

Alberta Parole Board Mandate and Roles Document 2024

This Mandate and Roles Document has been developed by the Alberta Parole Board (the “Board”) to:

- reflect the common understanding between the Minister of Public Safety and Emergency Services (“Minister”) and the Board with respect to the Board’s roles and responsibilities, and
- to maintain sound communication.

This Mandate and Roles Document is not a contract. It does not establish or create legal obligations enforceable in a Court of Law. Accordingly, nothing in this document is intended to interfere with the Board’s independence and impartial exercise of its adjudication and ancillary powers or, of its duties or functions.

The Minister recognizes the authority and obligation of the Chair to administer and direct the Board to discharge those powers, duties, and responsibilities.

1. Parole Board Mandate

Established under the *Corrections and Conditional Release Act (Canada)* and the *Corrections Act (Alberta)*, within the meaning of the *Alberta Public Agencies Governance Act* (“APAGA”), the Board is an independent, quasi-judicial administrative tribunal, created as part of a fair, responsive, and responsible justice system that helps maintain safe communities for Albertans. The Board has exclusive jurisdiction to examine, hear and determine all matters and questions relating to the release of inmates serving time in a provincial institution.

The Board makes decisions regarding the conditions of release that will best facilitate the rehabilitation of offenders and their successful reintegration into the community as contributing members of society. Decisions of the Board must be made, and seen to be made, impartially and independently.

The Board may grant parole with conditions to any inmate convicted of an offence under any Act of the Legislature, under any Act of the Parliament of Canada or contrary to any Alberta municipal bylaws.

The Board has responsibilities under, and is subject to, several statutes and regulations including:

- *Alberta Public Agencies Governance Act;*
- *Conflicts of Interest Act;*
- *Corrections Act, Revised Statutes of Alberta 2000;*
- *Corrections and Conditional Release Act;*

- Correctional Regulation – Alberta Regulation 205/2001;
- Electronic Transactions Act;
- Freedom of Information and Protection of Privacy Act ("FOIP");
- Lobbyists Act; and
- Public Sector Compensation Transparency Act.

2. Roles and Responsibilities

The government is responsible for the legislative, regulatory and government policy frameworks in which the Board operates.

a) The Minister will:

- Administer the *Corrections Act*.
- Report and answer questions of the Legislature.
- Appoints and/or terminate Board members, at the Minister's discretion.
- Monitor the operational management of the Board to ensure its compliance with applicable legislation, law, standards and policy.
- Inform and consult with the Chairperson concerning any proposed legislation or policies affecting the work of the Board.
- Conduct an annual evaluation and review of the performance of the Chairperson. Conduct periodic reviews of the Board's mandate and operations, in accordance with the APAGA.

b) The Ministry will:

- Remunerate Board members in accordance with Appendix of Order in Council (246/2022).
- Compensate Board members for reasonable expenses incurred while performing their duties in accordance with the Government of Alberta Travel, Meal, and Hospitality Expenses Policy.
- Recruit new Board members, as required.
- Provide administrative, secretariat, and operational, support (assist in planning, reporting, coordinating, organizing meetings, and other business activities).
- Consider professional development requests (for training, conferences, etcetera).
- Provide support with the handling of any requests received under the FOIP, as well as any issues that may arise with respect to the interpretation or potential application of legislation, as required.
- Monitor the financial performance of the Board, ensuring that, with the advice of the external auditors, the financial results are reported on a timely and regular basis and in accordance with the Generally Accepted Accounting Principles (GAAP).

c) The Director, Alberta Parole Board Secretariat, will:

- Be the principal administrative contact for Board members.
- Establish and maintain appropriate systems for the general administration and financial management and control of the Board.
- Provide secretariat and operational support.
- Ensure activities of the Board are delivered within the legislation, standards and policies of the Government.
- Manage risks associated with the Board's business and ensure the Board is kept informed of changing risks on a timely basis.
- Work with the Chairperson to prepare the Board's annual report in accordance with the legislation, standards and policies of the Government.
- Maintain effective communications with the Chairperson, the Deputy Minister and other stakeholders as required.

d) The Chairperson will:

- Be responsible for the operation, administration, and management of the Board.
- Be responsible for providing leadership and direction for the Board and all activities respecting critical conditional release decisions for parole-eligible provincial inmates serving sentences of less than two years in correctional centers.
- Oversees compliance with all applicable legislation, policies, procedures, and standards.
- Assign parole hearings and/or re-examination to Board members.
- Administer the Board's training and orientation requirements, reviewing and revising as necessary.
- Facilitate and encourage ongoing training for all Board members as required.
- Act as the Code Administrator and develop and maintain a process for receiving and investigating complaints alleging a breach of the Code of Conduct.
- Engage in strategic and business planning, considering principal risks for the Board.
- Inform the Minister and Deputy Minister in a timely manner of all significant Board issues, activities, and outcomes.
- Ensure any issues respecting the support of services provided to the Board by the Ministry are disclosed to the Deputy Minister on a timely basis.
- Establish and maintain meaningful and appropriate stakeholder relations.
- Conduct annual performance assessments of Board members.
- At the end of each fiscal year, submit to the Minister an annual report setting out the number of parole applications received, a summary of the Board decisions and any other information the Minister may require.
- Act as spokesperson for the Board and deal with media inquiries as required or

delegate such responsibilities to a member of the Board where appropriate.

The role of the Chairperson brings with it the potential opportunity to influence. It is the role of the Chairperson to follow these addition rules:

- the Chairperson must not take part in a decision in the course of carrying out his or her office or powers knowing that the decision might further a private interest of the Chairperson, a person directly associated with the Chairperson, or the Chairperson's minor or adult child;
- the Chairperson must not use his or her office or powers of influence to seek to influence a decision made by or on behalf of the Crown or a public agency to further a private interest of the Chairperson, a person directly associated with the Chairperson, or to improperly further any other person's private interests.

e) The Parole Board and Parole Board Members will:

- Have exclusive jurisdiction to examine, hear and determine all matters and questions relating to the release of inmates on parole for inmates serving sentences of less than two years in provincial correctional centres.
- Thoroughly and professionally prepare for parole hearings.
- Hear parole applications by way of file review, tele/videoconference or in-person appearance.
- Make appropriate release decisions based on the parole applications and relevant legislation and policies.
- Provide timely and comprehensive written explanations of decisions and set conditions of release for granted parole.
- Review suspensions and either authorize revocation or reinstate suspended parole.
- Partake in other duties necessary for the smooth and ethical operation of the Board and as assigned by the Chairperson.
- Conduct the Board's duties and responsibilities in adherence with the Board's Code of Conduct, Policy and Procedure Manual and other governing policies and procedures while upholding credibility in all of their actions and communications.
- Appropriately and adequately disclose any real or apparent conflicts of interest.
- Conduct themselves in a manner that does not use their status or position with the Board to influence or gain a benefit or advantage for themselves, their family, their business, or others.
- Encourage their colleagues to act in accordance with the Code of Conduct, and to raise concerns about a suspected breach by another member to the Chairperson without fear of reprisal.
- Know that breaches of the Code of Conduct may result in termination of their appointment as a member of the Board.
- Confirm on an annual basis the understanding of, and commitment to, the Code of

Conduct.

- Adhere to appropriate timelines in all actions and communications.

f) Potential Conflicts

A member who becomes aware of a real or apparent conflict of interest on their part, existing or potential, must at the first opportunity disclose the matter, in writing, to the Chairperson. Disclosure of a real or apparent conflict of interest itself does not remove the conflict.

The Chairperson's role is to help members manage ethical dilemmas, including any real or apparent conflict of interest concerns.

It is the Chairperson's role to:

- Receive all disclosures of potential conflict and ensure the confidentiality of same.
- Ensure that any real or apparent conflict on interest is avoided or effectively managed.
- Provide advice and manage all concerns and complaints concerning potential breaches of the Code of Conduct, including conflict of interest within the Board.
- Discuss potential conflicts with the Deputy Minister or Ethics Commissioner if the Chairperson requires advice and guidance in determining whether misconduct has occurred or a conflict exists.
- Follow the administrative process outlined in the Code of Conduct in the event a potential conflict or breach arises.

3. Recruitment and Appointment of Parole Board Members

If and when membership vacancies arise, the Minister may choose whether to fill those vacancies. If the Minister chooses to fill the vacancies, the Minister may select the manner of recruitment, in consultation with the Board, and in accordance with the APAGA and the Government of Alberta's policy on public agency recruitments. The Board members are appointed by the Lieutenant Governor in Council through Orders in Council.

The Board and the Ministry have developed the appended Alberta Parole Board Competency Matrix ("Matrix"). The Matrix outlines the experience, knowledge, and skills that the Board requires from its membership, collectively. If and when membership vacancies arise, and the Minister chooses to fill them, the Matrix will be used to determine any gaps in the experience, knowledge, and skills, of existing Board members. Candidates will be recruited and/or selected on the basis of their ability to fill any gaps identified in the Matrix.

Board members will be screened for conflicts of interest prior to their appointment.

The Minister may select candidates to be appointed to the Board and may bring them forward to Cabinet for approval. Appointments will be posted on the Alberta.ca website and through the King's Printer.

a) Remuneration

Board members will be remunerated by honorarium for time spent conducting Board business. Board business includes, but is not limited to, the review of records and written submissions, attending hearings, writing decisions, attending Board training and Board meetings.

Board member remuneration will be set out in the Appendix of Order in Council (246/2022).

Board members' reasonable expenses will be reimbursed in accordance with the Government of Alberta's Travel, Meal and Hospitality Expenses Policy.

4. Interaction between the Parole Board and Ministry

The Director of Alberta Parole Board Secretariat is the administrative principal contact for the Board.

The Agency Governance and Oversight team interacts with the Director of Alberta Parole Board Secretariat for the purposes of recruitment, governance, and coordination of Public Agency Secretariat (PAS) matters (the PAS is a centralized government public agency resource that provides resources and information to public agencies).

Any communications with the media will be coordinated by the Ministry.

5. Administration of this Document

a) Review of this Document

This document will be reviewed and renewed, amended or replaced by the Minister in accordance with the APAGA. This document may be amended at any time by the Minister and the Board.

b) Transparency

Copies of this Mandate and Roles Document will be filed with the Minister, the Alberta Parole Board Secretariat, and the PAS. In support of the principle of transparency, it will also be available to the public on the Alberta.ca website.

c) Periodic Agency Review

The Minister will conduct a review of the Board's mandate and operations in accordance with the APAGA.

This document reflects the mutual understanding of the Minister and Chair but is not intended to, and does not, create any binding legal obligations enforceable in a court of

law.

Affirmed,

Original signed

Rick Hanson, Chair
Alberta Parole Board

February 7, 2024

Date

Affirmed,

Original signed

Honourable Mike Ellis, ECA
Deputy Premier of Alberta
Minister of Public Safety and Emergency Services

March 26, 2024

Date

Competency Matrix

Alberta Parole Board		Chair	Member
Core Qualities	Personal Characteristics		
	Integrity/accountability/confidentiality	✓	✓
	Analytical skills/critical thinking	✓	✓
	High standard of excellence	✓	✓
	Interpersonal and collaborative skills	✓	✓
	Advanced oral and written communication skills	✓	✓
	Objectivity/fairness	✓	✓
	Time management and ability to meet deadlines	✓	✓
Flexible availability	✓	✓	
Leadership	Leadership Skills		
	Consensus building in a team environment	✓	✓
	Experience leading/working with community-based organizations	✓	
Board/Tribunal Experience	Previous Board Experience		
	Served as Chair/Vice Chair/member	✓	
	Knowledge of board governance	✓	
	Tribunal decision making and writing; sorts and weighs the evidence and applies the relevant facts to the decision	✓	✓
Knowledge and Expertise	Legal Knowledge		
	Knowledge of the Canadian criminal justice system	✓	✓
	Understand/interpret/apply legislation	✓	✓
	Understand the risk-need-responsivity principles.	✓	✓
	Familiarity with criminal justice actuarial risk assessments, and has the skills and abilities to apply these tools.	✓	✓
	Knowledge of law enforcement issues and legal analysis	✓	✓
Public Awareness	Public Awareness		
	Community and social awareness	✓	✓
	Ability to advance the public interest	✓	✓
	Interest in community safety	✓	✓
	Understands the community's role in reintegration of post-custody citizens	✓	✓

Date: _____