

## **Information for Standing Senate Committee on Human Rights from the Parole Board of Canada**

Thank you for your inquiry for policies and statistics relating to the provision of services for prisoners who are deaf. The Parole Board of Canada (PBC) does not have policies specifically relating to offenders who are deaf; however, the offender's right to the assistance of an interpreter is set out in the *Corrections and Conditional Release Act* (CCRA) and PBC policies and procedures provide guidance relating to this right. PBC procedures define "Interpretation" as the act of facilitating spoken language and sign language communication between two or more parties who do not share a common language.

The PBC has exclusive jurisdiction and absolute discretion to grant, deny, terminate or revoke parole for offenders in federal, territorial, and many provincial institutions, except for those under the jurisdiction of provincial parole boards. One of the principles guiding PBC decision-making, in accordance with paragraph 101(e) of the CCRA, is that offenders be provided with relevant information, reasons for decisions, and access to the review of decisions in order to ensure a fair and understandable conditional release process. For offenders who are deaf, this means receiving information in a form that they are able to understand.

Pursuant to subsection 140(9) of the CCRA, an offender who does not have an adequate understanding of at least one of Canada's official languages is entitled to the assistance of an interpreter at their hearing and for the purpose of understanding materials provided to them. Moreover, subsection 151(3) of the CCRA directs the PBC to develop policies that are responsive to the needs of offenders with special requirements. To this end, Policy 11.4 (Interpreters) of the *Decision-Making Policy Manual for Board Members* provides guidance to Board members on the offender's right to the assistance of an interpreter. In accordance with this policy, the role of the interpreter is to interpret between the language of the offender and the language of the information. The use of interpreters ensures that the offender understands the information provided to the Board for the review, the proceedings of the hearing and the decision, and that the offender is able to provide representations. If the interpreter is unavailable to attend a hearing, the offender will be informed that they may request a postponement. If the hearing proceeds, Board members must be satisfied that the offender is able to understand the proceedings, and they must provide a rationale for proceeding with the review.

Offenders requiring an interpreter at their hearing must submit a request using Correctional Service Canada's (CSC) "Procedural Safeguard Declaration" form. When filling out this form, offenders choose the official language for their hearing, the official language in which they want to have their information shared with them, and can indicate that they would like an interpreter at their hearing and specify which language and/or dialect they need interpreted. Offenders who are deaf could specify that they require an interpreter in American Sign Language (ASL), Langue des Signes Québécoise (LSQ), or other sign language.

Prior to a hearing where an interpreter will be present to assist the offender, PBC staff will provide the interpreter with a "Handbook for Interpreters at Parole Board of Canada Hearings". In this handbook, interpreters are given information about hearings and what they can expect. They are informed that they should take the time to provide the most accurate interpretation possible, ask for clarification, and be familiar with PBC and CSC terminology. For offenders who are deaf, this will ensure that the interpreter is prepared for their hearing, and that the offender is able to fully participate in their hearing without barriers. At the beginning of the hearing, a

verification of the procedural safeguards will confirm that the offender has requested a sign language interpreter, and that the interpreter is present to interpret in the sign language of their choice.

Between 2014-2015 and 2018-2019, sign language interpreters were present at 18 hearings across Canada. During this time, there were no instances of a hearing being held without an interpreter where the offender had requested a sign language interpreter. In one case, a hearing was postponed as no interpreter was present, and the hearing was held with a sign language interpreter at a later date.

PBC Hearings with Sign Language Interpreters						
	Atlantic	Quebec	Ontario	Prairies	Pacific	Canada
2014-2015	0	3	1	0	0	<b>4</b>
2015-2016	0	1	1	0	2	<b>4</b>
2016-2017	0	3	0	1	0	<b>4</b>
2017-2018	0	2	1	0	1	<b>4</b>
2018-2019	0	0	1	0	1	<b>2</b>
<b>Total</b>	<b>0</b>	<b>9</b>	<b>4</b>	<b>1</b>	<b>4</b>	<b>18</b>



Parole Board  
of Canada

Commission des libérations  
conditionnelles du Canada

# A Handbook for Interpreters at Parole Board of Canada Hearings



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Canada

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## I) THE PAROLE BOARD OF CANADA AND CONDITIONAL RELEASE

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### INTRODUCTION

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A clear understanding of conditional release and the hearing process is important in order to provide effective interpretation at Parole Board of Canada ("PBC" or the "Board") hearings. This document is intended to provide basic, but important, information to interpreters who are hired to provide interpretation services at PBC hearings. Pursuant to subsection [140\(9\) of the Corrections and Conditional Release Act \(CCRA\)](#), an offender who does not have an adequate understanding of one of the official languages is entitled to the assistance of an interpreter at the hearing. The offender is also entitled to the assistance of an interpreter for the purposes of understanding any material provided prior to the review and the Board members' decisions and the reasons for their decisions.

*Warning:* A PBC hearing may contain sensitive information that you may be required to interpret, such as details that can range from sexually explicit acts, extreme violence, death of vulnerable persons, etc. Some interpreters may find the material upsetting or disturbing. Should you anticipate any difficulties, please discuss in advance of the hearing with the appropriate PBC or Correctional Service of Canada ([CSC](#)) contact.

### ROLE OF THE PAROLE BOARD OF CANADA AND THE CORRECTIONAL SERVICE OF CANADA

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The PBC, as part of the criminal justice system, makes independent, quality conditional release and record suspension decisions and clemency recommendations. The PBC contributes to the protection of society by facilitating as appropriate, the timely reintegration of offenders as law-abiding citizens.

The CSC is the federal government agency responsible for administering sentences of a term of two years or more, as imposed by the courts. CSC is responsible for managing institutions of various security levels and supervising offenders under conditional release and long-term supervision orders in the community.

### TYPES OF RELEASE DECISIONS

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**[Temporary Absences](#)** are short releases into the community for reasons such as work,

community service, family contact, personal development or medical appointments. Temporary absences can be escorted ([ETA](#)) or unescorted ([UTA](#)).

**[Day Parole](#)** allows offenders to participate in community-based activities to prepare for release on full parole or statutory release. An offender on day parole must return nightly to a halfway house or community correctional centre ([CCC](#)), unless otherwise authorized by the PBC.

**[Full parole](#)** allows the offender to serve the remainder of the sentence under supervision in the community. Offenders on full parole release may reside in their own residences (unless they are directed to reside in a halfway house) but must report to a Parole Officer on a regular basis.

**[Statutory Release](#)** is a type of release that occurs automatically by law that enables most offenders (except those serving a life or [indeterminate sentence](#)) to serve the last 1/3<sup>rd</sup> of their sentence in the community with the structure and supervision of CSC. The Board does not grant Statutory Release, however, it may impose special conditions that an offender is required to comply with during the release.

A **[Long-Term Supervision Order \(LTSO\)](#)** is a non-custodial sentence that is imposed by the court at the time of sentencing. An offender subject to a long term supervision order is required to remain under the supervision of CSC past their warrant expiry date for a period of up to 10 years. The Board does not grant this type of release as it is imposed by the courts. However, the Board has the authority to impose special conditions. The Board may also review cases where the release has been suspended to determine if it should be referred to the courts (specifically the Attorney General) for a lay of information for breach of condition.

All offenders are required to comply with a [standard set of conditions](#) while on conditional release. In addition to standard release conditions, the Board can also impose [special conditions](#) that may require an offender to abstain from alcohol, avoid certain persons, participate in a treatment program or counselling, etc.

If an offender under supervision in the community does not comply with the conditions or if their risk becomes unmanageable, they can be suspended (returned to custody) and referred to the Board to decide whether the release should be continued or revoked.

If certain criteria are met, the Board may also conduct [Detention](#) hearings to decide whether to detain an offender past their statutory release date until the end of their sentence. The end of the sentence is also referred to as the [Warrant Expiry Date \(WED\)](#).

## **II) THE HEARING: WHAT TO KNOW AND WHAT TO EXPECT**

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Hearings usually take place at the institution where the offenders are incarcerated. In a small number of cases, hearings may also occur at a CSC community facility in the location where the offender is released and supervised while on conditional release. In exceptional cases, interpreters may be required to attend a hearing by way of videoconference. In these circumstances, the interpreter will be informed in advance of the hearing that video conferencing will be used.

Prior to admission to an institution, a security screening is conducted on all visitors, including interpreters. When arrangements are made for the interpreter to attend a hearing, an application for a security clearance will be completed.

Although hearings are scheduled in advance, they may be postponed at the last minute, without warning for a number of reasons. If the hearing is postponed, the interpreter will be notified when the hearing will be rescheduled.

When entering an institution, all visitors are required to adhere to a number of security measures. The individual and their possessions (for example purses, bags and briefcases) will be scanned through a metal detector. Personal items may be scanned to detect the presence of illegal drug residue. Drug detection dogs may also be present and may approach visitors.

On the day of the hearing, the interpreter should be sure to bring government-issued identification (such as a drivers' license) that includes a photograph. Visitors must show their ID and sign a log book when entering the institution.

Certain common items **are not permitted** in federal correctional institutions, such as cellular phones, laptop computers, tobacco, lighters or currency (paper money or coins). Lockers are provided for visitors to store their personal items during the visit, but these items can also be stored in their vehicle prior to entering the institution. Hearings may run longer than expected so it is recommended that interpreters consider bringing food and/or a beverage with them in the event that they are required to wait for an extended period of time before the hearing or during Board member deliberations.

CSC correctional staff will meet the interpreter at the entrance of the institution and escort them to the hearing location.

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## **HEARING PARTICIPANTS**

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Hearings may involve a panel of one or two [Board members](#). For panels of two Board members, usually, one Board member leads the hearing, and directs the interview with the offender while the other Board member follows up with additional questions.

The offender may choose to have an [assistant](#) help them at the hearing. The assistant sits beside the offender and may advise the offender and/or be allowed to address the Board members on the offender's behalf.

The interpreter should also be seated next to the offender during the hearing. Exceptions apply in the case of simultaneous interpretation for victims in attendance at the hearing, in which cases the interpreter is generally seated in the interpretation booth and the victim is provided with headphones.

The [Parole Officer \(PO\)](#) also sits near the offender. The PO presents CSC's recommendations regarding the case. The PO will speak about the main elements of the case which include the offender's criminal history, behaviour within the institution, supervision history, participation in programs, etc. The PO will also review and provide a recommendation regarding the offender's release plan. In certain circumstances, another Parole Officer (representing the community) will also be present either in person at the hearing or by video or teleconference.

A [Hearing Officer](#) will also be present during the hearing. A Hearing Officer is a PBC employee whose duties include introducing those present at the hearing, operating the audio equipment used to make an audio recording of the hearing and reviewing procedural safeguards with the offender. When the Board members break to deliberate, the Hearing Officer will ask the observers and the offender to leave the room to enable the Board members to deliberate on the decision. After the deliberations, the Hearing Officer will call the participants back to the hearing room to hear the Board members' decision.

In certain circumstances, there may be [Observers](#) at the hearing. The Board permits interested persons to apply to observe an offender's hearing and these persons may include victims of the offender, the offender's family, the media, etc.

[Victims](#) may present a statement at the hearing (which is prepared and submitted to the Board prior to the hearing). The statement may be read or presented by way of an audio or video recording. The Board may also allow the victim's support person to present the statement on behalf of the victim.

When victims attend hearings, a [Regional Communication Officer \(RCO\)](#) will be present to accompany the victim and provide them information about the hearing process. The

RCO is a PBC employee whose duties include accompanying victims and/or observers to the hearings.

An offender may request to have an Aboriginal [Elder-assisted hearing \(EAH\)](#). Elder-assisted hearings provide an environment that facilitates a culturally sensitive hearing process for Aboriginal offenders or those participating in Aboriginal programming.

[Elders](#) participate in the hearing and provide Board members with information about Aboriginal cultures and traditions, including those specific to the offender. The participants sit in a circle rather than at a table. A ceremony or prayer, led by the Elder, may take place before the hearing. An offender may also request a [Community-assisted hearing \(CAH\)](#) which follows the Elder-assisted hearing format but is held in the Aboriginal Community (reserve or urban community).

## BOARD MEMBER DECISION-MAKING

Prior to the hearing, each Board member studies the offender's file that contains documents from many different sources. The file information is provided by CSC and contains all the available, relevant information about the offender.

During the hearing, Board members ask questions to clarify certain areas, such as the offender's history, the particular programming he/she has followed, and his/her plans for the future.

### ***Information that may be discussed during a hearing includes:***

- the offender's current offence(s) and criminal history;
- history of alcohol or drug abuse, family violence, etc.;
- assessments by psychologists or psychiatrists;
- the offender's general behaviour while in the institution;
- performance on any earlier releases;
- the offender's current plan for release including accommodations, community supports, programs, employment/school, etc.;
- information from police and other professionals involved with the offender, including program involvement within the institution and/or community;
- information from victims;
- any other information that is deemed relevant to the assessment of the offender's risk.

Following the interview portion of the hearing, hearing participants (aside from Board members) and any observers are typically asked to leave the room and go to a designated waiting area so Board members can discuss the case privately. During Board member deliberations, they analyze elements of the interview and the file information and decide whether or not to release the offender. Following these deliberations,

hearing participants and any observers will re-enter the hearing room and the Board members will then explain their decision to the offender and the reasons for their decision. If the release is granted, Board Members will identify any release conditions that have been imposed that the offender must follow on release (these are referred to as “[special conditions](#)”).

### III) INTERPRETING AT A PBC HEARING: IMPORTANT CONSIDERATIONS

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#### INTERPRETING FOR MULTIPLE PEOPLE AT THE HEARING

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The interpreter must relay important information between the offender and the other participants in the hearing using consecutive interpretation, relaying information back and forth between participants.

Interpretation in this context can be complex. The following tips can assist in maintaining a high quality of interpretation at the hearing.

***The interpreter should:***

- ***Speak clearly*** to maximize the quality of the audio recording. An audio recording of the hearing is made for the purpose of providing an account of what occurred at the hearing and to ensure that procedural safeguards were met.
- ***Take the necessary time to provide the most accurate interpretation possible.*** It is essential to interpret ***every*** detail of what is said between an offender, Board members and other participants at the hearing. PBC and CSC personnel are aware that an interpreter-assisted hearing will take longer than a hearing where all participants speak the same language.
- ***Take notes during the hearing.*** These working notes can assist the interpreter to structure information during the process. Any notes taken by the interpreter must be provided to the Hearing Officer at the end of the hearing. ***Under no circumstances*** should the interpreter keep notes taken at the hearing. Interpreter notes will be disposed of and will not form part of the record of decision or the offender’s case file.
- ***Ask for clarification.*** If something that a hearing participant has said is not completely understood, it is acceptable and ***essential*** to ask for clarification.
- ***Interrupt if necessary.*** The interpreter may interrupt if they require the speaker to pause, by raising the hand or verbally asking for a moment to relay information.
- ***Be familiar with the PBC and CSC terminology.*** The attached glossary is provided to assist the interpreter and improve efficiency of interpretation. If a term is unclear, an interpreter should speak to the Parole Officer or a Hearing Officer before the hearing. If a term is used during a hearing that is unclear, the interpreter should ask the Board members for clarification during the hearing.

## CONVEYING ALL INFORMATION

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The interpreter should **interpret everything that is said by all parties throughout the hearing**. All information provided by all parties must be relayed in order for the Board members to have all the information necessary to make a decision upon which the safety of the community may depend.

- Information should be provided **without addition, omission, alteration or distortion of meaning**. The interpreter should relay what was said; no more, no less. Even a seemingly insignificant statement may be crucial to the hearing participants.
- As much as possible, the interpreter should interpret **using equivalent word meaning and sentence structure**. The interpreter **should never summarize** the information they are given by anyone at the hearing.
- The interpreter should interpret **in the same person as the speaker**: if the person says “I think” it should be interpreted as “I think” rather than “he/she thinks”.
- If the interpreter does **not know a word that was used by any party**, he/she should inform the speaker and ask for clarification. If a word **does not have an equivalent in the interpreted language**, the interpreter should explain this to the participants and attempt to identify a description or word that would best match the intent/meaning.
- **If the interpreter makes a mistake**, he/she should correct him/herself immediately. This includes if one of the participants has misunderstood the translation provided. The interpreter should ensure that the information is correctly relayed and understood by participants.

## IMPARTIALITY

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Unique challenges can arise when interpreting at a PBC hearing. The interpreter's concern or uncertainty can be addressed by being prepared, recognizing challenges and how to deal with them so that they do not impact the quality of the interpretation service being provided.

The interpreter may share some common characteristics with the offender, such as country of origin or ethno cultural background. This commonality may create feelings of alliance with or disapproval of the offender. The best way to overcome these feelings is to adhere to **clear role boundaries** during the interpretation process. The interpreter's main concern and focus is providing precise and accurate interpretation for participants

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at the hearing. The interpreter should not give the appearance of favouring any hearing participant. The interpreter is not a representative of the criminal justice system, the PBC or CSC. It is essential to respect these role boundaries in order to maintain **fairness and impartiality** during the hearing.

The interpreter should be prepared to maintain an impartial demeanour, even if he/she has strong feelings about the information being exchanged. The interpreter should never express an opinion about the matters being discussed, either through verbal or non-verbal communication (i.e. body language, facial expressions, etc.).

The interpreter is not the offender's assistant and should never act in this role at any time, for any reason. This means the interpreter should never offer opinions or advice to the offender, even if asked to do so. The interpreter should always respect these boundaries, even in informal conversations before or after the hearing.

### **INTERPRETER CONFIDENTIALITY**

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As an interpreter at a PBC hearing, it is important to maintain the confidentiality of all parties present at or discussed during the hearing. The interpreter should not reveal names of hearing participants or discuss the case with anyone. The interpreter **must sign a confidentiality agreement** prior to the hearing. This document clearly defines expectations and obligations regarding confidentiality and should be adhered to at all times, even after the hearing.

### **CONFLICT OF INTEREST**

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A conflict of interest is any condition that interferes with the real or perceived objectivity of an interpreter.

A conflict may exist if:

- the interpreter is acquainted with or related to any party involved in the case, or;
- the interpreter has a personal interest in the outcome of the hearing.

If the interpreter feels that there could be a potential conflict of interest either before or during a hearing, or is uncertain about whether or not a conflict exists, it is **essential** that he/she express these concerns to CSC and PBC personnel for consideration as soon as possible.

### **CULTURAL FACTORS RELATED TO INTERPRETATION**

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The role of the interpreter is not intended to be that of a cultural consultant. However, cultural interpretation may be an implicit function of the interpreter. There are certain communication issues that relate to, and are specific to, particular cultures and sharing

these meanings in the hearing is part of accurate interpretation. For example, the use of gestures is highly cultural. In French and English-Canadian culture, non-verbal acknowledgement of agreement is done by nodding the head up and down, which is not true of all cultures. If the offender makes a gesture that is used differently in the dominant culture but is understood by the interpreter, it is **appropriate and necessary** for the interpreter to share this meaning with the other hearing participants.

#### IV) ADDITIONAL RESOURCES

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Interpretation at PBC hearings involves having a basic understanding of the conditional release process and using effective strategies to relay accurate information between the hearing participants. Accurate interpretation is essential in order to provide the Board members with all the information they need to make quality conditional release decisions.

Interpreters are encouraged to speak with staff if they have any questions about the process in advance. The interpreter can also familiarize him/herself with the hearing process by visiting the PBC virtual hearing room at:

- <http://pbc-clcc.gc.ca/hearing/index-eng.shtml> (English) or
- <http://pbc-clcc.gc.ca/hearing/index-fra.shtml> (French)

#### REFERENCES

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- [\*Corrections and Conditional Release Act\*](#)
- [\*Correctional Service of Canada Commissioner's Directive 706: Classification of Institutions\*](#)
- Cairncross, L. (1989). *Cultural interpreter training manual*. Ontario: Queen's Printer for Ontario

#### PBC DOCUMENTS

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- [\*Fact Sheet: Observers – Parole Board of Canada Hearings\*](#)
- [\*From Confinement to Community\*](#)
- [\*Parole Board of Canada Decision-Making Policy Manual for Board Members\*](#)

## APPENDIX A: ACRONYMS USED BY THE PBC & CSC

English Acronyms		French Acronyms	
	Departments/Facilities	Centres/installations	
CBRF	Community-Based Residential Facilities	Établissements résidentiels communautaires	ERC
CCC	Community Correctional Centre	Centre correctionnel communautaire	CCC
CSC	Correctional Service of Canada	Service correctionnel du Canada	SCC
PBC	Parole Board of Canada	Commission des libérations conditionnelles du Canada	CLCC
RPC	Regional Psychiatric Centre	Centre psychiatrique régional	CPR
RTC	Regional Treatment Centre	Centre régional de traitement	CRT
SHU	Special Handling Unit	Unité spéciale de détention	USD
Position Titles		Titres de poste	
ACLO	Aboriginal Community Liaison Officer	Agent de liaison autochtone dans la collectivité	ALAC
CO	Correctional Officer	Agent de correction	AC
HO	Hearing Officer	Greffier d'audience	GA
PO	Parole Officer	Agent de libération conditionnelle	ALC
RCO	Regional Communications Officers	Agents régionales des communications	ARC
VSO	Victim Services Officer	Agent des services aux victimes	ASV
Assessments/Reports		Évaluations/rapports	
A4D	Assessment for Decision	Évaluation en vue d'une décision	ED
CA	Community Assessment	Évaluation communautaire	EC
CPPR	Correctional Plan Progress Report	Suivi du plan correctionnel	SPC
CPU	Correctional Plan Update	Mise à jour du plan correctionnel	MAJPC
CRS	Custody Rating Scale	Échelle de classement par niveau de sécurité	ECNS
CS	Community Strategy	Stratégie communautaire	SC
OIA	Offender Intake Assessment	Évaluation initiale des délinquants	EID
PIR	Protected Information Report	Rapport de renseignements protégés	RRP
SIR	Statistical Information on Recidivism Scale	Information statistique sur la récidive (échelle)	ISR
SIR	Security Information Report	Agent du renseignement de sécurité	ARS
Releases/Reviews		Mises en liberté/Examens	

English Acronyms		French Acronyms	
APR	Accelerated Parole Review	procédure d'examen expéditif	PEE
DP	Day Parole	Semi-libération/semi-liberté conditionnelle	SLC
EAH	Elder-Assisted Hearing	Audiences tenues avec l'aide d'un Aîné	AAA
ERD	Earned Release Date	Date de mise en liberté méritée	DMLM
ETA	Escorted Temporary Absence	Permission de sortir avec escorte	PSAE
FP	Full Parole	Libération/liberté conditionnelle totale	LCT
LTSO	Long Term Supervision Order	Ordonnance de surveillance de longue durée	OSLD
PED	Parole Eligibility Date	Date d'admissibilité à la libération conditionnelle	DALC
SRD	Statutory Release Date	Date de libération d'office	DLO
TA	Temporary Absence	Permission de sortir	PS
UTA	Unescorted Temporary Absence	Permission de sortir sans escorte	PSSE
WED	Warrant Expiry Date	Date d'expiration du mandat	DEM
WR	<b>Miscellaneous</b>		<b>Divers</b>
CCRA	Corrections and Conditional Release Act	Loi sur le système correctionnel et la mise en liberté sous condition	LSCMLC
CD	Commissioner's Directives	Directive du commissaire	DC
FPS	Finger Print System	Système d'empreintes digitales	SED
OMS	Offender Management System	Système de gestion des délinquants	SGD
PFV	Private Family Visit	Visite familiale privée	VFP
UAL	Unlawfully-at-Large	Illégalement en liberté	IL

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## APPENDIX B: GLOSSARY OF TERMS

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### A

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**Aboriginal (Indigenous):** Collective name for peoples of First Nations, Inuit, or Métis descent. These are distinct peoples with unique histories, languages, cultural practices and spiritual beliefs.

**Accelerated Parole Review (APR):** APR is a streamlined process of review for day parole and full parole for the cases of first-time, non-violent federal offenders. Unless the Board has reasonable grounds to believe the offender will commit a violent offence before the end of his or her sentence, it must, by law, direct the release of the offender on day parole at six months or one-sixth of the sentence, whichever is longer, and on full parole at one-third of the sentence.

**Administrative Tribunal:** An independent decision making body created by law that makes decisions free from outside influence which affect an individual's rights and liberties (e.g. Parole Board of Canada).

**Appeal:** An offender may appeal a PBC decision. The appeal must be sent to the PBC Appeal Division in Ottawa within 60 days of the date of the decision being appealed.

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### B

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**Board Member(s):** the primary decision-makers in conditional release decisions. Board members are required to make decisions that are consistent with the protection of society and that are limited to only what is necessary and proportionate to the purpose of conditional release. They do this by conducting a thorough assessment of the offender's risk to the community.

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### C

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**Community-Assisted Hearing:** A hearing which involves the application of section 84 of the CCRA and allows the participation of members of the Aboriginal community where the offender's release is being proposed. The hearing follows an Elder-Assisted format and may be held in the Aboriginal Community (reserve or urban community).

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**Corrections and Conditional Release Act (CCRA):** A prescriptive legislative framework which guides PBC policies, and decision-making. It provides the legal framework for the corrections and conditional release system in Canada.

**Corrections and Conditional Release Regulations (CCRR):** Regulations respecting corrections and the conditional release and detention of offenders. The CCRR also provides the legislative framework which guides PBC policies and decision-making.

**Correctional Service of Canada (CSC):** A federal government agency responsible for administering sentences of a term of two years or more, as imposed by the courts. This includes both the custodial and community supervision components of an offender's sentence. CSC also administers post-sentence supervision of offenders with Long-Term Supervision Orders (LTSOs) for periods of up to ten years. CSC manages institutions of various security levels, Aboriginal healing lodges, community correctional centres and parole offices across Canada.

**Criminal Code (CC):** The Criminal Code is a compilation of government laws that outline a nation's laws regarding criminal offenses, and the maximum and minimum punishments that courts can impose upon offenders when such crimes are committed.

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## D

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**Dangerous Offenders:** The Criminal Code sets out an exceptional provision which enables an offender to be designated a dangerous offender. The designation is for life. Once designated as a Dangerous Offender, the court will impose a sentence that must ensure public safety, which can be either;

- An indeterminate sentence of imprisonment, with no chance of parole for 7 years;
- A regular sentence of imprisonment for the offence, plus a Long-term Supervision Order in the community of up to 10 years after the regular sentence has expired; or,
- A regular sentence of imprisonment for the offence.

**Day Parole:** A form of conditional release that allows the offender to participate in community-based activities. It is granted at the discretion of the PBC for a period of up to six months to prepare the inmate for full parole or statutory release. The offender is supervised by CSC and must return nightly to a penitentiary or a halfway house.

**Detention:** A decision by the PBC ordering an offender to remain in custody until the end of sentence rather than being released on statutory release at the two-thirds point of a determinate sentence. An offender may be detained only if the case has been

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referred by CSC and if the PBC is satisfied that the offender is likely to commit an offence causing serious harm, or death, prior to the expiry of the sentence.

**Determinate sentence:** A sentence of fixed length imposed by the court. A determinate sentence has a warrant expiry date.

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## E

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**Elder:** A person recognized by an Aboriginal community as having knowledge and understanding of the traditional culture of the community, including the spiritual and social traditions and ceremonies.

**Elder Assisted Hearing:** Elder-Assisted Hearings are available to offenders who are Aboriginal or to those who have demonstrated a meaningful commitment to an Aboriginal way of life. An Elder-Assisted Hearing is attended by an Aboriginal Elder or Cultural Advisor who can answer questions Board members might have about Aboriginal cultural and spiritual concerns.

**Eligibility Date:** The date when an offender is entitled to be considered for some form of conditional release, such as temporary absence, work release, day parole, full parole and statutory release.

**Escorted Temporary Absence (ETA):** A short release into the community for reasons such as work, community service, family contact, personal development or medical appointments. The duration of an ETA varies from an unlimited period for medical reasons to not more than 15 days for any other specified reason. Institutional Heads have the authority to authorize most ETAs. In certain instances involving offenders serving life sentences, approval/authorization from PBC is required. During these absences, an offender is escorted by a CSC staff member or a trained citizen escort. (Eligibility is set at any time during the sentence).

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## F

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**Full parole:** A form of conditional release granted at the discretion of the PBC that allows an offender to live in the community, subject to conditions and supervised by CSC, and to demonstrate that the individual can be a law-abiding member of society.

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## G

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**Government-issued Identification:** Picture identification from a recognized official agency.

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## H

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**Hearing:** A hearing is a face-to-face meeting between Board members and the offender. A hearing usually takes place in the institution where the offender is incarcerated. In some cases, a hearing may be conducted by way of videoconference to allow for the participation of Board members and other approved participants who may not be able to attend a hearing in person. At a hearing, Board members review the case with the offender, the Parole Officer and the offender's assistant. In most cases, Board members give the decision and the reasons for the decision at the hearing.

**Hearing Officer:** A Hearing Officer is a PBC employee whose duties include introducing those present at the hearing, operating the audio equipment used to record the hearing and reviewing procedural safeguards with the offender.

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## I

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**Indeterminate sentence:** A life sentence for offences that may not otherwise carry a minimum sentence of life. By law, offenders designated by the court as "Dangerous Offenders" receive automatic indeterminate sentences. Although offenders serving an indeterminate sentence may not spend their entire lives in prison (i.e. they may eventually be paroled), they will remain under sentence, subject to control and supervision by CSC, for the rest of their lives. Parole eligibility in these cases is set, by law, at seven years.

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## L

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**Life sentence:** Offenders serving life sentences remain under sentence until the day they die. Although "lifers" may not spend their entire lives in custody (i.e. they may eventually be paroled), they remain subject to control and supervision by CSC for the rest of their lives.

**Long-Term Supervision Order (LTSO):** An order imposed by the court that commences when the offender has finished serving all custodial sentences and for which the offender is supervised in accordance with the CCRA. The period of supervision to which the offender is subject at any time must not total more than 10 years.

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## O

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**Observer:** A person permitted by the Board or by a person designated by name or by position by the Chairperson, to attend an offender's hearing to observe the proceedings. This includes, but is not limited to, media, victims, victims' supports, offender supports, criminal justice partners, students and the general public. It also includes PBC and CSC representatives who are not participants in a given case.

**Offender Assistant:** The role of the assistant is to advise the offender throughout the hearing, including conferring privately with the offender during the hearing, and to address the Board members on behalf of the offender, in accordance with subsection 140(8) of the CCRA.

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## P

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**Parole Officer:** Parole Officers work either within an institution or in the community to supervise and manage offenders on their caseload. They use policies and their professional judgment to provide written reports and recommendations to CSC and the Parole Board of Canada about offenders under their supervision.

**Probation (provincial authority):** A sentence imposed by a judge, either as an alternative to incarceration or following a sentence in an institution. It allows a person to live in the community subject to specific conditions and to the supervision of a Probation Officer under provincial authority.

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## R

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**Regional Communications Officer:** RCOs are responsible for liaising with victims, media, and other observers wishing to attend a PBC hearing, as well as liaising with individuals requesting PBC decisions. RCOs will accompany victims and observers to the hearing.

**Registry of decisions:** PBC is required by law to maintain a registry of decisions and allow public access to these decisions. Any person who demonstrates an interest in a case may, on written application to the PBC office in their region, be granted access to the content of the registry relating to a specific case. People may also apply for access to the registry for research purposes.

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**Revocation:** A decision made by the PBC to revoke an offender's release resulting in the offender's return to custody.

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## S

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**Special conditions:** In addition to the standard conditions of release provided for by law, the PBC may impose additional conditions (e.g.: abstinence from all intoxicants) as considered appropriate to further reduce the risk and to support the offender's reintegration into the community.

**Standard conditions:** Conditions listed in section 161 of the CCRR which every supervised offender must follow, unless varied in writing by the Board.

**Statutory release:** By law, most offenders who are serving determinate sentences, and who have not been granted parole, must be released on statutory release automatically after having served two-thirds of their sentence. Statutory release does not require a decision by the PBC, however, the Board may impose special conditions.

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## T

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**Temporary Absence:** are short releases into the community for reasons such as work, community service, family contact, personal development or medical appointments.

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## U

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**Unescorted Temporary Absence (UTA):** A short release into the community for reasons such as work, community service, family contact, personal development or medical appointments. UTAs can be authorized for an unlimited period for medical reasons, and up to a maximum of 60 days for specific personal development programs. Typically, UTAs last two to three days per month to allow the offender to visit family. The Board, the Commissioner of CSC and Wardens have authority to grant UTAs in specified circumstances, usually based on the type of offence (Eligibility is set at 1/6 or six months into the sentence, whichever is greater).

**Unlawfully at Large (UAL):** An offender who escapes from, or fails to return to, the institution or prison or halfway house.

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## V

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**Victim:** The CCRA defines a victim as someone to whom harm was done or who suffered physical or emotional harm, property damage or economic loss as the result of an offence committed by the offender.

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## W

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**Warrant Expiry Date (WED):** The date the sentence imposed by the courts officially ends.

**Work Release:** A release program allowing an inmate to work for a specified period in the community on a paid or voluntary basis while under supervision. The Institutional Head has authority to grant a work release up to a maximum period of 60 days that can be extended with the approval of the CSC Commissioner (Eligibility is set at 1/6 or six months into the sentence, whichever is greater).