Respondent # _____
Respondents Age: _____

SECTION A: OFFENDER INFORMATION (complete from OMS data)

1. Parole Review Type:

- [1] Day Parole
- [2] Full Parole

2. Parole Review:

- [1] Waived [5] Adjourned
- [2] Postponed [6] Administratively adjourned
- [3] Withdrew [7] Other – specify: _____
- [4] Rescheduled

3. Reference Date: _____

4. On [indicate - reference date], when you became eligible to go before the National Parole Board for your [indicate - day or full] parole review, we have noted that your parole hearing was adjourned. Is this correct?

- [1] Yes [2] No (*go to follow-up question*) [7] DK [8] Refused

B. *If no*, can you describe what happened

- [77] DK [88] Refused [99] NA

[INTERVIEWER NOTE: if the respondent provides different information than what is in OMS, continue the interview using the information he has provided]

SECTION B: PAROLE REVIEW

[77] DK [88] Refused [99] NA

8. Do you have any concerns about your parole review being adjourned?

[1] Yes [2] No [7] DK [8] Refused

A. Please explain.

[77] DK [88] Refused

9. If you had gone before the National Parole Board, what do you think their decision would have been?

[01] Day Parole Granted [05] Rescheduled
[02] Day Parole Denied [06] Adjourned
[03] Full Parole Granted [77] DK
[04] Full Parole Denied [88] Refused

10. What do you plan to do the next time you are eligible for a parole review?

[01] Go before the Board for a decision
[02] Waive parole review (*go to follow-up question*)
[03] Postpone review (*go to follow-up question*)
[04] Withdraw application for parole review (*go to follow-up question*)
[05] Other - specify: _____
[77] DK
[88] Refused

A. ***If waive/postpone/withdraw***: why do you think you will choose to waive/postpone/withdraw your parole review?

[77] DK [88] Refused [99] NA

11. During your current sentence, have you previously had a parole review adjourned?

[1] Yes (*go to follow-up question*) [2] No [7] DK [8] Refused

A. *If yes*, were you given any reasons for the adjournment?

[1] Yes (*go to follow-up question*) [2] No [7] DK [8] Refused [9] NA

i. *If yes*, please explain the reasons you were given for the adjournment.

[77] DK [88] Refused [99] NA

SECTION C: PAROLE OFFICER (P.O)/CASE MANAGEMENT TEAM (CMT)

This next section includes questions about the discussion you had with your parole officer or case management team about appearing before the Board for the parole review that was adjourned.

12. What did your PO/CMT suggest you do for your parole review?

[01] Appear before the Board for parole (*go to follow-up question*)

[02] Withdraw the application (*go to follow-up question*)

[03] Waive parole review (*go to follow-up question*)

[04] Postpone parole review (*go to follow-up question*)

[05] Other recommendation - specify: _____

[77] DK

[88] Refused

D. Why do you think your PO/CMT suggested that?

[77] DK [88] Refused

13. Do you agree with your PO/CMT team’s suggestion for parole review?

[1] Yes [2] No [7] DK [8] Refused

B. Why or why not?

[77] DK [88] Refused [99] NA

14. Do you think your PO played a role in the adjournment?

[1] Yes (*go to follow-up question*) [2] No [7] DK [8] Refused

A. *If yes*, please explain.

[77] DK [88] Refused [99] NA

SECTION D: PREVENTING THE ADJOURNMENT

This next section includes questions about things that could have been done to prevent the adjournment of your parole review.

15. Is there anything that you could have done to prevent the parole review adjournment?

[1] Yes (*go to follow-up question*) [2] No [7] DK [8] Refused

A. *If yes*, please explain what you could have done to prevent the adjournment.

[77] DK [88] Refused [99] NA

16. Is there anything that someone else could have done to prevent the parole review adjournment?

[1] Yes (*go to follow-up question*) [2] No [7] DK [8] Refused

A. *If yes*, who could have prevented the adjournment and what they could have done?

[77] DK [88] Refused [99] NA

SECTION E: INFORMATION/KNOWLEDGE OF ADJOURNMENTS

This last set of questions asks about your understanding of adjournments.

17. On a scale of 1 to 5 (1 being “I do not understand at all” and 5 being “I understand very well”), how well would you say you understand why the National Parole Board decides to adjourn a parole review?

Do not understand at all 1 2 3 4 5 Understand very well

[7] DK [8] Refused

18. Do you think you were given enough information on the reasons for the adjournment?

[1] Yes [2] No [7] DK [8] Refused

19. Who or what was your main source of information regarding adjournments?

[01] Parole officer	[06] NPB staff
[02] Legal aid	[07] Other – specify: _____
[03] Family member	[77] DK
[04] Other inmates	[88] Refused
[05] Commissioner’s Directives	

20. Is there anything that we haven’t talked about that you would like to mention about the adjournment of your parole review or about adjournments in general?

Thank you for taking the time to do this interview.

Appendix F: Parole Officer Interview Questionnaire

Parole officer/case manager interview questionnaire

Parole Waiver Project Extension: Examining Reasons Why Offenders
Waive, Postpone and/or Withdraw their Parole Review
Research Branch, Correctional Service of Canada
Policy, Planning & Operations, National Parole Board

Interviewer: _____ Date: _____
Regions: _____ Instit.: _____
Respondent #: _____

1. Do you think that delays and/or cancellations of parole reviews are a problem?

[1] Yes [2] No [7] DK [8] Refused

A. Why or why not?

[77] DK [88] Refused

B. *If yes*, what impact do you think delays and/or cancellations may have?

[77] DK [88] Refused [99] NA

SECTION A: WAIVERS, POSTPONEMENTS, WITHDRAWALS

In this section I'd like to focus specifically on waivers or postponements of parole reviews, or withdrawals of parole applications.

2. Do you think that waivers, postponements or withdrawals of parole reviews are a problem?

[1] Yes [2] No [7] DK [8] Refused

A. Why or why not?

[77] DK [88] Refused

B. *If yes*, what impact do you think delays and/or cancellations may have?

[77] DK [88] Refused [99] NA

3. In your opinion, why would an offender choose to waive, postpone or withdraw their parole review (select all that apply)? [Interviewer note: prompt for other reasons]

Reasons related to **treatment** or **programming**:

[01] Wanted to complete program currently taking

[02] Waiting for program availability

[03] Program not available in institution/region

[04] Not interested in participating in specific programs in correctional plan

[05] Other reason related to treatment or training program - specify:

Not interested:

[06] Not interested in being released (*go to follow-up question A*)

[07] Not interested in appearing before the Board (*go to follow-up question A*)

[08] Not interested in participating in correctional plan in general (*go to follow-up question A*)

[09] Other reason not interested - specify: _____
(*go to follow-up question A*)

C. **Follow-up question:** Why would he/she not be interested in...?

[77] DK [88] Refused [99] NA

Reasons related to **release plan:**

- [10] Incomplete release plan (*go to follow-up question B*)
- [11] Application to CRF not approved (*go to follow-up question B*)
- [12] Community does not support release (implications of section 84) (*go to follow-up question B*)
- [13] Adequate support system not in place (*go to follow-up question B*)

D. **Follow-up question:** Why would ...?

[77] DK [88] Refused [99] NA

Information/records missing:

- [14] Waiting for psych review
- [15] Waiting for program performance report
- [16] Other reason related to missing information - specify: _____

Assistance not available:

- [17] Legal aid lawyer not available (*go to follow-up question C*)
- [18] Aboriginal assistant or Elder not available (*go to follow-up question C*)
- [19] Translator not available (*go to follow-up question C*)
- [20] Other type of assistance not available - specify: _____
(*go to follow-up question C*)

E. **Follow-up question:** Why might assistance not be available?

[77] DK [88] Refused [99] NA

Parole review process:

- [21] Wanted to **avoid a negative recommendation** and/or decision (*go to follow-up question D*)
- [22] Intimidated by parole review process (*go to follow-up question E*)
- [23] Worried about appearing before the Parole Board (*go to follow-up question E*)
- [24] Wanted to avoid a specific board member (*go to follow-up question E*)
- [25] Wanted to avoid facing the victim(s) (*go to follow-up question E*)
- [26] Victim not able to attend (*go to follow-up question E*)

F. **Follow-up question:** How might a negative recommendation/decision affect the offender?

[77] DK [88] Refused [99] NA

G. **Follow-up question:** Why might he/she be concerned about...?

[77] DK [88] Refused [99] NA

Other reasons:

[27] Transfer application

[28] Pending court or appeal decision

[29] Illness or medical condition

[30] Concerns about community supervision

[31] Other concerns about returning to the community – specify: _____

[32] Other reason not specified:

[77] DK

[88] Refused

4. **Where do offenders usually obtain information about the parole review and decision-making process?**

[01] Parole officer

[06] NPB staff

[02] Legal aid

[07] Other – specify: _____

[03] Family member

[77] DK

[04] Other inmates

[88] Refused

[05] Commissioner’s Directives

5. **In helping offenders prepare for the parole review process, are there circumstances where you think an offender should *not* appear before the National Parole Board for a parole review?**

[01] Yes (*go to follow-up questions*) [02] No [77] DK 88 [Refused]

A. **If yes**, under what circumstances do you think an offender should *not* appear before the NPB for a parole review? (*select all that apply*)

Reasons related to **treatment or programming**:

- [01] Wanted to complete program currently taking
- [02] Waiting for program availability
- [03] Program not available in region
- [04] Not interested in participating in specific programs in correctional plan
- [05] Other reason related to treatment or training program - specify: _____

i. **Follow-up question:** In these circumstances, why do you think he should not appear before the Board?

[77] DK [88] Refused [99] NA

Not interested:

- [06] Not interested in being released
- [07] Not interested in appearing before the Board
- [08] Not interested in participating in correctional plan in general
- [09] Other reason not interested - specify: _____

ii. **Follow-up question:** In these circumstances, why do you think he should not appear before the Board?

[77] DK [88] Refused [99] NA

Reasons related to **release plan**:

- [10] Incomplete release plan
- [11] Application to CRF not approved
- [12] Community does not support release (implications of section 84)
- [13] Adequate support system not in place

iii. **Follow-up question:** In these circumstances, why do you think he should not appear before the Board?

[77] DK [88] Refused [99] NA

Information/records missing:

- [14] Waiting for psych review
- [15] Waiting for program performance report
- [16] Other reason related to missing information - specify: _____

iv. **Follow-up question:** In these circumstances, why do you think he should not appear before the Board?

[77] DK [88] Refused [99] NA

Assistance not available:

- [17] Legal aid lawyer not available
- [18] Aboriginal assistant or Elder not available
- [19] Translator not available
- [20] Other type of assistance not available - specify: _____

v. **Follow-up question:** In these circumstances, why do you think he should not appear before the Board?

[77] DK [88] Refused [99] NA

Parole review process:

- [21] Wanted to **avoid a negative recommendation** and/or decision
- [22] Intimidated by parole review process
- [23] Worried about appearing before the Parole Board
- [24] Wanted to avoid a specific board member
- [25] Wanted to avoid facing the victim(s)
- [26] Victim not able to attend

vi. **Follow-up question:** In these circumstances, why do you think he should not appear before the Board?

[77] DK [88] Refused [99] NA

Other reasons:

- [27] Transfer application
- [28] Pending court or appeal decision
- [29] Illness or medical condition
- [30] Concerns about community supervision
- [31] Other concerns about returning to the community – specify: _____

vii. **Follow-up question:** In these circumstances, why do you think he should not appear before the Board?

[77] DK [88] Refused [99] NA

[32] Other reason not specified:

[33] Not a good candidate for parole, would not be approved

[77] DK
[88] Refused

There may be different reasons that you as a parole officer or as part of a case management team would suggest that an offender waive, postpone or withdraw their parole review. We would like to discuss how and when you may suggest that an offender waive or postpone a parole review, or withdraw an application for parole. The next few questions will focus on each separately.

6. Can you describe under what circumstances you would suggest that an offender waives his/her parole hearing?

[77] DK [88] Refused

A. Would you suggest anything different for day and full parole review?

[77] DK [88] Refused

7. Can you describe under what circumstances you would suggest that an offender postpone his/her parole hearing?

[77] DK [88] Refused

A. Would you suggest anything different for day and full parole review?

[77] DK [88] Refused

8. Can you describe under what circumstances you would suggest that an offender withdraw his/her parole application?

[77] DK [88] Refused

A. Would you suggest anything different for day and full parole review?

[77] DK [88] Refused

9. What would you think about offenders being asked to confirm that they will be at their parole hearing a few days before the hearing?

[77] DK [88] Refused

10. What impact do you think this would have?

[77] DK [88] Refused

SECTION B: ADJOURNMENTS

In this section I'd like to focus specifically on adjournments and administrative adjournments of parole reviews.

11. Do you think that adjournments of parole reviews are a problem?

[1] Yes [2] No [7] DK [8] Refused

A. Why or why not?

[77] DK [88] Refused

B. *If yes*, what impact do you think adjournments of parole reviews may have?

[77] DK [88] Refused [99] NA

12. Under what circumstances do you think adjournments and administrative adjournments are used?

[77] DK [88] Refused

13. In your opinion, how do adjournments/administrative adjournments impact on offenders?

[77] DK [88] Refused

14. In your opinion, how do adjournments/administrative adjournments impact on CSC?

[77] DK [88] Refused

15. In your opinion, how do adjournments/administrative adjournments impact on the NPB?

[77] DK [88] Refused

SECTION C: OTHER FACTORS

I have a final few questions relating to delays and cancellations.

16. The proportion of full parole pre-release decisions that are cancelled or delayed has been persistently higher for Aboriginal than for non-Aboriginal offenders (as high as 71% vs. 62%). In your opinion, what factors may be contributing to this difference?

[77] DK [88] Refused

17. In your opinion, for cases where conditional release may be appropriate, what can be done to increase the likelihood that offenders appear before the National Parole Board for a parole review at their earliest eligibility date?

[77] DK [88] Refused

18. Are there any points we haven't covered in our discussion that you think are important/relevant to reasons offenders waive, postpone or withdraw their parole review or to reasons parole reviews are adjourned?

Thank you for participating in this interview.

Appendix G: NPB Staff and Board Member Focus Group Questions

Waivers/Postponements/Withdrawals

1. Overall, do you think that the number of waivers/withdrawals/postponements has increased or decreased in recent years? Why do you think that is?
2. Do you think that the number of waivers/withdrawals/postponements is an issue for your region? Why or why not?
3. Compared to other regions, do you think you have more or less waivers/withdrawals/postponements? Why?
4. What are the implications of an increase in waivers/withdrawals/postponements? More specifically, how would an increase affect the NPB; CSC; offenders; the community?
5. What would be the implications of a decrease in waivers/withdrawals/postponements? How would it impact offenders, NPB, and CSC?
6. What do you think could be done to decrease the number of waivers? Postponements? Withdrawals?
7. What do you think would happen if, a few days before their hearing, offenders were asked to confirm that they would be at their parole hearing? What do you think would be the impact on the Board/CSC/offenders? Would you have any concerns about this approach?
8. Does your region or the Board in your region have anything in place to address the issue of waivers/postponements/withdrawals?

Adjournments

9. Compared to other regions, do you think you have more or less administrative adjournments?
Why do you think that is?
10. What could be done to decrease the number of administrative adjournments?
11. What impact do administrative adjournments have on the NPB, CSC, offenders?
12. What could be done to decrease the number of adjournments?
13. What effect do adjournments have on the NPB, CSC, offenders?
14. Does your region or the Board in your region have anything in place to address the issue of administrative adjournments/adjournments?

Any other comments not covered in these questions?

Screen Reader Descriptions for Graphics & Figures (for Visually Impaired Individuals)

Figure 1. Historical trends in delays and cancellations for all offenders

Figure 1 presents trends in postponements, waivers, withdrawals, adjournments and administrative adjournments between fiscal year 1998-1999 to 2007-2008. This figure shows that overall, postponements were the most frequent delay or cancellation type up to fiscal year 2006-2007 where the proportion of postponements decrease and were exceeded by the steadily increasing number of waivers. The number of withdrawals has remained relatively stable whereas adjournments have been steadily decreasing.

Figure 2. Historical trends in delays and cancellations for Aboriginal offenders

Figure 2 presents trends in postponements, waivers, withdrawals, adjournments and administrative adjournments for Aboriginal offenders between fiscal year 1998-1999 to 2007-2008. This figure shows that overall, waivers are the most frequent and these have been increasing during this time period. The number of postponements and withdrawals has remained relatively stable and there was a slight decrease in adjournments.

Figure 3. Number of parole hearing delays and cancellations by region for 2007-08

Figure 3 contains a bar graph showing the number of parole hearings postponed, waived, withdrawn, adjourned or administratively adjourned for CSC's five regions (Pacific, Prairies, Ontario, Quebec and Atlantic region). Of interest, this graph shows that all regions, with the exception of the Pacific and Quebec regions, have a greater proportion of waivers than postponements, with the Ontario and Prairies regions having the highest number of these decisions.