

Offender Assistants at PBC Hearings

What is an assistant?

- In accordance with subsection 140(7) of the *Corrections and Conditional Release Act* (CCRA), an individual sentenced to imprisonment can be assisted at a hearing by a person of their choice, unless the person's presence as an observer would not be allowed (e.g., security reasons).
- An assistant can be a family member, friend, lawyer, community support or another person. There can only be one person chosen as an assistant.
- Additional support persons who attend the hearing are considered observers in accordance with subsection 140(4) of the CCRA. Only the assistant can provide advice to the incarcerated individual and address the Board during the hearing.
- An Elder or Cultural Advisor may attend the hearing as an assistant if requested by the incarcerated individual, as a support person or as part of their case management team.

How does an individual request an assistant?

- To request an assistant, the individual must complete the Correctional Service of Canada's *Application for an Assistant at a Parole Board of Canada Hearing form* (CSC/SCC 1293).
- The individual is responsible for making all arrangements for their assistant to attend the hearing. The assistant is responsible for all of their own expenses to attend the hearing.
- The assistant can attend the hearing in-person or remotely, provided that video or teleconference technology can be accommodated.
- The individual will be provided with a way to speak privately with their assistant throughout the hearing.
- If the assistant cannot attend the hearing, the individual can choose to go ahead without the assistant or request a postponement to a later date. Requests to postpone should be submitted as far in advance of the date of the hearing as possible, and will be provided to the Board member(s) for a decision.

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How can an assistant provide support?

- The assistant can provide advice and support to the individual throughout the hearing as needed.
- At the discretion of PBC Board members, the assistant can speak to the Board directly on behalf of the individual.

Note: Assistants often add clarification and explain their role in supporting the individual's reintegration.

- The assistant can, at any time before a hearing, submit written documents to the PBC that contain relevant information for the Board's risk assessment.

Note: To avoid delays in the Board's review, it is strongly recommended that written documents be given to the Board at least 15 days before the hearing.

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