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Paper contributed to a book titled

*An Overview of Community Corrections in China and Canada*

2006

As part of the International Centre for Criminal Law Reform and Criminal Justice Policy (ICCLR) Programme: Implementing International Standards in Criminal Justice in China, supported by the Canadian International Development Agency

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By Willie Gibbs

Parole has been in existence in Canada for over 45 years, having come into force as a system in 1959 under the then legislated Parole Act. It now functions under the Corrections and Conditional Release Act. This submission will address parole for federally sentenced offenders, having received a custodial sentence from the court of two years or more.

Day parole has been utilized as a more restrictive tool than full parole during that same period of time under the authority of the National Parole Board. Whereas full parole allows an incarcerated offender to serve the last part (usually from ½ to 2/3) of his/her sentence in the community, day parole provide the same status to the offender, but with much more supervision and control.

At first, day parole was a way to release prisoners during “the day” for reasons of work, training, and voluntary activities, but returning to the prison in late afternoon or early evening. Over the years, as prisons tended to be isolated from the larger urban areas of Canada, the concept of halfway houses was developed, mainly in the 1970s. This innovative correctional approach was put in place in order to expand the day parole activities of gradual release to the towns and cities where the majority of offenders originated. When we say that “crime is a community problem” it means that the prisoner should be able to return to his community of origin when he is released, whether on Full parole, day parole or without any form of conditional release.

The rationale behind day parole is that many candidates for full parole are, for various reasons, not suitable for release in an independent fashion to the community. They may have been imprisoned for many years, i.e. “lifers” or other long term sentences, and therefore an overnight transition from incarceration to independent living in the community would not be advisable for large numbers of those cases. Other reasons may be lack of social skills in a person who requires

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close supervision and control in a residence for several months if not longer. Also some prisoners do not have any outside accommodations, nor employment, or have very little support from reliable family and friends. The list of such reasons can be longer. Therefore day parole is in effect a process to assist individuals who present those kinds of problems.

Day parole is also a form of conditional release that is utilized to prepare a prisoner for full parole. That is why a person is generally eligible for day parole at 1/6th of his sentence earlier than that of full parole, thereby supporting in law this notion of preparation time.

In Canada, we have two categories of halfway houses: one consists of the Community Correctional Centers (CCCs) under the responsibility of the Correctional Service of Canada; the other are the Community Residential Centers (CRCs) that are operated by the various non-governmental organizations (NGOs) such as the John Howard Society, the Elizabeth Fry Society (for women), the St Leonard Society of Canada, and the Salvation Army. The great majority of halfway houses in our country are CRCs as opposed to CCCs. There are several very good that support this situation. Some of the early NGOs were referred to as Prisoners’ Aid Societies. They first initiated the development of halfway houses in Canada. Secondly, it is a more efficient way to deliver the residential services as the Societies operate under the concept of voluntarism, although their staff is paid employees. Thirdly, and more importantly, their volunteers, including their Boards of Directors, are residents of the communities where the CRCs are established. Therefore the community is always an integral part of the CRCs’ operations.

The continuous presence of community volunteers is especially crucial when a high profile or a controversial day parolee becomes a resident of the CRC facility, or an incident occurs within, or related to, the CRC that raises serious concerns in the community. The Board of Directors and other volunteers tend to have much more credibility with the local citizens in responding to the possible concerns raised by the community, as opposed to staff or officials of the Correctional Service of Canada trying to explain similar matters related to a CCC. The latter are Government of Canada employees, therefore like the Government itself they are easy targets for the "locals" to vent their anger ("the blame game"), whether it is deserved or not.

The above does not mean that we should abandon the concept or existence of CCCs in various communities in Canada. One of the main reasons for CCCs operating under the authority of the Correctional Service of Canada is that there will always be some controversial or risky cases that will not be acceptable as residents of CRCs. NGOs and Prisoners’ Aid Societies are voluntary and independent of government, and that independence and autonomy must be maintained.
CCCs and CRCs are not limited to large and middle-sized urban areas. They can also be found in rural or even remote areas, operating on a short or long term basis, mainly to provide employment opportunities that are beneficial to both the offenders and the communities. These joint ventures can be in forestry, agriculture, or some other industrial or voluntary activity. The following is an example of such a venture.

In the early 1970s, after an exchange of correspondence between Scott Paper (a lumbering company in the province of Nova Scotia) and Springhill Institution (a federal correctional facility in that same province), an agreement was reached to develop a CCC in the wood harvesting industry about 100 kilometers from the prison, and remotely established in the forest. The thrust of this joint venture between a private company and a correctional institution, which was extremely rare in those days, was that some 15 to 20 prisoners on day parole would reside in that CCC and cut wood in the employ of Scott Paper. This company at the time was having difficulty in hiring lumbermen for wood harvesting, therefore was most enthusiastic to acquire the labour of prisoners, who in turn would be paid a good wage while preparing for their eventual release on full parole. This experiment, which at first was thought a relatively short-term venture of a few years, lasted over 15 years and was extremely successful for both parties and for the wood harvesting industry.

Halfway houses usually accommodate from 10 to 40 residents and, depending on the size of the facility, have about 3 to 6 counselors under the supervision of a Director, to provide services and guidance to the day parolees. One or two counselors are on duty from 7 or 8 am to 11 or 12 midnight. Usually a security staff person covers the “dormant” shift from midnight to morning. Apart from most of the residents being out at work, training or other such activities during the day, there is usually programming provided within the halfway house in the evening, like house meetings once or twice weekly, substance abuse and living skills sessions, and so on. It is also very important for the residents to be familiar and respect the rules and code of conduct of the halfway house. Otherwise it could lead to a chaotic living environment, considering that all of them have had difficulty in their past with the rules and laws of society.

It is also crucial that each individual resident abides the house rules and other day parole conditions because breaches of such conditions could result in the day parole status being suspended by the authorities. That in turn, depending on the seriousness or repetitive nature of the breach or breaches, could lead to the day parole being revoked and the resident being sent back to prison. So a revocation of parole can occur not only for committing a criminal act, but also for breaches of day parole conditions.

Finally, the outcomes of halfway house and day parole activities over the years have shown that they are extremely successful correctional programming in Canada. For example, in the most recent few years, the recidivism rates (people
recommitting a criminal offence while on day parole) have been between 3 and 5% of all the cases that are on that form of conditional release, while their breaches of conditions have been about 10%. Those results are most encouraging indeed, and therefore our federal government should ensure that the day parole and halfway house concept is not only maintained but also expanded as required.