

June 8, 2011

Martine Gravelle  
Director, Corporate Services  
Parole Board of Canada  
410 Laurier Avenue West  
Ottawa, Ontario  
K1A 0R1

Dear Ms Gravelle:

Re: Proposed Increase in Pardon Application Fees

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First of all, I want to apologize for not being able to get this response to you before today. I received your correspondence as I was in the midst of preparing for our national Annual General Meeting.

Thank you for forwarding me the Cost Benefit Analysis regarding the proposed increase in pardon user fees. Our organization is extremely concerned that, contrary to the disclosure provisions in s. 4 of the User Fees Act, this report appears to have been unlawfully withheld from those most impacted, as well as those of us who have an interest in assisting potential pardon applicants. In fact, until you shared it with us, we were not aware that the Parole Board of Canada (PBC) had this information. This lack of transparency, combined with the unreasonably short consultation period, has only served to heighten our questions about the entire process.

If your committee is not already doing so, we would encourage you to thoroughly review the Parole Board's lack of transparency and seeming refusal to conduct a thorough and thoughtful review of the entire issue of user fees. To our knowledge, other than contacting organizations such as ours, there have been no meaningful attempts to consult with those who have obtained pardons, nor those who may seek them in the future. We have certainly tried to ensure that, as much as is possible, as many women with whom we work have been informed about this issue; but the time frames and our limited organizational resources did not permit opportunities for any true consultations with all women who may be impacted by the proposed increase in pardon application fees.

As we have repeatedly asserted, current pardon fees already impose an unfair financial burden on applicants. Few other government services demand anything but nominal application fees. Moreover, most of the applicants are marginalized and poor. Many are also racialized and an overwhelming number of women who are criminalized are Indigenous. Most applicants wish to obtain a pardon so that they may seek and obtain education and/or employment opportunities that are too often otherwise denied them, because of their criminal records.

The increased fees will be exorbitant for many. As such, the proposed increase will effectively disproportionately impact, and therefore discriminate against, the poorest potential applicants. It will also consequently add additional penalties to those who have already completed their sentences and demonstrated their desire to live and contribute to their communities. In addition, by making pardons more difficult to access, the federal government may effectively be increasing the likelihood that those who cannot afford to apply for pardons will need to rely on provincial and territorially funded social services.

The federal government will therefore end up downloading such additional cost of assisting individuals who are unable to afford pardons, while simultaneously placing more strain upon already stretched social programs.

Furthermore, as we have repeatedly asserted, aside from a discriminatory and evidently punitive attitude toward the provision of government services to those who have been convicted of criminal offences, we have yet to hear an adequate explanation as to why the increased cost in user fees was determined as necessary by the PBC. Were other options to this approach even considered? If not, why not? If so, where is the analysis of the options that were reviewed and any rationale for discounting them?

We trust that you and your colleagues, Ms Joncas and Mr. Bellemare, are pursuing all of the foregoing. We request that you also circulate this message to any other complainants.

Thank you once again for providing us with the report. We look forward to receiving any additional information relevant to this matter. Please do not hesitate to contact us should we be able to offer any additional information or otherwise assist your review process.

Sincerely,

Kim Pate  
Executive Director  
Canadian Association of Elizabeth Fry Societies

c. Lucie Joncas  
Nicolas Bellemare  
CAEFS' Membership