



# National Parole Board

## Performance Report

For the period ending  
March 31, 1999

Canada

## **Improved Reporting to Parliament Pilot Document**

The Estimates of the Government of Canada are structured in several parts. Beginning with an overview of total government spending in Part I, the documents become increasingly more specific. Part II outlines spending according to departments, agencies and programs and contains the proposed wording of the conditions governing spending which Parliament will be asked to approve.

The *Report on Plans and Priorities* provides additional detail on each department and its programs primarily in terms of more strategically oriented planning and results information with a focus on outcomes.

The *Departmental Performance Report* provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the spring *Report on Plans and Priorities*.

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## Foreword

On April 24, 1997, the House of Commons passed a motion dividing on a pilot basis what was known as the annual *Part III of the Estimates* document for each department or agency into two documents, a *Report on Plans and Priorities* and a *Departmental Performance Report*.

This initiative is intended to fulfil the government's commitments to improve the expenditure management information provided to Parliament. This involves sharpening the focus on results, increasing the transparency of information and modernizing its preparation.

This year, the Fall Performance Package is comprised of 82 Departmental Performance Reports and the government's report *Managing for Results - Volumes 1 and 2*.

This *Departmental Performance Report*, covering the period ending March 31, 1999, provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the department's pilot *Report on Plans and Priorities* for 1998-99. The key result commitments for all departments and agencies are also included in Volume 2 of *Managing for Results*.

Results-based management emphasizes specifying expected program results, developing meaningful indicators to demonstrate performance, perfecting the capacity to generate information and reporting on achievements in a balanced manner. Accounting and managing for results involve sustained work across government.

The government continues to refine and develop both managing for and reporting of results. The refinement comes from acquired experience as users make their information needs more precisely known. The performance reports and their use will continue to be monitored to make sure that they respond to Parliament's ongoing and evolving needs.

This report is accessible electronically from the Treasury Board Secretariat Internet site:  
<http://www.tbs-sct.gc.ca/tb/key.html>

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# National Parole Board



1899 - 1999

Commemorant 100 ans de  
libération conditionnelle

Commemorating 100 Years  
of Conditional Release

## Performance Report

**For the  
period ending  
March 31, 1999**

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Lawrence MacAulay, P.C., M.P.  
Solicitor General of Canada

## **ABOUT THE LOGO**

The logo to commemorate the 100<sup>th</sup> Anniversary of Conditional Release in Canada was designed by Jason Duprau of Ottawa. The design was the winning entry in a logo contest held between July and October of 1998 and sponsored by the National Parole Board in partnership with the Canadian Criminal Justice Association and the Prison Arts Foundation. The contest resulted in 122 designs for logos submitted by people from across Canada.

In this design, the black rectangle represents imprisonment. The white half of the individual represents that period of time the offender was in prison while the black half represents parole. The grey triangles represent hope and confidence in the future. The Maple Leaf represents Canada and the fading maple leaves indicate the passing of time. Throughout the 100 years of parole and conditional release, the basic fundamentals have remained even though the laws may have changed.

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## **Section I: The Message**

The National Parole Board (NPB) contributes to the protection of society by facilitating the timely reintegration of offenders as law-abiding citizens. The Board's top priority is public safety.

The tabling of this performance report in Parliament will find the Board immersed in activities to mark the 100<sup>th</sup> anniversary of conditional release in Canada, and the 40<sup>th</sup> anniversary of the Board. These two milestones, with their interesting histories and important place in the evolution of Canada's criminal justice system, are noteworthy for several reasons. Without doubt, they demonstrate Canadian values of tolerance and compassion, and the belief that people can and do change - that offenders can become law-abiding citizens. They also illustrate the enduring commitment of thousands of Canadians, including legislators, policy makers, justice practitioners, volunteers and community groups to conditional release and public safety, and their tireless efforts to improve the law, policy and practices related to the safe reintegration of offenders in the community. Finally, they are testament to the fact that parole works, that it contributes effectively to public safety. The system is not perfect, but it is good and getting better. It is a Canadian approach to crime and rehabilitation that we work constantly to improve.

Information in this report, and the findings of research and evaluation demonstrate the long-term effectiveness of parole, and the progress that has been made in recent years. Nine out of every ten releases on parole do not result in a new offence of any kind, and 99 of every 100 releases do not result in a new violent offence. Over the past five years, the combined rates of violent reoffending by day and full parole parolees have been cut in half, from 3.5% to less than 1.5%, while the actual number of violent offences each year has decreased by over 60%. In this context, offenders on parole account for less than one-tenth of one percent of the violent offences reported to the police each year (i.e. fewer than 10 of every 10,000 violent offences).

The information in this report also illustrates that the large majority of offenders who reach the end of their sentence (warrant expiry) on full parole remain free from serious crime after serving their sentence. Long-term follow-up on these offenders indicates that only about 1 in 10 have returned to a federal penitentiary eight to ten years after release. These results reinforce previous findings which indicated that the process of case specific review and risk assessment used by the Correctional Service of Canada (CSC) and NPB is very effective in identifying those offenders most likely to reintegrate successfully in the community.

The Board's pardons program also provides interesting insights to the processes of rehabilitation and community reintegration. Only about 2% of all pardons granted have been revoked for a new offence. Most of these have been for a minor offence, demonstrating that the vast majority of pardon recipients remain crime free in the community.

The effectiveness of parole as a strategy for public safety is in stark contrast with public perception which vastly over-estimates the level of reoffending by parolees. This gap between reality and perception presents a major challenge for the Board and highlights the need for improvement in work related to public information and citizen engagement. Progress in these areas will be an important priority for the Board as we enter the new millennium.

Another important aspect of NPB performance involves measures to promote openness and accountability. The public continues to demand accurate and timely information about the Board, about its decisions and about its successes and failures. In addition, the *Corrections and Conditional Release Act*, the legislative framework governing the Board's responsibilities for conditional release, promotes openness and accountability through provisions which recognize the interests and information needs of victims, allow the public to observe NPB hearings and provide access to Board decisions through a registry of decisions.

Each year, the Board has contacts with thousands of victims of crime, and most of these victims have expressed satisfaction with the information and assistance they receive. Some victims have, however, indicated that they would like more information, particularly in terms of offenders' participation in programs and treatment. The Board also has about one thousand observers at its hearings each year, and a thousand requests for access to the decision registry. Feedback from observers has been generally positive regarding the assistance provided by NPB staff and the rigour with which Parole Board members review cases and assess risk of reoffending. Some observers, especially victims, have, however, expressed an interest in being able to speak at parole hearings. People who request access to the decision registry have also commented favourably on the level of assistance and service they receive. In this context, it should be noted that the Board responds to 80% of all requests for decisions within two weeks of receipt of the request.

In recent years, the Board with the assistance and support of its key partners, including the community, has made progress in improving the quality of its work. Nevertheless, significant challenges remain. There is always room for improvement, especially in the business of public safety. As a result, the Board has developed a Vision for the Year 2000 and Beyond which sets a course for continuous improvement including:

- better risk assessment and better decision-making;
- more inclusive processes for victims of crime;
- greater understanding of Canadian diversity;
- more effective response to Aboriginal offenders and communities;
- more effective approaches for building public understanding and support for conditional release as a strategy for public safety; and
- better partnership with the community to support effective conditional release.

Progress toward the Vision has just begun, but already there are clear indications that this work has energized all areas of the Board to ensure that parole flourishes in the 21<sup>st</sup> century, and that it contributes to public safety even more effectively than it has in the past 100 years.

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Willie Gibbs  
Chairman



## Section II: Departmental Overview

### A. Accountability Framework

#### Mission

**Mission:** *The National Parole Board, as part of the criminal justice system, makes independent, quality conditional release and pardon decisions and clemency recommendations. The Board contributes to the protection of society by facilitating, as appropriate, the timely integration of offenders as law-abiding citizens.*

**Core Values:** *The Mission establishes four core values:*

- *contribution to the attainment of a just, peaceful and safe society;*
- *respect for the dignity of all individuals and the equal rights of all members of society;*
- *belief that qualified and motivated individuals are essential to achieving the Mission; and*
- *commitment to openness, integrity and accountability.*

#### Mandate

The National Parole Board is an independent administrative tribunal responsible for making decisions about the timing and conditions of release of offenders to the community on various forms of conditional release. In addition, the Board makes pardons decisions, and recommendations for clemency through the Royal Prerogative of Mercy. The Board's primary objective is to contribute to the long-term protection of society.

Legislation governing the Board includes the *Corrections and Conditional Release Act (CCRA)*; *Criminal Records Act (CRA)*, and the provisions of the *Criminal Code*. The *CCRA* empowers the Board to make conditional release decisions for federal offenders and offenders in provinces and territories without their own parole boards. Provincial Boards currently exist in Quebec, Ontario, and British Columbia. The *CRA* entitles the Board to issue, grant, deny, or revoke pardons for convictions under federal acts or regulations. The Governor General or the Governor in Council exercises authority regarding the use of the Royal Prerogative of Mercy for those convicted of a federal offence in all jurisdictions based on investigations carried-out by the Board and recommendations provided to the Solicitor General of Canada.

## **Organization Composition and Business Lines**

The work of the National Parole Board is carried-out by a network of regional offices and the national office in Ottawa. The national office is responsible for clemency recommendations and pardon decisions and related policies. The national office is also responsible for a range of activities related to conditional release, including audits and investigations, appeals, policy development and interpretation, and advice and guidance in the area of Board member training. As well, the national office provides leadership and support for planning, resource management, communications and corporate services.

The Board has offices in five regions: Atlantic (Moncton, NB); Quebec (Montreal, QC); Ontario (Kingston, ON); Prairies (Saskatoon, SK) and Edmonton sub-office (Edmonton, AB); and Pacific (Abbotsford, BC). All regional offices are in close proximity to the CSC regional offices.

The task of making conditional release decisions is carried-out by knowledgeable and experienced Board members in each region. In order for Board members to assess the risk of each case, and make decisions to grant or deny parole, they are provided with extensive training on legislation, regulations, policies, and risk assessment. Board members are supported by a team of knowledgeable staff who, working closely with CSC, schedule hearings, ensure that all required information for decision-making is received, and shared with the offender within the prescribed timeframes, provide policy interpretation, and communicate conditional release decisions to CSC and the offender. Staff in regional offices are also involved extensively in providing information for victims of crime, making arrangements for observers at parole hearings, and addressing requests for access to the Board's decision registry.

The Board's operations are broken down into three business lines: Conditional Release; Clemency and Pardons; and Corporate Management. The most significant business line is conditional release which generally accounts for about 80% of the Board's resources.

### **Business Line Description**

**Conditional Release** includes case review and quality decision-making; provision of support for decision-making; carrying out of audits and investigations; review and decision-making on applications for appeal; provision of training to ensure quality and professionalism in decision-making; development of conditional release policy; coordination of business line delivery in the Board, with the Correctional Service of Canada (CSC) and with other key partners; the provision of information to victims and other interested parties; and dissemination of information to the public.

*Objective: To make quality conditional release decisions by reviewing cases of offenders and applying risk assessment criteria to determine any potential risk of re-offending.*

**Clemency and Pardons** involves the review of applications and the issuing of pardons, the rendering of pardon decisions and clemency recommendations.

*Objective: To make quality pardon decisions and clemency recommendations.*

**Corporate Management** involves the provision of a range of management services supporting the conditional release and clemency and pardons business lines.

*Objective: To provide effective support for the conditional release and clemency and pardons business lines through sound planning, resource management, and administration.*

### **Partners For Business Line Delivery**

Partnership is essential for effective delivery of NPB business lines. As a federal agency within the Canadian criminal justice system, the Board must work constantly in partnerships which recognize and respect jurisdictional responsibilities and concerns, and the complexity of the work necessary to address crime and public safety in a meaningful manner. Increasingly, the justice system is seeking integrated approaches to crime and violence in which the courts, police services, correctional agencies, the health and social service sectors, the voluntary sector, and the community work cooperatively to enhance public safety. Integrated approaches of this type demand effective partnerships.

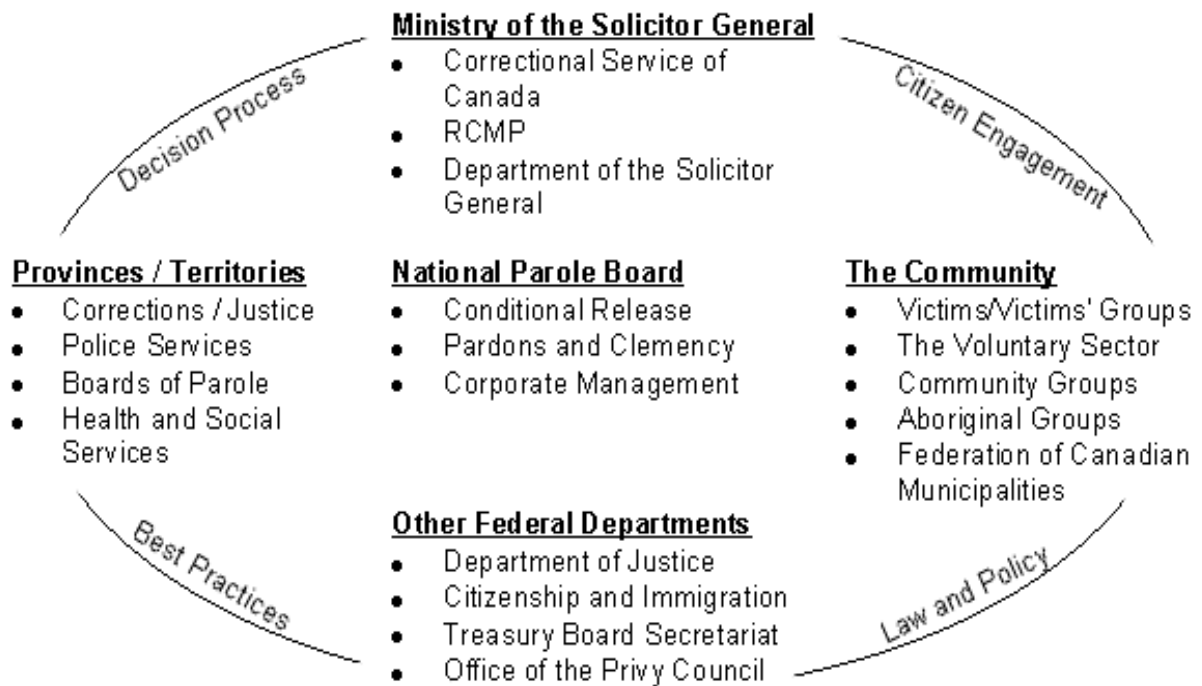
For the Board, the need for partnership is reinforced by the nature and substance of its work. For example, the Board, as a decision-making body, requires partnerships for effective operations. In the area of conditional release, the Correctional Service of Canada (CSC) collects information and prepares cases for NPB review and decision-making related to the timing and conditions of release of offenders to the community (e.g. on parole). If the Board decides to grant parole, CSC is responsible for supervision of offenders in the community, and for providing information to the Board regarding changes in the level of risk presented by offenders under supervision.

In a similar manner, the RCMP and other police services across the country provide information for NPB decision-making with respect to the grant, denial or revocation of a pardon under the *Criminal Records Act*.

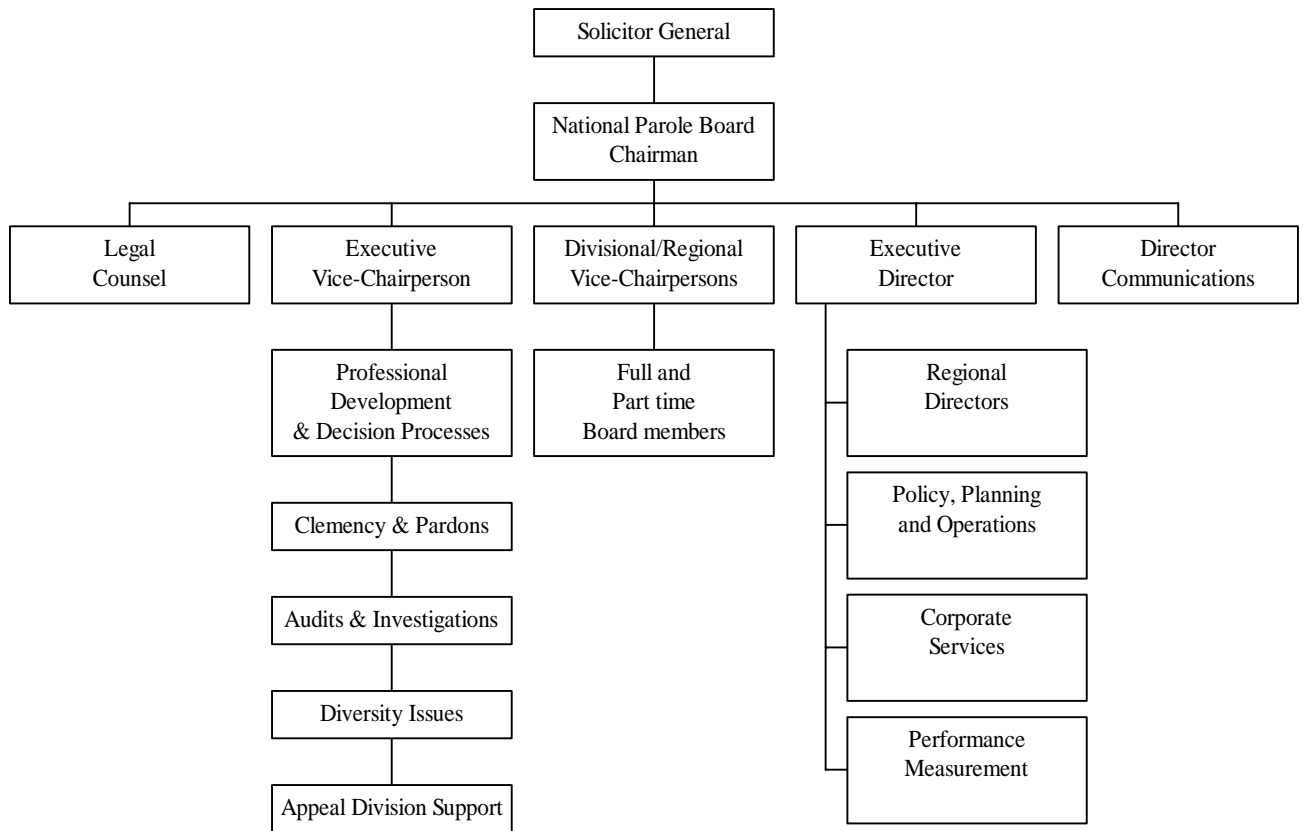
The need for partnership, however, extends well beyond organizations supporting NPB decision processes. As a professional organization seeking constantly to improve the quality of its decision-making policy and processes, the Board pursues partnership arrangements with diverse groups nationally, and internationally, as a vehicle for sharing best practices, for identifying issues and concerns, and for stimulating change and improvement internally and in other areas of the justice system.

Partnership with the community is crucial. Parole is often controversial and subject to severe criticism in the media. Opinion surveys indicate low levels of public confidence in parole and limited public understanding regarding the effectiveness of parole as a strategy for safe communities. For example, the majority of Canadians vastly overestimate the levels of reoffending by parolees. As a result, the Board must invest actively in partnership with the community as a vehicle for information sharing and for building greater understanding and support for parole.

The following chart illustrates key partners and stakeholders for the Board in delivery of its business lines.



## Organization Structure



## **B. Vision For The Year 2000 And Beyond - Strategic Framework For Improving Performance**

### **Environmental Factors**

The NPB Vision emerged from a growing consensus in the Board regarding the need for a strategic response to significant challenges in its environment. The environmental factors with greatest potential for stimulating change, innovation and improvement in NPB policy, training, operations and resource management are outlined below.

**Government Priorities:** The approaching millennium will serve as a powerful catalyst for change in Canada, and around the world. There will be widespread hopes and expectations among Canadians for economic growth and prosperity, for social unity and cohesion, for access to quality health care, and for safer communities. Canadians will expect governments at all levels, and all sectors within government, including criminal justice, to work in partnership to produce a brighter future for Canada and to enrich the quality of life in communities across the country. The Board's efforts in this area must be directed to effective support for broad Government priorities - social union, crime prevention, effective corrections, youth justice, restorative justice and integrated justice information.

**Legislative Review:** A sub-committee of the Standing Committee on Justice and Human Rights is currently reviewing the *Corrections and Conditional Release Act*. The results of this work, along with the Standing Committee's report on victims' issues (Victim Rights - A Voice Not A Veto) will shape conditional release in Canada for the next decade. The Board must respond through effective implementation of legislative change, as required, and through policy, training and operations which respect the intent of the law.

**Aboriginal Peoples:** The number of Aboriginal peoples in prison in Canada has reached crisis levels, demanding an effective response across the justice system and all other sectors of society. Aboriginal Canadians represent 2% to 3% of the general population, but 17% of the federally incarcerated population, reflecting the impact of incarceration rates which are about six times the rate for non-Aboriginals, nationally. This situation could worsen as the emerging Aboriginal baby-boom results in larger numbers of Aboriginal youth entering what are generally more crime prone years. In this context, this Board must work closely with its key partners, and with Aboriginal communities to develop conditional release policies, decision-processes and risk assessment tools which address the unique needs and circumstances of Aboriginal offenders.

**Diversity:** As immigration continues to contribute to population growth, Canada will become more culturally and ethnically diverse, challenging the Board to ensure that it is representative of the communities that it serves, and to develop risk assessment training and tools which respect the needs and concerns of an increasingly diverse offender population, and the communities to which they will return. Other aspects of Canadian diversity such as the ageing of the population, evolving family structures, and major trends toward urbanization also present challenges which the Board must assess carefully as it considers a Vision for parole in the 21<sup>st</sup> century.

**Public Attitudes And Concerns:** Fear of crime persists despite significant declines in rates of reported crime in Canada, and research which shows that Canada is one of the safest countries in the world. Concerns for public safety are reflected in low levels of confidence in corrections and conditional release, and public demands for meaningful involvement in debate of important policy issues. These trends create urgent pressures for the Board to engage communities in discussion of conditional release, to provide accurate information on the effectiveness of conditional release as a strategy for community safety, and to forge community partnerships for the safe reintegration of offenders.

**Information Sharing and Technology:** Technological advancement is complex, involving frequent change and innovation. Year 2000 issues, and the Board's partnership with CSC and the RCMP for information for conditional release and pardons decision-making add complexity. Plans are in place for reconstruction of the information systems on which the Board depends for information and for decision-making: the Offender Management System (OMS); the Canadian Police Information Centre (CPIC); and the Pardons Application Decision System (PADS). The Board must ensure that these systems are designed to yield maximum benefit, and that once designed, they are accompanied by appropriate training and support. As systems are redesigned, the Board must also ensure that work processes are streamlined to introduce greater efficiency, while improving the quality of case preparation and information for decision-making.

**Fiscal Constraints And Workload Growth:** NPB resources for program delivery declined by 17% between 1993/94 and 1998/99, reflecting the impact of government-wide expenditure reductions and the termination of special purpose resources (e.g. for CCRA implementation). In contrast, the volume and complexity of NPB workloads and related costs have increased considerably due to various factors beyond the Board's control.

In the area of conditional release, for example, workload growth has been generated by legislative change, shifts in the characteristics of the offender population, and the evolving nature of NPB decision processes. Legislative change has created the need for the Board to conduct more pre-release reviews of offenders' cases. In 1996, Bill C-45 was introduced, allowing for the imposition of residency as a condition of release on statutory release. This change has resulted in over 2800 additional reviews in the past three years. Similarly, Bill C-55 introduced Accelerated Parole Review for day parole, creating the requirement for automatic day parole reviews for first time federal offenders with no history of violence, and resulting in more than 1000 additional parole reviews in 1997-98 and 1998-99.

The complexity of work to prepare for, and conduct conditional release reviews has also increased considerably. The offence profile of the federal offender population has shifted in recent years to include a larger proportion of offenders incarcerated for a violent offence. At the same time, risk assessment tools and training for Board members have evolved to support more effective and systematic assessment of risk of reoffending. These trends have created the need for more time for Board members to prepare cases and to conduct hearings in a manner which ensures thorough risk assessment and protection of the public. Hearings have also become more complex as a result of the trend in some regions toward greater involvement of lawyers as assistants for offenders, leading to lengthier discussion of procedural issues and case details. Increased involvement of observers at NPB hearings has also added complexity to decision processes, as has the use of elder-assisted hearings for Aboriginal offenders to address issues of

Aboriginal culture and values. These factors have combined to raise the average time for an NPB hearing from about 40 minutes to 70 minutes, creating significant difficulty for the Board to maintain its standard of six hearings per day, the standard on which the Board's budget for conditional release is based.

In this environment, the Board has attempted to manage resources effectively, using every opportunity to pursue efficiency and innovation, without affecting its prime objective of public safety. There is growing concern, however, that continued resource pressures could begin to have an adverse impact on the quality of decision-making, as well as NPB's ability to meet statutory responsibilities for the conduct of conditional release reviews.

The pardons business line also presents resource challenges. Decisions in Program Review reduced resources for the processing of pardon applications by \$250,000 annually. This decision was based on the premise that automation of processes could introduce significant savings and improved efficiency. The work on the new automated system is underway, resulting in the need for the Board to absorb about \$1.3 million in development costs in 1999/2000 and 2000/01. This need severely limits resource flexibility throughout the Board.

The current resource situation demands that the Board manage its resources strategically, applying rigorous priority setting and constant monitoring. In addition, the Board must explore every possibility for cost savings, partnership and access to additional resources.

## **The Vision For The Board**

The Board's environment presents complex challenges. Environmental pressures are diverse, reflecting a variety of differing perspectives and ideological assumptions for addressing crime and justice in Canadian society. Ultimate resolution of these issues lies beyond the direct control of the Board. NPB can, however, contribute to key decision processes in an attempt to manage change, and in the longer term shape change in directions which reflect its Mission and Values, and its enduring commitment to conditional release. The Vision for the Board is set in this context. It portrays the Board in an ideal state. In this Vision:

- The Board is, and is perceived to be a world leader in quality decision-making, working constantly to improve its ability to identify from an increasingly diverse offender population, those offenders who will succeed in the community. Recidivism, particularly violent recidivism, continues to decline.
- The Board works within an enabling legislative framework which allows it to apply its expertise in quality decision-making to the full extent. Quality case specific risk assessment, and risk management based on the results of research, and enhanced community supervision ensure timely and safe reintegration of offenders.
- The Board, as an inquisitorial body, is, and is perceived to be open and fair, respecting the duty to act fairly and the unique needs and circumstances of diverse groups in its decision policies and processes.
- The Board selects highly qualified people as candidates for appointment as Board members



and as staff - people who are knowledgeable about, and committed to the safe reintegration of offenders. Excellence is sustained through continuous learning and effective succession planning, as well as entrenchment of the Board member appointment process in law.

- The Board is, and is perceived to be, a community board, representing and being representative of diverse communities and their concerns, including the concerns of women, ethnic minorities, the elderly and youth. Public understanding of the Board and conditional release is high, and there is increased confidence in conditional release as an effective strategy for community safety.
- The Board forges new community partnerships, creating a network of citizen spokespersons for conditional release and safe reintegration of offenders. Information sharing and public consultation characterize all aspects of the Board's work.
- The Board develops innovative decision processes which meet the needs of victims and recognize the value of restorative approaches, with their emphasis on inclusiveness for victims, offenders and their respective families, and the community.
- The Board, in partnership with communities, develops innovative models for parole decision-making (e.g. First Nation models for community justice) which address the unique needs and circumstances of Aboriginal offenders, and the role of Aboriginal communities in the safe reintegration of these offenders.
- The Board works effectively with its key partners, including CSC, the voluntary sector, community groups, and other levels of government to promote an effective criminal justice system focussed on a common goal of protection of society, and characterized by balanced systems and processes.
- The Board processes most pardon applications within weeks. There is widespread public recognition of a pardon as a long-term indicator of rehabilitation, and pardon recipients receive greater benefit for fees paid, in terms of the level of service provided and in wider public recognition of the value of a pardon.
- The Board derives maximum benefit from information technology and integrated justice information systems. The quality and timeliness of case preparation and information for decision-making meets NPB standards in all circumstances.
- The Board is resourced to need. Resource levels provide sufficient flexibility to address workload growth, new government priorities, continuous learning, technological advancement and innovation.

## **Corporate Strategies**

The Vision presents the key elements of an ideal state for NPB. In support of the Vision, the Board has also identified corporate strategies designed to stimulate concrete action for progress toward the ideal state - that is, they provide a framework for continuous improvement.

**Commitment to Quality:** All aspects of the Board's work must reflect a commitment to professionalism, fairness, public safety and public service. The Board must strive constantly for the highest quality in conditional release and pardons decision-making and clemency recommendations based on enhanced training, policy development, policy-based research, statistical analysis and respect for the law. Quality decisions must recognize issues of cultural diversity and ethnicity in the offender population and in the community. In this context, quality decision-making must be reflected in an effective framework for national consistency in policy, training, and processes, while recognizing the need for regional flexibility to address differing needs and concerns of offenders and communities.

**Continuous Learning:** Quality decision-making demands the latest knowledge and information about risk and about how risk can best be managed in the public interest, as well as information about the law and NPB policies. Accordingly, the Board must ensure that decision-makers and the staff who support them have access to this information through a process of continuous learning and development. The Board must strive to enhance the national training program which sets out priorities and standards and ensure that the results of research and new information are integrated regularly with the training program. In addition, efforts must be made to ensure that Board members and staff are provided with opportunities to participate in developmental opportunities designed to enhance the quality of their work.

**Openness and Accountability:** In response to public demands for government agencies to be more open to public scrutiny and to take greater responsibility for their decisions, the Board must continue to implement measures which promote openness and accountability. In this context, the Board must provide access to decisions and reasons for its decisions through the decision registry, ensure that victims receive the information and support they are entitled to receive, and that they participate in decision processes as prescribed by law. The Board must share information and consult openly with the public, and provide access to meaningful information about its performance - successes and failures.

**Citizen Engagement / Community Partnerships:** Misinformation often surrounds public debate of crime issues and conditional release, distorting priorities and impeding progress toward sound criminal justice policy. In addition, the public has expressed strong interest in more effective involvement in discussion of crime and public safety. Citizens have called for engagement as opposed to traditional consultation. In response, the Board must develop and implement plans to share information with communities more extensively, and meet with community groups to discuss conditional release and provide opportunities for them to express their positions on issues of policy and operations. Information sharing and discussion must serve as a foundation for forging new partnerships geared to building support for conditional release, and recognition of shared responsibilities for the safe reintegration of offenders.

**Effectiveness and Efficiency :** Sound fiscal management and growing workload pressures demand constant efforts to improve NPB operations. Effective and efficient operations will enhance the Board's commitment to public protection and public service. In this context, the Board must continue to develop policies and design processes and systems which improve the quality of conditional release and pardons decision-making, streamline and add value to the work effort, and eliminate needless constraints and duplication. The Board must ensure that it makes productive use of technology for information sharing, that its key operating systems are designed

to support quality decision-making and system design is accompanied by appropriate training and hardware to support system implementation.

### **Section III: Departmental Performance 1998-99**

The National Parole Board has three business lines: conditional release; clemency and pardons; and corporate management. NPB performance reporting focuses on conditional release and clemency and pardons, as these business lines involve the community and the public. In contrast, the corporate management business line involves the internal working of the Board and supports conditional release and clemency and pardons.

Protection of society is the paramount consideration in all conditional release decisions. These decisions are made using all relevant, available information, and careful assessment of risk. Conditional release contributes to both community safety and offender reintegration by:

- providing a gradual and controlled re-entry into the community;
- recognizing that offenders can and do change;
- reuniting offenders with their families;
- providing employment opportunities and reducing the need for social assistance, and
- allowing offenders an opportunity to contribute positively to society.

A pardon is a formal attempt to remove the stigma of a criminal record for people found guilty of a federal offence and who, after satisfying their sentence and a specified waiting period, have shown themselves to be responsible citizens. A pardon is, therefore, a means to facilitate and demonstrate safe reintegration in the community.

Various measures of NPB performance indicate that the Board continues to contribute effectively to public safety. For example, less than 1 in 10 releases on parole ends in a new offence, and less than 1 in 100 results in a new violent offence. In fact, the number of violent offences involving offenders on parole actually declined by about 60% in the past 5 years. For pardons, only about 2% of pardons granted are revoked for any new offence, and only about 1% are revoked for an indictable offence.

## A. Summary of Key Results Commitments

The following table outlines the National Parole Board's performance commitments for the 1998-99 fiscal year.

to provide Canadians with:	as demonstrated by:	As reported in:
<p>Quality decisions for conditional release and pardons--decisions which contribute to long-term community safety through the reintegration of offenders.</p>	<ul style="list-style-type: none"> <li>◆ An appointment/evaluation process for Board members which ensures that NPB has knowledgeable and experienced Board members who are representative of the communities in which they work.</li> <li>◆ Trend information on the results of conditional release:               <ul style="list-style-type: none"> <li>• the number and rates of serious charges for offenders on day and full parole and statutory release (short-term indicator);</li> <li>• the outcomes of release for day parole, full parole and statutory release (medium term indicator);</li> <li>• rates of post-warrant expiry reoffending involving federal sentences for offenders previously released on federal full parole or statutory release (long-term indicator).</li> </ul> </li> <li>◆ Trend information on the numbers and rates of pardons granted/issued and revoked each year.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Departmental Performance Report (DPR) sections 3A and 3B.</li> <li>◆ DPR section 3B. NPB Performance Monitoring Report section 3.2.</li> <li>◆ DPR section 3B. NPB Performance Monitoring Report section 4.1.</li> </ul>
<p>Open and accountable decision processes for conditional release and pardons.</p>	<ul style="list-style-type: none"> <li>◆ Trend information on NPB involvement with victims of crime, observers at hearings and individuals seeking access to the Board's registry of decisions.</li> <li>◆ Dissemination of the findings of inquiries and investigations for cases involving serious incidents in the community.</li> <li>◆ Public consultations on key issues and dissemination of the results of these consultations.</li> </ul>	<ul style="list-style-type: none"> <li>◆ DPR section 3B. NPB Performance Monitoring Report section 3.3.</li> <li>◆ DPR section 3B.</li> <li>◆ DPR section 3B.</li> </ul>
<p>Cost-effective, efficient, timely delivery of service to pardon applicants.</p>	<ul style="list-style-type: none"> <li>◆ Information on the average processing times for pardon applications.</li> </ul>	<ul style="list-style-type: none"> <li>◆ DPR section 3B.</li> </ul>

## B. Business Line Performance

### 1.1 Conditional Release – Quality Decision-making

<b>Financial Summary – Conditional Release Planned And Actual</b>					
<b>Expenditures in 1998-99 (\$ millions)</b>					
	<b>FTE</b>	<b>Operating</b>	<b>Capital</b>	<b>Total Gross Expenditures</b>	<b>Total Net Expenditures</b>
Planned	222	20.4	-	20.4	20.4
Actual <sup>(1)</sup>	224	20.4	-	20.4	20.4

(1) Includes Main and Supplementary Estimates.

Public safety is the primary objective of the National Parole Board. Quality decision-making for conditional release is a critical aspect of public safety. Accordingly, the Board has continued to implement initiatives to enhance the quality of decision-making, including:

- development of a Vision and strategic objectives for the Board which clearly emphasize quality decision-making and public safety;
- ongoing support for the review of the *CCRA* to assist the sub-committee in examining key legislative and operational issues with an impact on quality in decision-making;
- continued refinement of the selection process for Board members, and development of a Guide on Professional Standards for Board members;
- work with CSC and other leaders in the field of corrections research to identify new knowledge and information to inform NPB risk assessment and decision-making;
- plans to introduce dispute resolution techniques to Board member training to assist members in managing hearings in an effective and fair manner;
- continuing work with CSC, Aboriginal communities and other key partners to develop decision processes which address the needs and circumstances of Aboriginal offenders and the communities to which they will return;
- work with CSC and other key partners to improve the quality and timeliness of information for conditional release decision-making and the automated systems which store, retrieve and process this information.

These initiatives demonstrate NPB's commitment to improving conditional release decision-making. Ultimately, however, the Board is, and should be, judged on the outcomes of its decisions to release offenders on parole. In considering community performance, the Board employs measures which address success or failure of parolees in the community in the short, medium and long term. Comparisons are made with the performance of offenders on statutory release (SR), although these offenders are released by law, and not at the discretion of the Board. Recognizing that community safety is a key priority, information on community performance addresses violent recidivism as a priority. NPB performance indicators include:

- charges for serious offences – short-term;
- outcomes of conditional release- medium term; and
- rates of post warrant expiry recidivism for full parole and SR - long term.

### **Charges for Serious Offences - Short Term**

NPB and CSC regularly monitor charges against offenders on conditional release in eight serious offence categories: murder; attempted murder; sexual assault; major assault; hostage taking; unlawful confinement; robbery; other sensational incidents (e.g. arson, major drug seizures). Charges for serious offences do not include all violent incidents in the community. Instead, they focus on the most violent offences against the person which are expected to generate extensive media coverage.

<b>CHARGES FOR SERIOUS OFFENCE BY RELEASE TYPE AND THE RATES OF CHARGE PER 1,000 FEDERAL OFFENDERS UNDER SUPERVISION</b>							
<b>YEAR</b>	<b>DAY PAROLE (charges)</b>	<b>RATES PER 1,000</b>	<b>FULL PAROLE (charges)</b>	<b>RATES PER 1,000</b>	<b>STATUTORY RELEASE (charges)</b>	<b>RATES PER 1,000</b>	<b>TOTAL CHARGES</b>
1991/92	66	37	72	16	99	45	237
1992/93	73	38	55	12	98	46	226
1993/94	68	43	79	15	93	46	240
1994/95	64	48	69	14	123	62	256
1995/96	14	12	44	9	107	48	165
1996/97	12	12	50	12	134	56	196
1997/98	26	21	37	9	126	50	189
1998/99	19	13	34	8	112	45	165

Charges for serious offences declined sharply in 1995/96, and have remained low in subsequent years, due to reductions in charges against offenders on day and full parole. Charges for offenders on SR have fluctuated, but have remained higher than in 1993/94 and previous years.

Total charges against offenders on conditional release were down by about 13% in 1998/99 (to 165 from 189 in 1997/98). Data on charges demonstrate that offenders on SR are more likely to be charged with a serious offence than day or full parolees. In fact, SR accounted for over half of all charges for serious offences during the eight year review period, and 67% of charges in the past four years. Offenders on day and full parole accounted for about 10% and 23% respectively, during the past four years.

Rates of charge per 1000 offenders under supervision illustrate similar trends. Over the last seven years, offenders on SR have been three to five times more likely to be charged with a serious offence than full parolees. Annual rates of charge for serious offence per 1000 offenders on SR ranged from 45 to 62. In contrast, rates per 1000 full parolees have ranged from 8 to 16. Prior to 1995/96, rates of charge per 1000 day parolees (37 to 48) approximated rates for SR. In 1995/96 and subsequent years, however, the annual rates of charge per 1000 day parolees have ranged from 12 to 21, significantly lower than the rates of

45 to 56 for SR during the same period.

The reductions in the number and rates of charge may be due to a number of improvements by NPB and CSC such as: better assessment of risk and needs of offenders; improved release plans; improved appointment process and training for Board members; and improved risk management in the community.

### **Outcomes of Conditional Release – Medium Term**

Factors influencing the outcomes of conditional release are diverse, yet there are persistent indications that parole demonstrates higher success rates than statutory release. In this report, the outcomes of conditional release include:

- successful completions – releases in which the offender remains under supervision in the community from release date to the end of the period of supervision (warrant expiry for full parole and statutory release).
- revocations for breach of condition – positive interventions which contribute to public protection by preventing criminal activity in the community.
- failure (recidivism) - releases which result in revocation for a new offence. Information on recidivism distinguishes between violent and non-violent reoffending consistent with the intent of the CCRA, and concerns for public safety.

While the definition of success is the same for all types of release, it is important to note that offenders on various types of release spend very different lengths of time in the community to be successful. Offenders on full parole spend much longer periods in the community under supervision than day parolees or offenders on SR.

<b>Average Length Of Successful Supervision Period (1994/95 to 1998/99)</b>	
<b>Release Type</b>	<b>Average Length (in months)</b>
Day Parole	4.5
Full Parole	29.5
Statutory Release	6.8

The average supervision period for full parolees over the past five years has been about 4½ times longer than offenders on SR, and over 7 times longer than day parolees. Successful full parolees remained in the community, on average, for 32.1 months, while offenders on SR averaged 6.8 months, and day parolees averaged 4.5 months.



<i>Outcomes of Conditional Release</i>												
RELEASE TYPE/YR.	SUCCESSFUL COMPLETION		REVOCATION For Breach Of Condition		TOTAL NO RECIDIVISM		RECIDIVISM RATE (Revocation with Offence)				TOTAL RECIDIVISM	
							Non Violent Offence		Violent Offence			
<b>Day Parole</b>	#	%	#	%	#	%	#	%	#	%	#	%
1994-95	3043	77.6	644	16.4	3687	94.0	160	4.0	77	2.0	237	6.0
1995-96	2683	81.2	433	13.1	3116	94.3	130	3.9	60	1.8	190	5.7
1996-97	2314	83.2	330	11.9	2644	95.1	104	3.7	34	1.2	138	4.9
1997-98	2528	82.5	371	12.1	2899	94.6	134	4.4	33	1.0	167	5.4
1998-99	2890	83.5	363	10.5	3253	94.0	186	5.4	24	0.6	210	6.0
<b>Full Parole</b>	#	%	#	%	#	%	#	%	#	%	#	%
1994-95	1544	63.2	506	20.7	2050	83.9	309	12.6	85	3.5	394	16.1
1995-96	1499	68.1	380	17.3	1879	85.4	264	12.0	59	2.6	323	14.6
1996-97	1255	65.8	361	18.9	1616	84.7	247	13.0	44	2.3	291	15.3
1997-98	1200	68.0	310	17.6	1510	85.6	214	12.1	40	2.3	254	14.4
1998-99	1164	72.3	232	14.4	1396	86.7	187	11.7	26	1.6	213	13.3
<b>Stat. Release</b>	#	%	#	%	#	%	#	%	#	%	#	%
1994-95	2510	59.9	1114	26.6	3624	86.5	399	9.5	167	4.0	566	13.5
1995-96	2739	59.9	1194	26.0	3933	85.9	462	10.1	181	4.0	643	14.1
1996-97	2941	57.6	1428	28.0	4369	85.6	581	11.4	157	3.0	738	14.4
1997-98	2917	56.7	1543	30.0	4460	86.7	542	10.5	147	2.8	689	13.3
1998-99	2934	60.5	1241	25.6	4175	86.1	553	11.4	124	2.5	677	13.9

Information on outcomes of conditional release indicates that parolees are more likely to complete their period of supervision without return to the institution, and are less likely to be revoked for a breach of conditions of release than offenders on SR. Successful day parolees generally remain in the community for six months or less. Most offenders (56%) who are released on SR and succeed, remain in the community for less than six months, while 16% of successful SR releases are over 1 year. In contrast, about 95% of successful full paroles involve community supervision for more than 1 year. The success rate for full parole is even more striking in this context.

Offenders on day and full parole are less likely to reoffend or to reoffend violently than offenders on SR. It should be noted, however, that rates of violent reoffending have declined for all types of release in recent years. The higher success rates and lower recidivism rates for offenders on parole are attributable to many factors including more effective risk assessment and risk management by NPB and CSC.

### **Post Warrant Expiry – Long Term**

Success or failure by an offender after warrant expiry is influenced by diverse factors which are beyond the control of the National Parole Board. Information on post-warrant expiry recidivism is important, however, because it illustrates long-term reintegration and informs strategic planning and policy development.

Information on post-warrant expiry recidivism is based on the status of offenders on March 31, 1999 who were released annually on full parole and statutory release since 1987/88. Status information is provided with respect to the number and proportion of offenders readmitted to federal institutions prior to warrant expiry (for a breach of a condition of release or a new offence), offenders who remain under supervision, offenders who have reached warrant expiry, and offenders who have been readmitted to a federal institution for a new offence.

In general terms, follow-up information indicates that offenders on SR are about 1.5 times more likely than full parolees to be readmitted to penitentiary prior to warrant expiry for a new offence or a breach of conditions of release, and 3 to 4 times more likely to be readmitted after warrant expiry for a new offence. For the entire review period, rates of post-warrant expiry recidivism for full parole range from 1% to 14%. For SR, the annual rates range from 5% to 37%. Since introduction of the *CCRA* in 1992, the post-warrant expiry recidivism rate for full parole has averaged 4%, compared with an average rate of about 20% for SR. Lower rates of post-warrant expiry recidivism for full parole reinforce previous findings which indicate that the process of case specific review and risk assessment used by CSC and NPB is very effective in identifying those offenders most likely to reintegrate successfully.

**POST-WARRANT EXPIRY RECIDIVISM  
for FEDERAL OFFENDERS RELEASED on FULL PAROLE  
(As of March 31, 1999)**

Yr. of Release	Total Releases #	Readmission before WED		Under Supervision		Other*		Reached WED		Post-WED Readmissions*	
		#	%	#	%	#	%	#	%	#	%
87/88	2,278	646	28	58	3	73	3	1,501	66	209	14
88/89	1,856	528	28	41	2	59	3	1,228	66	133	11
89/90	1,931	505	26	75	4	71	4	1,280	66	165	13
90/91	2,083	600	29	83	4	90	4	1,310	63	130	10
91/92	2,251	659	29	116	5	65	3	1,411	63	131	9
92/93	2,556	859	34	143	6	52	2	1,502	59	133	9
93/94	2,565	997	39	165	6	63	2	1,340	52	91	7
94/95	2,219	777	35	193	9	33	1	1,216	55	54	4
95/96	1,993	671	34	291	15	5	0	1026	51	26	3
96/97	1,742	519	30	479	27	15	1	729	42	6	1
97/98	1,737	395	23	1,042	60	7	0	293	17	2	1
98/99	1,907	138	7	1,755	92	5	0	9	5	0	0

\* Post-WED Re-admissions are used to provide a recidivism rate which is calculated as a percentage of re-admissions after warrant expiry, divided by the number of offenders who reached warrant expiry. \* Other includes offenders unlawfully at large, deceased or discharged.

**POST-WARRANT EXPIRY RECIDIVISM  
for FEDERAL OFFENDERS RELEASED on STATUTORY RELEASE  
(As of March 31, 1999)**

Yr. of Release	Total Releases #	Readmission before WED		Under Supervision		Other*		Reached WED		Post-WED Readmissions*	
		#	%	#	%	#	%	#	%	#	%
87/88	3,349	1,484	44	3	0	145	4	1717	51	640	37
88/89	3,299	1,560	47	4	0	102	3	1633	49	537	33
89/90	3,447	1,582	46	4	0	119	3	1742	51	552	32
90/91	3,436	1,570	46	10	0	90	3	1766	51	554	31
91/92	3,463	1,579	46	7	0	91	3	1786	52	535	30
92/93	3,642	1,611	44	7	0	95	3	1929	53	503	26
93/94	3,885	1,532	39	9	0	102	3	2242	58	605	27
94/95	4,430	1,769	40	7	0	65	1	2589	58	563	22
95/96	4,986	2,011	40	16	0	65	1	2894	58	584	20
96/97	5,310	2,275	43	66	1	35	1	2934	55	411	14
97/98	5,331	2,097	39	416	8	53	1	2765	52	269	10
98/99	4,892	1,100	22	2,365	48	37	1	1390	28	72	5

• Post-WED Re-admissions are used to provide a recidivism rate which is calculated as a percentage of re-admissions after warrant expiry, divided by the number of offenders who reached warrant expiry. \* Other includes offenders unlawfully at large, deceased or discharged.

## 1.2 Conditional Release - Openness and Accountability

Openness and accountability are important for NPB. The public continues to demand access to information about the Board and its decisions – its successes and failures. At the same time, misinformation frequently surrounds parole and the Board. The public, informed primarily by high profile media coverage of tragic incidents, frequently over-estimates the rate of reoffending by parolees, and consistently demonstrates low levels of confidence in parole and parole boards. In fact, public surveys indicate that most Canadians believe that the rate of reoffending by parolees is between 50%-100%, while the actual rate is less than 10%.

The *CCRA* emphasizes openness and accountability through recognition of the interests and information needs of victims, provisions to allow the public, including the victims of the offender, the media, and other interested parties to attend NPB hearings, and to allow access by the public to its decisions through a registry of decisions.

Another key aspect of openness and accountability involves the use of inquiries and investigations to review cases involving serious incidents in the community and the effective dissemination of the findings of these inquiries and investigations in the Board and to interested parties. The Board is also required to consult openly and in a meaningful manner on key issues for conditional release.

Consistent with its legislative framework, the Board has recently implemented several initiatives to promote openness and accountability:

- development of a citizen engagement strategy which will involve timely, relevant public information, regular meetings with the print and electronic media, general, and issue specific public consultations involving the community, including victims' groups, and strategic investment in partnership building with the community.
- development of information and activities to mark the 100<sup>th</sup> anniversary of parole in Canada in 1999. Key elements of this initiative include production of a history of parole in Canada, a weeklong broadcast on parole to be aired on the Canadian Public Affairs Channel (CPAC), and numerous community-based activities, culminating in May 2000 with the holding of the annual conference of the Association of Paroling Authorities International in Ottawa.
- work with CSC and the Department of the Solicitor General to improve the quality and timeliness of information for victims of crime and to enhance victims' awareness of their entitlements under the *CCRA*.
- continued enhancements to NPB's performance monitoring framework and widespread distribution of the information generated by performance monitoring activities.
- measures to make the public and the media aware of the possibility of observing Parole Board hearings and obtaining information through the Board's decision registry,

consistent with the provisions of the *CCRA*.

- completion of 7 boards of investigation in 1998-99 to examine issues related to serious incidents in the community, and dissemination of the findings of these investigations throughout the Board and to the public, as required. The boards of investigation found that in all cases, NPB had respected the law and policy regarding the process for decision-making and had completed a thorough assessment of risk of reoffending. Issues flowing from these reviews which require follow-up include: the need for enforcement of the abstinence clause for parolees who have demonstrated a pattern of violent crime when under the influence of alcohol or drugs; and the need for effective information sharing generally and in particular for sharing information on cases involving ongoing police investigation.
- implementation of a new approach for the conduct of boards of investigation in which an independent representative of the community serves as the chairperson of the investigation. This approach, which responds to concerns raised by the public and the Standing Committee on Justice and Human Rights, is designed to enhance the objectivity, real and perceived of the investigation process.

### **Contacts with victims**

Victims contact the Board thousands of times each year. Victims of sexual assault are most likely to contact the Board, followed by victims of non-sexual, violent offences. Victims contact the Board most often in writing, or by telephone. Contacts most often involve the direct victim who is seeking general information or information involving hearings or decisions for conditional release.

<b>NPB CONTACTS WITH VICTIMS</b>											
	<b>Atlantic</b>		<b>Quebec</b>		<b>Ontario</b>		<b>Prairies</b>		<b>Pacific</b>		<b>Canada</b>
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>
1993/94*	272	7	69	2	2,687	72	248	7	434	12	3,170
1994/95	558	10	312	5	3,458	62	658	12	602	11	5,588
1995/96	552	9	371	6	3,335	56	986	17	686	12	5,930
1996/97	595	9	458	7	2,955	45	1,215	19	1,302	20	6,525
1997/98	589	7	536	7	2,958	37	1,478	18	2,482	31	8,043
1998/99	596	6	554	6	3,439	35	1,855	19	3,439	35	9,883

\* Only includes information for the last 6 months of fiscal year 1993/94. Note: information on contacts with victims is difficult to track. To improve the accuracy of reporting in this area, the Board plans to increase standardization of methods for collecting and counting data.

Contacts with victims increased by 23% nationally in 1998/99, apparently as a result of continuing efforts by CSC and NPB to increase public awareness of NPB's responsibilities with respect to victims. The Pacific region had the most significant increase (39%), followed by the Prairies (22%) and Quebec (17%). Feedback from victims has indicated that they are generally

satisfied with the information and assistance provided by NPB. Some victims have indicated, however, that they want more information, particularly information about offenders' participation in treatment and programs. Other victims have indicated that they would like to be able to speak at parole hearings.

### **Observers at Hearings**

The number of observers at hearings increased by 8% in 1998/99. Increases occurred in the Ontario (21%), Quebec (5%) and Pacific (47%) regions.

<b>OBSERVERS AT NPB HEARINGS</b>											
	<b>Atlantic</b>		<b>Quebec</b>		<b>Ontario</b>		<b>Prairies</b>		<b>Pacific</b>		<b>Canada</b>
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>
1993/94*	26	14	11	6	87	46	36	19	28	15	188
1994/95	91	17	28	5	236	43	118	23	50	10	523
1995/96	243	22	72	7	640	59	113	10	26	2	1,094
1996/97	81	9	91	13	357	52	140	20	56	6	705
1997/98	157	17	138	15	341	38	166	18	107	12	909
1998/99	135	14	145	15	416	42	133	13	157	16	986

\* Only includes information for the last 6 months of fiscal year 1993/94.

Public awareness regarding the possibility of attending hearings is growing. There appears to be more informed media coverage of Board decisions, which may reflect media access to the registry of decisions, as well as media use of the observer provisions. These trends should increase public understanding of conditional release and the public accountability of the Board. While the potential exists for more frequent attendance at NPB hearings, the obstacles of institutional accessibility, cost and commitment of time for observers, together with the fact that Board hearings can be emotionally painful for victims must be taken into consideration when considering the extent of use of these provisions.

### **Decision Registry**

The *CCRA* permits access to specific decisions, and to decisions for research purposes through the decision registry. For case specific applications, any person who demonstrates an interest in a case may, on written application to NPB, have access to the contents of the registry relating to the specific case, excluding information which would jeopardize the safety of a person, reveal the source of information obtained in confidence, or adversely influence the reintegration of the offender. For research purposes, people may apply to the Board for access to decisions and receive information after the decisions have been screened to remove all personal identifiers.

The legislation did not define the contents of the "registry of decisions", or what would constitute demonstrating interest in a case. These determinations were left to the discretion of the NPB. In keeping with the concepts of openness and accountability, the Board chose to make available the complete risk assessment and decision-making documentation of Board members for each

decision. NPB also decided that an individual would be considered to have demonstrated an interest in the case by writing to the Board to ask for access to the decision registry.

<b>DECISION REGISTRY REQUESTS AND DECISIONS SENT</b>					
	<b>1994/95</b>	<b>1995/96</b>	<b>1996/97</b>	<b>1997/98</b>	<b>1998/99</b>
Requests	579	769	673	970	1,144
Decisions Sent	1,280	1,855	1,849	2,186	2,994

The number of people requesting access to the registry has increased considerably (by over 80%) from 1994/95 to 1998/99 while the number of decisions sent has increased by about 135%.

Victims are the most frequent users of the registry (about 50%), followed by media representatives (30%). Decisions sent exceed requests, illustrating the Board's policy of providing those who request a decision about an offender with subsequent decisions about the offender, if wanted. Performance information indicates that from a national perspective, about 80% of requests for access to the decision registry are processed within 10 days.

## **2. Clemency and Pardons**

<b>Financial Summary – Clemency and Pardons Planned And Actual Expenditures in 1998-99 (\$ millions)</b>					
	<b>FTE</b>	<b>Operating</b>	<b>Capital</b>	<b>Total Gross Expenditures</b>	<b>Total Net Expenditures</b>
Planned	28	1.8	-	1.8	1.8
Actual <sup>(1)</sup>	26	1.4	-	1.4	1.4

(1) Includes Main and Supplementary Estimates.

Through the review of appropriate information, the Board issues, grants, denies or revokes pardons, under the *Criminal Records Act*, and formulates recommendations to the Solicitor General for decision by the Governor in Council for the exercise of the Royal Prerogative of Mercy.

<b>PARDON APPLICATIONS RECEIVED AND ACCEPTED.</b>						
	<b>1993-94</b>	<b>1994-95</b>	<b>1995-96</b>	<b>1996-97</b>	<b>1997-98</b>	<b>1998-99</b>
Applications Received	28,999	30,111	22,749	22,203	21,012	22,157
Accepted Applications	17,565	21,218	15,040	14,682	8,567	12,192
% Accepted	61%	70%	66%	66%	41%	55%

### **Applications received**

The number of applications received annually is the most significant workload factor in the clemency and pardons business line. From 1992-93, pardon applications increased steadily, peaking at 30,000 in 1994-95. In 1995-96, applications decreased (24%) and then decreased slightly in 1996-97 (by 3%) and in 1997-98 (by 5%). Pardon applications rose by 5% in 1998-99 but remain 26% lower than in 1994-95.

The Board examined reasons for the decline in pardons applications, including the impact of the introduction of a \$50 user fee. The study on the impact of the user fee indicated:

"It is impossible to determine the precise impact that the Pardon Services Fee had on the number of pardon applications submitted annually. However, after considering all of the factors that may have had an impact on application volumes, we estimate that pardon applications decreased by between 2% to 4% annually (500 to 1050 fewer applications) as a result of the Pardon Fee. This decrease does not appear to have jeopardized the objectives of the pardon program. Those who perceive a requirement for a pardon appear to have been able to find the \$50 to pay the fee."

Other factors influencing the annual volumes of pardon applications include:

- Public awareness of the pardons program - Media coverage or public statements about the program generally result in increases in applications in the short-term. The Board does not, however, formally publicize the program because of its current inability to manage workload growth.
- Perceived utility of a pardon - the perceived usefulness of a pardon for employment, travel purposes, etc.
- Level of effort by applicants - the amount of effort applicants must expend to apply for a pardon influences application volumes. In 1997, the Board introduced policy changes requiring applicants to obtain proof that all court imposed fines, restitution and compensation orders had been met in full. Previously, police services provided this information at the request of the Board. This change created more work for applicants and may have influenced volumes.



- Perceived value of a pardon - public awareness, utility, level of effort, the amount of the user fee and the efficiency of the pardon process combine to create a perception regarding the value of a pardon for potential applicants.

### **Applications accepted**

While there have been fluctuations over the years, generally the Board has been able to accept about 60% to 70% of all applications received annually (i.e. they were complete, accurate, timely and included the \$50 fee). In 1997-98, however, the proportion of applications accepted dropped to 41% (8,567 applications accepted from 21,012 applications received). The proportion of accepted applications rose to 55% in 1998-99, but remained lower than in earlier years. A significant portion of this drop can be attributed to recent changes in the documentation which clients are required to provide with their application. Beginning in 1997-98, applicants are required to provide a check of local police service records from the jurisdiction(s) where the applicants have resided during the last 5 years, and proof of payment in full of all fines, surcharges or restitution or compensation orders imposed at the time of sentencing. Improvements in accepted application levels in 1998-99 suggest that applicants may be more familiar with the requirements of applying for a pardon. Work will continue, however, to ensure that applicants have a clear understanding of these requirements.

<b>PARDONS GRANTED/ISSUED and DENIED by YEAR</b>										
<b>Decision</b>	<b>1994/95</b>		<b>1995/96</b>		<b>1996/97</b>		<b>1997/98</b>		<b>1998/99</b>	
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
Granted	18,668	77	11,012	69	12,566	71	4,873	62	3,594	65
Issued	5,227	22	4,389	30	4,963	28	2,760	35	1,882	34
Sub-Total	23,895	99	15,401	99	17,529	99	7,633	98	5,476	99
Denied	228	1	172	1	184	1	180	2	52	1
Total	24,123	100	15,573	100	17,713	100	7,813	100	5,528	100

The *Criminal Records Act* as amended in 1992 gives the Board the authority to grant pardons for offences prosecuted by indictment if it is satisfied the applicant is of good conduct and is conviction-free for five years, and to issue pardons for offences punishable by way of summary conviction, following a conviction free period of three years. Since legislative reform, pardons issued have comprised 20% to 35% of all pardons given each year. The grant/issue rate for pardons has remained relatively constant at 99% over the years.

<b>PARDON REVOCATION</b>				
	<b>Cumulative Pardons Granted/Issued to Date<sup>(1)</sup></b>	<b>Pardons Revoked / Ceased during the Year</b>	<b>Cumulative Pardons Revoked/Ceased</b>	<b>Cumulative Revocation/Cessation Rate (%) <sup>(2)</sup></b>
1992/93	150,960	160	1,534	1.02
1993/94	170,321	723	2,257	1.33
1994/95	194,216	762	3,019	1.55
1995/96	209,617	1,089	4,108	1.96
1996/97	227,146	1,272	5,380	2.37
1997/98	234,779	666	6,046	2.58
1998/99	240,255	684	6,730	2.80

<sup>(1)</sup> Cumulative pardons granted/issued to date excludes pardons revoked/ceased. <sup>(2)</sup> The cumulative revocation/cessation rate is calculated by dividing the cumulative pardons revoked/ceased by the cumulative pardons granted/issued to date.

The cumulative pardon revocation/cessation rate increased slightly in 1998/99 (from 2.58% to 2.80%), but remains low, demonstrating that most people remain crime free after receipt of a pardon. Over the past six years, the revocation rate has grown slightly with increases occurring after amendment of the *Criminal Records Act*, in 1992 to include two categories of revocation. The first involves offences after receipt of a pardon that the court dealt with summarily, or which could have been dealt with summarily. The Board reviews these cases to assess risk and determine the need to revoke. The second involves automatic revocation following an indictable offence. For this category, the RCMP notifies the Board of the offence and the pardon ceases to exist.

### **Average Processing Times for Pardons**

<b>AVERAGE PROCESSING TIMES for PARDON APPLICATIONS ACCEPTED</b>						
	<b>1993/94</b>	<b>1994/95</b>	<b>1995/96</b>	<b>1996/97</b>	<b>1997/98</b>	<b>1998/99</b>
Applications Accepted	17,565	21,218	15,040	14,682	8,567	12,192
Average Processing Time	8 mths	7 mths	7 mths	7 mths	6 mths	11 mths

In 1998-99, the average processing time for a pardon application rose to 11 months, up from 6 months in 1997-98. This increase, which is a serious management concern for the Board, developed as a result of resource shortages flowing from Program Review and delays in completing a new automated system for processing pardon applications. The system is now scheduled for completion in the year 2000, and is expected to reduce the average process time for pardons to 3 months. The Board will manage the costs for system development (\$1.3 million) internally through careful use of carry-over funds and revenues from pardons. This approach will seriously constrain

resource flexibility for managing cost and workload increases related to pardons and in other areas of the Board.

Delays in the processing of pardons have resulted in the emergence of a backlog of pardon applications. Despite resource constraints, the Board is committed to eliminating the backlog of applications by March 31, 2000. Work is underway to develop an action plan for elimination of the backlog and improvement in the quality of service for pardon applicants.

The Board implemented the necessary policies and procedures with respect to the introduction on April 26, 1995 of the user fee for pardons. In 1998-99 revenues for pardons fees amounted to \$593,000.

The clemency provisions for the Royal Prerogative of Mercy and those contained in the *Criminal Code* are used in exceptional circumstances where no other remedy exists in law to reduce exceptionally negative effects of criminal sanctions.

Response to requests for the Royal Prerogative of Mercy (clemency) is labour intensive and as such represents an important workload factor. The number of annual requests has varied considerably (8 to 61) between 1992-93 and 1998-99; however, the 5 year average is about 40. About 30% of requests result in the granting of clemency, about 20% of requests are denied, while the remaining requests are discontinued due to lack of information.

## **Section IV: Consolidated Reporting**

### **A. Year 2000 Issues and Business Line Delivery**

Information sharing is critical in the delivery of NPB business lines. Information systems which support sharing must function at peak performance. The year 2000 issue is, therefore, significant for the Board.

NPB appears to be well positioned to deal with the year 2000 issue, in large part as a result of the work of two of its key partners - the Correctional Service of Canada (CSC) and the Royal Canadian Mounted Police (RCMP). These two agencies have prepared the Board for effective information sharing within the Ministry of the Solicitor General, and across jurisdictions in the year 2000 and beyond.

For conditional release, the Offender Management System is critical for NPB work related to conditional release and pardons. CSC has indicated that OMS has been tested and is year 2000 compliant.

The Canadian Police Information Centre (CPIC) system is critical for NPB work related to conditional release and pardons. The RCMP has the lead role with respect to CPIC, and has indicated that the system will be year 2000 compliant.

Other year 2000 concerns include the Board's financial accounting and reporting system, NPB personal computers, laptops and office automation software. The financial system is now Year 2000 ready as are NPB's personal computers, laptops and software. The Board working with CSC and the RCMP has also developed contingency plans for managing information critical to delivery of its business lines, should unforeseen difficulties arise. These contingency plans will ensure effective operations in the event of system difficulties.

## Section V: Financial Performance

### A. Financial Performance Overview

For 1998-99, total authorities, that is, total funds available for the National Parole Board amounted to \$26.6 million. Against this total, the Board expended \$26.1 million or 98% of the funds available. The difference between funds available and actual expenditures (\$.5 million) can be primarily attributed to delays in project start-up for the Pardons Application Decision System (PADS), an automated system to improve the efficiency in processing pardons applications.

The Board applies its resources to three business lines: conditional release; clemency and pardons; and corporate management. Conditional release is, by far, the most resource intensive business line, accounting for almost eight of every ten dollars expended by the Board.

Delivery of the Board's business lines is salary intensive, with about 80% of all expenditures (and the majority of non-salary expenditures) being applied to statutory responsibilities related to conditional release reviews (e.g. parole hearings), information and assistance for victims of crime and the processing of pardon applications.

The Board is authorized to charge a \$50.00 user fee for the processing of pardons applications. In 1998-99, the user fee generated revenues of \$.6 million.

Information on the Board's financial performance is presented in the following tables:

Summary of Voted Appropriations;  
 Comparison of Total Planned Spending to Actual Spending;  
 Historical Comparison of Total Planned Spending to Actual Spending;  
 Resource Requirements by Organization and Business Line; and  
 Non-Respendable by Business Line.

#### Summary of Voted Appropriations Authorities for 1998-99 - Part II of the Estimates Financial Requirements by Authority

Vote (millions of dollars)		1998-99 Main Estimates	1998-99 Total Planned	1998-99 Actual
<b>National Parole Board</b>				
25	Program expenditures	20.2	22.8 <sup>1</sup>	22.3
(S)	Contributions to employee benefit plans	3.6	3.8	3.8
<b>Total Agency</b>		<b>23.8</b>	<b>26.6<sup>1</sup></b>	<b>26.1</b>

<sup>1</sup> Includes supplementary estimates of 2.6 million.

**Comparison of Total Planned Spending to Actual Spending  
Planned versus Actual Spending By Business Line (\$ millions)**

<b>Business Line</b>	<b>FTE</b>	<b>Operating</b>	<b>Capital</b>	<b>Voted Grants &amp; Contribu- tions</b>	<b>Subtotal: Gross Voted Expendi- tures</b>	<b>Statutory Grants and Contri- butions</b>	<b>Total Gross Expendi- tures</b>	<b>Less: Respen- sible Revenues</b>	<b>Net Cost</b>
Conditional Release*	222	20.4	-	-	-	-	20.4	-	20.4
<i>(total authorities)</i>	222	20.4	-	-	-	-	20.4	-	20.4
<b>(Actuals)</b>	224	20.4	-	-	-	-	20.4	-	20.4
Clemency & Pardons*	28	1.8	-	-	-	-	1.8	-	1.8
<i>(total authorities)</i>	28	1.8	-	-	-	-	1.8	-	1.8
<b>(Actuals)</b>	26	1.4	-	-	-	-	1.4	-	1.4
Corporate Policy & Management*	80	4.4	-	-	-	-	4.4	-	4.4
<i>(total authorities)</i>	80	4.4	-	-	-	-	4.4	-	4.4
<b>(Actuals)</b>	70	4.3	-	-	-	-	4.3	-	4.3
<b>Totals</b>	330	26.6	-	-	-	-	26.6	-	26.6
<i>(total authorities)</i>	330	26.6	-	-	-	-	26.6	-	26.6
<b>(Actual)</b>	320	26.1	-	-	-	-	26.1	-	26.1
Other Revenues and Expenditures									
Revenue credited to the Consolidated Revenue Fund									
<i>(total authorities)</i>									
<b>(Actuals)</b>									
Cost of services provided by other departments									
<i>(total authorities)</i>									
<b>(Actuals)</b>									
Net Cost of the Program									
<i>(total authorities)</i>									
<b>(Actuals)</b>									

Note: \* Planned expenditures equal total authorities for NPB. The NPB is responsible for the collection of pardons application fees. Total revenue for 1998-99 was \$593k. (NPB and RCMP are credited with 70% & 30% respectively)

**Historical Comparison of Total Planned Spending to Actual Spending  
Departmental Planned versus Actual Spending by Business Line (\$ millions)**

<b>Business Lines</b>	<b>Actual 1996-97</b>	<b>Actual 1997-98</b>	<b>Planned 1998-99</b>	<b>Total Authorities 1998-99<sup>(1)</sup></b>	<b>Actual 1998-99</b>
Conditional Release	16.4	16.8	20.4	20.4	20.4
Clemency and Pardons	1.6	1.6	1.8	1.8	1.4
Corporate Management	6.3	6.3	4.4	4.4	4.3
<b>Totals</b>	<b>24.3</b>	<b>24.7</b>	<b>26.6<sup>1</sup></b>	<b>26.6</b>	<b>26.1</b>

(1) Includes Supplementary Estimates of \$2.6 million.

**Resource Requirements by Organization and Business Line  
Comparison of 1998-99 Planned Spending and Total Authorities to Actual Spending Actual  
Spending by Organization and Business Line (\$ millions)**

Organization	Business Lines			TOTALS*
	Conditional Release*	Clemency and Pardons*	Corporate Management*	
Chairman & Executive Vice-Chairperson's Offices	0.8 0.8			0.8 0.8
Appeal & Appeals Management	1.0 1.0			1.0 1.0
Communications & Access to Info.	0.9 0.9			0.9 0.9
Professional Development & Decision Processes	0.8 0.8			0.8 0.8
Clemency and Investigations	0.3 0.3	1.2 1.0		1.5 1.3
Corporate Management	1.1 1.1	0.6 0.4	2.7 2.6	4.4 4.1
Atlantic Region	2.5 2.5		0.3 0.3	2.8 2.8
Quebec Region	3.6 3.6		0.5 0.5	4.1 4.1
Ontario Region	3.6 3.6		0.3 0.3	3.9 3.9
Prairies Region	3.5 3.5		0.5 0.5	4.0 4.0
Pacific Region	2.3 2.3		0.1 0.1	2.4 2.4
<b>TOTALS</b>	20.4	1.8	4.4	26.6
	20.4	1.4	4.3	26.1
	76.7%	6.8%	16.5%	100%
<b>% of TOTAL</b>	78.2%	5.4%	16.4%	100%

Note: (1) Includes Supplementary Estimates of \$2.6 million. (2) Includes CEBP. \* For NPB planned expenditures and total authorities are the same.

**Non-Respendable Revenues by Business Line  
(\$ millions)**

Business Lines	Actual 1996-97	Actual 1997-98	Total Planned 1998-99	Total Authorities 1998-99	Actual 1998-99
Clemency and Pardons	0.7	0.5	0.6	0.6	0.6
Total Revenues to the CRF	0.7	0.5	0.6	0.6	0.6

## Section VI: Other Information

### A. Legislation Administered by the National Parole Board

<b>The Minister has sole responsibility to Parliament for the following Acts:</b>	
<i>Corrections and Conditional Release Act</i>	S.C. 1992, c.20, as amended by S.C. 1995, c.42, S.C. 1997, c.17 and its Regulations
<i>Criminal Records Act</i>	R.S. 1985, c.C-47
<b>The Minister shares responsibility to Parliament for the following Acts:</b>	
<i>Criminal Code</i>	R.S. 1985, c. C-46
<i>Prisons and Reformatories Act</i>	R.S. 1985, c. P-20
<i>Letters Patent constituting the Office of Governor General of Canada (1947)</i>	Canada Gazette, 1947, Part I, Vol. 81, p. 3104, reprinted in R.S. 1985, Appendix II, No. 31

### B. Contacts

Office	Address
National Office	Director, Communications 340 Laurier Avenue West Ottawa, ON K1A 0R1 Phone: (613) 954-6547 Fax: (613) 957-3241
Atlantic Region	Regional Director 1045 Main Street Unit 101 Moncton, NB E1C 1H1 Phone: (506) 851-6345 Fax: (506) 851-6926
Quebec Region	Regional Director 200 René-Lévesque Blvd. W. 10 <sup>th</sup> Floor, Suite 1001 - West Tower Montreal, QC H2Z 1X4 Phone: (514) 283-4584 Fax: (514) 283-5484
Ontario Region	Regional Director 516 O'Connor Drive Kingston, ON K7P 1N3 Phone: (613) 634-3857 Fax: (613) 634-3861
Prairies Region	Regional Director 101 – 22 <sup>nd</sup> Street East 6th Floor Saskatoon, SK S7K 0E1 Phone: (306) 975-4228 Fax: (306) 975-5892
Pacific Region	Regional Director 32315 South Fraser Way Room 305 Abbotsford, BC V2T 1W6 Phone: (604) 870-2468 Fax: (604) 870-2498

The National Parole Board's internet site address is: <http://www.npb-cnrc.gc.ca/>



## C. Glossary of Key Terms

NPB is an independent administrative tribunal with legislated responsibility for conditional release and pardons decision-making and clemency recommendations.

### CONDITIONAL RELEASE

The *CCRA* provides the Board with authority to grant, deny or revoke three types of conditional release: temporary absences (for cases not under CSC authority); day parole; and full parole. The Board is also responsible for imposing certain conditions of release (e.g. abstain from alcohol) for these types of release.

**Temporary absences:** short absences (escorted or unescorted) from the institution for purposes such as special medical care, community service or family contact.

**Day parole:** release to the community, generally for periods of up to six months, and normally requiring nightly return to the institution or halfway house. Day parole assists offenders in preparing for full parole or statutory release.

**Full parole:** release of an inmate from an institution to serve the remainder of the sentence under supervision in the community. Full parole eligibility is set by law at one-third of sentence in most cases.

**Accelerated parole review:** applies to offenders sentenced to a federal penitentiary for the first time and for a non-violent offence. These offenders must, by law, be released on day parole at one-sixth of sentence unless the Board finds reasonable grounds to believe that they are likely to commit an offence involving violence before the end of their sentence. Following successful completion of day parole, these offenders must be released on full parole at one-third of sentence.

**Statutory release (SR):** involves offenders who are incarcerated to the two-thirds point in their sentence as a result of not being released on parole, or being released on parole and subsequently being revoked. These offenders must be released by law, to serve the final third of their sentence in the community unless they are subject to the detention provisions of the *CCRA*. The Board sets the conditions of release for offenders on SR and has the authority to revoke SR for offenders who breach their conditions.

**Detention:** under the *CCRA*, the Board, based on a recommendation from CSC, has the authority to detain an offender to the end of the sentence who, in the opinion of the Board is likely to commit an offence involving death or serious harm, a sex offence against a child, or a serious drug offence before the end of the sentence.

## **PARDONS AND CLEMENCY**

The Board makes decisions to **grant, deny or revoke pardons** for people found guilty of a federal offence and who, having satisfied the sentence imposed, and a specified waiting period, have shown themselves to be law-abiding citizens.

**A Pardon:** is a formal attempt to remove the stigma of a criminal record for people found guilty of a federal offence and who, after satisfying their sentence and a specified waiting period, have shown themselves to be responsible citizens.

**The clemency provisions** of the Royal Prerogative of Mercy and the *Criminal Code* are used in circumstances where no other remedy exists in law to reduce exceptional negative effects of criminal sanctions. Applications for clemency are sent to the Board and an investigation and recommendation process is followed. In making its recommendations to the Solicitor General, the Board is guided by principles such as evidence of injustice or undue hardship.

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