Types of release

Why are offenders released before the end of their sentence of imprisonment?

Types of Release:
- Temporary absence
- Day parole
- Full parole
- Statutory release

Why are offenders released before the end of their sentence of imprisonment?

According to the Corrections and Conditional Release Act (CCRA) all offenders must be considered for some form of conditional release during their sentence. Just because an offender is eligible for release, however, does not mean that the release will be granted -- release on parole is never guaranteed. Conditional release does not mean the sentence is shortened, it means the remainder of the sentence may be served in the community under supervision with specific conditions.

The Parole Board of Canada (PBC) must assess an offender's risk when they become eligible for all types of conditional release, with the exception of statutory release. Protection of society is the most important consideration of any release decision.

Types of Release:

Temporary absence:
- Usually the first type of release an offender may be granted.
- May be escorted (ETA) or unescorted (UTA).
- Granted so offenders may: receive medical treatment; contact with their family; undergo personal development and/or counselling; and participate in community service work projects.

Eligibility
- Offenders may apply for ETAs any time throughout their sentence.
- UTAs vary, depending on the length and type of sentence. Offenders classified as maximum security are not eligible for UTAs.
- For sentences of three years or more, offenders are eligible to be considered for UTAs after serving one sixth of their sentence.
- For sentences of two to three years, UTA eligibility is at six months into the sentence.
- For sentences under two years, eligibility for temporary absence is under provincial jurisdiction.
- Offenders serving life sentences are eligible to apply for UTAs three years before their full parole eligibility date.

Day parole:
- Prepares an offender for release on full parole or statutory release by allowing the offender to participate in community-based activities.
• Offenders on day parole must return nightly to an institution or a halfway house unless otherwise authorized by the PBC.

Eligibility

• Offenders serving sentences of three years or more are eligible to apply for day parole six months prior to full parole eligibility.
• Offenders serving life sentences are eligible to apply for day parole three years before their full parole eligibility date.
• Offenders serving sentences of two to three years are eligible for day parole after serving six months of their sentence.
• For sentences under two years, day parole eligibility comes at one-sixth of their sentence.

Full parole:

• Offender serves the remainder of the sentence under supervision in the community.
• An offender must report to a parole supervisor on a regular basis and must advise on any changes in employment or personal circumstances.

Eligibility

• Most offenders (except those serving life sentences for murder) are eligible to apply for full parole after serving either one-third of their sentence or seven years.
• Offenders serving life sentences for first-degree murder are eligible after serving 25 years.
• Eligibility dates for offenders serving life sentences for second-degree murder are set between 10 to 25 years by the court.

Statutory release:

• By law, most federal inmates are automatically released after serving two-thirds of their sentence if they have not already been released on parole. This is called statutory release.
• Statutory release is not the same as parole because the decision for release is not made by the PBC.
• Offenders serving life or indeterminate sentences are not eligible for statutory release.
• The Correctional Service of Canada (CSC) may recommend an offender be denied statutory release if they believe the offender is likely to:
  ◦ commit an offence causing death or serious harm to another person;
  ◦ commit a sexual offence involving a child; or
  ◦ commit a serious drug offence before the end of the sentence.

In such cases, the PBC may detain that offender until the end of the sentence or add specific conditions to the statutory release plan.

Offenders must agree to abide by certain conditions before release is granted. These conditions place restrictions on the offender and assist the parole supervisor to manage the risk posed by an offender who is on conditional release.

Whether on parole or statutory release, offenders are supervised in the community by CSC and will be returned to prison if they are believed to present an undue risk to the public. The PBC has the authority to revoke release if the conditions are breached.