

Legislative
Assembly
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67 ELIZABETH II, 2018

Bill 42

An Act to amend the Ministry of Correctional Services Act in respect of parole

Mr. J. Yakabuski

Private Member's Bill

1st Reading April 11, 2018

2nd Reading

3rd Reading

Royal Assent



An Act to amend the Ministry of Correctional Services Act in respect of parole

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 Clause 35 (2) (a) of the *Ministry of Correctional Services Act* is repealed and the following substituted:

(a) subject to section 35.1, grant parole upon the conditions that it considers appropriate; or

2 The Act is amended by adding the following sections:**Electronic monitoring for sexual and domestic offenders**

35.1 (1) If parole is granted to an inmate in respect of a sentence for an offence that the Board considers an offence of sexual violence or an offence of domestic violence, and the Board considers the inmate to be a safety risk to the victim of the offence, it is a condition of the inmate's parole that they be subject to electronic monitoring of their location and that they comply with such other requirements as may be prescribed by regulation.

Other conditions re: electronic monitoring

(2) The Board may impose conditions with respect to electronic monitoring in addition to the requirements that may be prescribed under subsection (1).

Transition

(3) Subsection (1) does not apply to inmates granted parole before this section comes into force.

Signing of certificate of parole

35.2 An inmate who has received parole shall not be allowed to begin parole without signing a certificate of parole setting out the conditions of the parole.

3 Subsection 60 (1) of the Act is amended by adding the following clause:

(k.1) imposing requirements on inmates who are granted parole and subject to electronic monitoring of their location;

Commencement

4 This Act comes into force three months after it receives Royal Assent.

Short title

5 The short title of this Act is the *Ministry of Correctional Services Amendment Act (Parole), 2018*.

EXPLANATORY NOTE

The Bill provides that an inmate granted parole has to sign their certificate of parole or they will not be released. Currently, the Ontario Parole Board is allowed to release an inmate even if the inmate does not sign their certificate of parole, if, in the opinion of the Board, compelling or exceptional circumstances exist.

The Bill also provides that if an inmate who committed sexual or domestic violence is released on parole, their location must be electronically monitored unless they do not pose a safety risk to their victim.