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**By e-mail as attachment**

Minister of Justice and Attorney General of Canada

Attn: Ms. Nicole J. Langille

Policy Advisor

[Nicola.Langille@justice.gc.ca](mailto:Nicola.Langille@justice.gc.ca)

Dear Ms. Langille

**RE: Covid-19 and penitentiaries**

Thank you for contacting me on the weekend. I am pleased that someone in the government is interested in this issue. I shall repeat the thoughts I expressed and I look forward to continuing to communicate. My hope is that immediate and concerted action will be taken by PBC and CSC to reduce the numbers in the penitentiaries by parole and temporary absences for all prisoners who can go to a home and maintain social distancing, and I mean all prisoners for whom such a measure will not cause undue risk to public safety. The balancing must be different now, since keeping people locked up in close proximity endangers public safety.

As I understand it, the A.G. is the lawyer for government and advises departments and officials. One must then hope the government entities have the political will to act. My suggestions include the following and I may have more.

In any event, I enclose a copy of a letter I have sent to the PBC, as well as a note I received from the wife of a client with more details.

My comments below are re: parole. Corresponding measures can and should be taken as regards implementing Temporary Absences. Where authority resides in the institutional head, such can be done expeditiously.

1. Advice to the Parole Board of Canada.

Prioritise or add resources to consider all cases of parole, including but not limited to, parole by exception, with a view to granting parole, for public health reasons, wherever the prisoner can be considered an assumable risk if allowed, or even required, to stay at home.

2. Advice to CSC

I am aware that the PBC does not have an investigative function, but relies on the CSC in large measure for file information. CSC should direct all institutional parole officers to expedite a review of every prisoner with a view toward sending recommendations to the PBC. The criteria, again, should be whether the prisoner can be released to live at home without undue risk to public safety.

Yours Very Truly

Fergus J. (Chip) O'Connor

ENC: Copy of letter to PBC dated March 17<sup>th</sup>, 2020; Copy of note from prisoner's wife