



Statutory Release and the Parole Board of Canada

The law requires that federal offenders who have served two-thirds of a fixed-length sentence be released from prison under supervision at that point. This is called “statutory release.”

Historically, many offenders were granted early release based on a calculation of time off for good behaviour. In 1992, the *Corrections and Conditional Release Act* (CCRA) replaced this with statutory release. It is a type of conditional release because the offenders are supervised in the community. Unlike day and full parole, however, it is not granted by the Parole Board of Canada.

Statutory release does not end an offender’s sentence. Instead, offenders serve what is left of their sentence in the community. They must report regularly to a Correctional Service of Canada (CSC) Parole Officer and follow conditions. On statutory release, offenders have some time under supervision in the community before their sentence ends to help them return to society as law-abiding citizens. Offenders serving life sentences do not get statutory release.

The Parole Board of Canada has a role in statutory release only if CSC refers a case to the Board for review. The Board’s role is limited to:

- imposing conditions on release;
- cancelling a suspension of statutory release ordered by CSC so the offender goes back on statutory release;
- revoking the statutory release so the offender returns to prison;
- and, in certain circumstances, ordering that the offender be detained in CSC custody until the end of their sentence.

Imposing Conditions

When on statutory release, offenders must follow standard conditions set out in the law (*Correctional and Conditional Release Regulations*, section 161). For example, offenders on statutory release must stay in Canada at all times. They also cannot travel outside boundaries set by their CSC Parole Officer without prior approval. If the case is referred by CSC, the Board may

set additional conditions. These conditions must be reasonable and necessary to protect society and to help the offender return to the community as a law-abiding citizen. They are also tailored to the offender. For example, these conditions may require the offender to attend a certain program, to not drink alcohol, or to stay away from a certain person or geographic area.

An offender on statutory release who breaches their conditions may have their statutory release suspended and be sent back to prison, if CSC considers this necessary to manage their risk. CSC will review the case and may refer it to the PBC. The Board will decide if the offender should remain on statutory release with the same conditions or with new conditions, or if the offender should have their statutory release revoked. If the Board orders that statutory release be revoked, the offender will stay in CSC custody until they next reach the two-thirds point of the remainder of their sentence, unless the Board has ordered that the offender be detained.

Reviewing for Detention

CSC may refer a case to the Board, recommending that an offender be denied statutory release and be detained in prison until the end of their sentence if the case meets certain legal criteria. The Board can order the offender detained if it finds there are reasonable grounds to believe that an offender is likely to commit before the end of their sentence:

- an offence causing death or serious harm;
- a sexual offence involving a child; or
- a serious drug offence.

The Board reviews detention orders once a year until the offender completes their sentence or the Board determines it is reasonable to cancel the order and allow statutory release. For the detention order to be lifted, the Board must be satisfied that the offender no longer meets the detention criteria. Protection of society is the paramount consideration in all Parole Board of Canada decisions.

For more information:

For more information on types of conditional releases, including day and full parole, consult the Parole Section of the Parole Board of Canada webpage: <http://www.pbc-clcc.gc.ca/index-eng.shtml>. Or contact the Parole Board of Canada national media line at: 613-960-1856 or info@pbc-clcc.gc.ca.

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