

Community corrections: A National Parole Board perspective

Don Tully¹

National Parole Board, Ottawa

It goes without saying that “community corrections” is important within the overall correctional system. We do not always, however, take the opportunity to talk about what community corrections means and to focus on its importance. It also goes without saying that there is a very close and important relationship between community corrections and conditional release in Canada, and the complementary role of the Correctional Service of Canada (CSC) and the National Parole Board (NPB) in their delivery. Again, the opportunity is not always taken to talk about this important relationship. This article outlines some of the issues related to community corrections and conditional release from the perspective of the National Parole Board and briefly addresses some of the possibilities for continued improvement.

Community corrections and conditional release

What is community corrections? The answer to this question will vary depending upon the perspective of the person responding. For some people, community corrections refers to alternatives to incarceration (e.g., probation, community service orders) at the front end of the criminal justice system. For others, it may mean programs and activities at the back end of the criminal justice system to assist offenders to reintegrate into the community through a system of conditional release following a period of imprisonment. In reality, community corrections is all of the above.

The focus of this article is on the conditional release of offenders into society following a period of imprisonment, with a focus on the Canadian federal conditional release system jointly delivered by CSC and NPB and other partners in the community.

Conditional release occurs as a result of a decision by NPB in the case of day parole and full parole, or as a result of a function of the law in the case of statutory release. These decisions and releases, however, cannot be made and implemented without the extensive involvement of CSC staff in the preparation of cases for release and the supervision of offenders following release.

Conditional release represents the means by which offenders are available for participation in a community corrections system. The federal community corrections system (e.g., supervision, programs, residential facilities) developed and implemented by CSC and its partners facilitates and supports the operation of the conditional release program. Community corrections and conditional release are thus mutually dependent upon one another – one cannot effectively exist without the other.

Why are community corrections and conditional release so important?

Community corrections and conditional release have existed for many years and have become an integral component of the Canadian criminal justice system - so much so that on any given day there are over 7,000 federal offenders in the community on conditional release under the jurisdiction of CSC and NPB. The majority of federally-sentenced offenders in Canada will, at some point in their sentence, serve a part of their sentence in the community on conditional release.

There are a number of compelling reasons for having a system of community corrections and conditional release. Some of these include:

- The majority of custodial sentences in Canada are for a definite period of time. Offenders serving these sentences must, therefore, be released to the community at some time. Public safety is enhanced in the long term when most offenders are released from imprisonment under supervision with assistance and control prior to the expiry of their sentence rather than “cold turkey” at the end of the sentence.
- Crime begins in the community and in most cases can best be addressed in the community. Community corrections provides an opportunity for the community to recognize and accept responsibility with respect to the reintegration of offenders.
- Providing an opportunity for offenders to be contributing members of society and to demonstrate accountability for their actions.

- Providing the potential for an increased level of protection and satisfaction for some victims and their families.
- Community corrections is more cost effective than incarceration and provides the potential for scarce resources to be used optimally in a manner to help prevent future crime.

Community corrections and conditional release from a NPB perspective

The *Corrections and Conditional Release Act* states that:

The purpose of conditional release is to contribute to the maintenance of a just, peaceful and safe society by means of decisions on the timing and conditions of release that will best facilitate the rehabilitation of offenders and their reintegration into the community as law-abiding citizens (s.100).²

In making decisions on the timing and conditions of release the NPB is guided by a number of principles and requirements including:

- The protection of society is the fundamental consideration in any conditional release decision.
- Decisions must reflect the least restrictive determination consistent with the protection of society.
- The Board must adopt and be guided by policies.
- The Board must take into consideration all available information that is relevant to a case.
- The offender must be provided with relevant information used in decision making.

In fulfilling their mandate as conditional release decision-makers within the legislative framework outlined above, each Board member's major requirement is information. Board members do not expect more information than what is required by the legislation but they cannot work effectively with less. Most of the information, except certain information received directly by the Board (e.g., from victims), originates with, or is collected by, CSC staff, mainly parole officers in the institution and community. It is essential that the Board's information requirements are clear and are clearly understood by CSC. It is also essential

that there be good open working relationships between NPB (members and staff) and CSC staff.

The Board's information requirements are outlined in the Board's decision-making policies and are also addressed in detail in various CSC standard operating practices. The Board's information requirements are not unique. The Board basically requires the same information that a parole officer needs to make a thorough assessment and recommendation with respect to conditional release. This information should be comprehensive, while being as concise as possible, and include an analysis based on the individual circumstances of the case and the legislative criteria for the decision in question. Any information to be used by Board members must be shared with the offender by CSC in accordance with legislative requirements and agreements between CSC and NPB.

The information required by the Board for decisions prior to release includes the following:

- The major case-specific risk factors and needs at the time of incarceration.
- The extent to which the specific risk factors and areas identified as requiring intervention have been addressed by the offender, and whether there has been benefit to, or evidence of change in the offender which could reduce risk to the community.
- The type of release and the release plan, including any essential special conditions, to address the identified needs and risk of the case.
- The community resources available in the proposed release community.
- The management strategy for the offender while under supervision.
- An analysis of the risk presented by the offender in light of all of the above information.

Following release, the Board's requirements include the following:

- The details of any increase in the level of risk and the action taken, including any significant variation from the approved release plan.
- The offender's progress in the community in relation to the approved release plan.
- Analysis and recommendation regarding any violations or requested changes in conditions.

- Supervision of each case in accordance with CSC supervision standards.

Potential future action

Community corrections and conditional release have evolved considerably over the years. Many improvements have been made and results achieved so far suggest that the complementary systems are effective. Both NPB and CSC, however, necessarily continually seek ways to make further improvements.

Potential future improvements include:

- Enhanced messages regarding the purpose and potential of conditional release and community corrections.
- Enhanced coordination and continuity between institutional and community staff.
- Further opportunities for interaction between NPB (members and staff) and CSC staff outside of the day-to-day processing of cases. Possible subjects for discussion include case preparation, sharing of information with offenders, community resources, recommendation/imposition/monitoring of special conditions, community supervision, operating regimes, and joint CSC/NPB training opportunities.
- Ensure the existence of appropriate policies, practices, resources, community programs and other interventions, including services for particular groups of people such as

Aboriginal and women offenders and offenders from diverse cultural backgrounds, and other offenders with particular needs (e.g., elderly, mental health).

- Ensure programs and interventions are research based to the extent possible.
- Enhance existing, and pursue new, partnerships in the community.
- Enhance the exchange of information amongst partners through automated and non-automated means.
- Full implementation across the country of existing and future agreements between CSC and NPB followed by adjustments as necessary.

The author is optimistic that further improvements will be made to enhance the contribution of conditional release and community corrections to public safety. The Board is currently investigating various means to improve its contribution and we are aware that CSC is also pursuing a number of promising initiatives. National Parole Board members and staff look forward to working with CSC and others on further improvements. ■

¹ 410 Laurier Avenue West, Ottawa, Ontario, K1A 0R1.

² *Corrections and Conditional Release Act*, (1992), c.20.

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