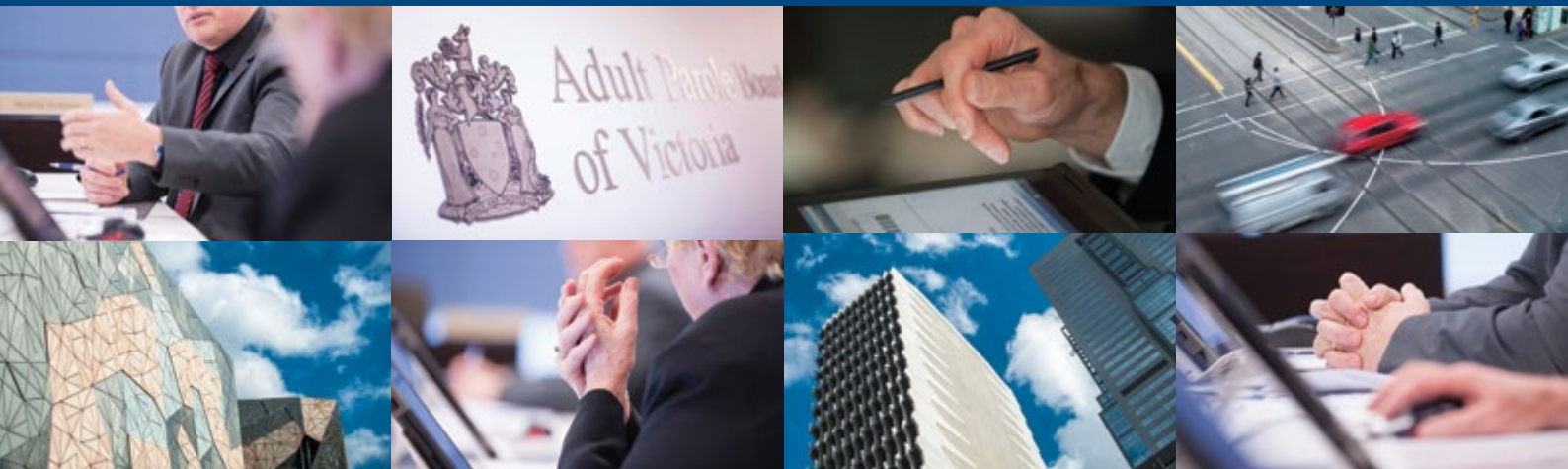




# ADULT PAROLE BOARD OF VICTORIA 2013-2014 | ANNUAL REPORT





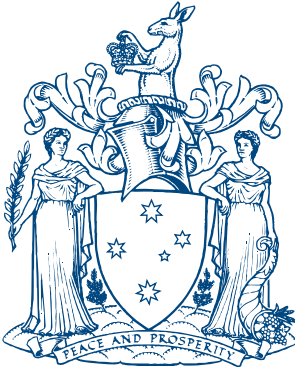
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## LETTER TO THE MINISTER



### ADULT PAROLE BOARD OF VICTORIA

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Telephone (03) 9094 2111

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Interpreter Service. Call 131 450 and ask for the Adult Parole Board

Facsimile (03) 9094 2125

Email [apb.enquiries@justice.vic.gov.au](mailto:apb.enquiries@justice.vic.gov.au)

Internet [www.corrections.vic.gov.au/home/parole](http://www.corrections.vic.gov.au/home/parole)

19 August 2014

The Hon. Edward O'Donohue, MLC  
Minister for Corrections  
121 Exhibition Street  
Melbourne VIC 3000

Dear Minister,

In accordance with the requirements of section 72(1) of the *Corrections Act 1986*, we are pleased to present this Annual Report of the performance and operations of the Adult Parole Board of Victoria for the twelve months from 1 July 2013 to 30 June 2014.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "E.W. Gillard".

The Hon. E.W. Gillard QC  
Chairperson

A handwritten signature in blue ink, appearing to read "Jan Noblett".

Jan Noblett  
Acting Chief Administrative Officer

## CHAIRPERSON'S REPORT

The risk of reoffending is commonly at its highest as offenders make the transition from the highly structured and controlled environment of prison to freedom in the community.

In part, this is because newly-released prisoners can be confronted with stressful challenges such as re-establishing relationships with partners and family, finding stable housing and financial difficulties. They can also be presented with temptations such as alcohol and drugs to deal with these stresses.

While it cannot eliminate the risk of reoffending, parole can mitigate that risk by providing a structured, supervised and supported transition back into the community.

The effectiveness of any parole system in doing so is rightly a matter of public interest. In recent years the operation of the Adult Parole Board of Victoria has been under particular scrutiny because of concern about serious offences committed by offenders while on parole.

This has involved a series of reviews of the adult parole system by Professor James Ogloff in 2011, the Sentencing Advisory Council in 2012 and by Ian Callinan AC in 2013.

The Board has fully cooperated with each of these reviews and has itself made major reforms in response to their recommendations. Many of the recommendations have also led to legislative reform relating to parole eligibility, cancellation and the operations of the Board.

In accordance with a recommendation of the Callinan Review, this year the Board formally reports for the first time on all convictions during the financial year for serious violent offences and sexual offences committed while on parole.

In 2013-14, 60 offenders were convicted of such offences. The Board takes such offences very seriously. As explained in detail later in this report, the overwhelming majority of these convictions related to decisions and actions that occurred in previous years and prior to many of the reforms outlined in this report.

The effects of those reforms are evident in the data contained in this report: in particular, those on the trends in the numbers of parole

orders made and cancelled, relative to the numbers of prisoners eligible for parole. 2013-14 has seen a remarkable 36 percent fall in the number of parole orders made. While the number of cancellations has declined from the previous year, the ratio between the number of cancellations and the number of parole orders has increased from 45 cancellations per hundred parole orders made in 2012-13 to 58 cancellations per hundred parole orders made in 2013-14.

The increase in the resources that the Government has made available to the Board has enabled the Board to increase the number of scheduled and unscheduled meetings and to increase the scrutiny of each case. The Board welcomes this and the allocation in the 2014-15 State Budget of an additional \$84.1 million over the coming four years to fund improvements in the assessment of prisoners throughout their sentence and the expansion of targeted behaviour management programs to reduce the risk of reoffending and to better prepare prisoners for parole.

The membership of the Board has changed dramatically during 2013-14.

I saw the departure of 14 members, including the former Chairperson Justice Elizabeth Curtain. I would like to acknowledge Justice Curtain's stewardship of the organisation through an exceptionally challenging period and the significant contribution of the many members of the Adult Parole Board whose tenure ended during or very shortly after 2013-14: Bernard Teague, John Coldrey, David Jones, Jelena Popovic, Lesley Fleming, Steven Raleigh, Ross Betts, Michael Hepworth, Annie Tinney, Danielle Windley, Jim Berg, Lisa Ward, Dr Julian Davis, Dr Kerry-Lee Jones, Janet Farrow and Judith Wright. The commitment demonstrated by each, and the length of service of many of them, is commendable and has provided a solid base for the reforms currently underway.

2013-14 also saw the appointment of 24 new members who bring a range of new perspectives and experiences.

Finally, I would like to thank Jan Noblett, the Board's Acting Chief Administrative Officer, and all of the Board's staff for their work in supporting the operations of the Board.

## ACTING CHIEF ADMINISTRATIVE OFFICER'S REPORT

I would like to begin by acknowledging the considerable work of David Provan, former General Manager of the Adult Parole Board, over his nine years of service at the Board.

David Provan managed the administration of the Adult Parole Board with integrity, diligence and an uncompromising approach to supporting members of the Board and its staff.

His many years of dedicated service to the Board are well recognised and appreciated by his peers in other jurisdictions, his colleagues in Corrections Victoria and other agencies, the current and past members of the Board and the staff of the secretariat. We wish him well in his future endeavours.

The secretariat of the Board has experienced considerable change over the past 12 months.

### Staffing resources

During the year, the number of staff increased from 23 to 32, including the creation of the senior roles of Chief Administrative Officer, General Manager Administration and Systems, Project Manager, Communications Officer and Executive Assistant to assist the managers, full time members and Chair.

### Electronic files

The project to digitise the thousands of files stored at the Adult Parole Board commenced in September 2013. The successful pilot of electronic files in the Board sittings was undertaken between December 2013 and March 2014. The bulk scanning of all active parole files concluded in June 2014. All Board sittings now operate with electronic files. In addition, these files are now securely stored and

available remotely to members and secretariat staff. Bulk scanning of files will continue until all relevant files are scanned into the electronic file environment. As at 30 June 2014, the scanning team has scanned 6014 files containing 548 669 documents (a total of 1.6 million pages).

Board members report that the new system is a major improvement and has made the information on the files more accessible and easier to navigate, and that it also provides a more efficient method of recording decisions.

The introduction of the electronic files has greatly improved the operations of the secretariat, having removed many manual operations. Staff have been assisted by the development of new procedures documents and a program of training.

I would like to acknowledge the Corrections Applications team and the Board's Project Manager for the development of the solution, resourcing of the scanning teams and the ongoing support of the project. I would also like to thank Board members for embracing the new file structure and operation and lastly the staff for their enthusiasm through this change and vigilance in the operation of the new technology.

### Induction of new Board members

During the reporting period, the Board has experienced significant change of membership, including the appointment of:

- a full time Chair
- four new full time members
- 18 other new members.

## ACTING CHIEF ADMINISTRATIVE OFFICER'S REPORT (CONT.)

To ensure a smooth transition, a comprehensive induction and orientation program was developed that included observation sessions for all new members throughout the reporting period as well as:

17 December 2013	Orientation session – Overview of Corrections Victoria
23 December 2013	Operation of the Board – Chair and Secretariat
14 January 2014	Regional Visit – Barwon Prison, Marnongneet Prison, Geelong CCS location and Offending Behaviour Programs
14 February 2014	Risk Assessment and Offender Programs (Sex Offenders and Offending Behaviour Programs)
19 February 2014	Commencement of the Judicial mentoring program
21 February 2014	Visit to the Corella Place residential facility at Ararat for sexual offenders on supervision orders
14 March 2014	Risk Assessment and Offending Behaviour programs – repeated session
17 March 2014	Community Custodial Permit Leave Program and Judy Lazarus Transition Centre visit
8 April 2014	Overview of legislative changes
30 April 2014	Victims register
27 May 2014	Offending Behaviour Programs
12 June 2014	Electronic monitoring and breach of parole legislation

The Adult Parole Board seminar series has been revised and a new program has been developed for the year as well as a judicial mentoring program.

To accommodate the additional staff and members, four new offices and five additional workstations were built in April 2014. In addition, the security and reception areas were renovated. The Victorian State Government Shared Services Branch managed this refurbishment extremely efficiently over several weekends and after hours with limited disruption to the operation of the Board sittings.

### Governance of the Board

To ensure the Board maintains consistent practice, embeds all new legislation and reforms and develops a more strategic approach to the management of the organisation, in January 2014 the Board adopted a new governance framework, which includes the establishment of:

- An Adult Parole Board Executive comprising the Chair, Deputy Chair, full time members and the Acting Chief Administrative Officer
- Risk and Audit subcommittee
- Strategic Planning subcommittee
- Practice subcommittee
- Stakeholder Engagement subcommittee.

Each subcommittee reports to the Executive.

## Administrative support to implement legislative reforms

### Serious Violent Offender and Sexual Offender Division

In response to a recommendation of the Callinan Review, during 2014 the Board developed a two-tiered system, including a range of administrative changes, for considering the grant of parole to serious violent offenders and sexual offenders. Following the commencement of section 74AAB of the *Corrections Act 1986* on 1 July 2014, this has been formalised with the creation of the new Serious Violent Offender and Sex Offender Division of the Board.

### Breach of parole

From 1 July 2014, section 78A of the *Corrections Act 1986* makes it an offence to breach certain parole conditions. In order to give effect to the new offence, parole conditions are now prescribed in the Corrections Regulations 2009. The Act also gives police the power to detain parolees who are in breach of any of those conditions. Once detained a member of the Board must issue a notice enabling the continued detention of the parolee pending consideration of the breach by the full Board.

In preparation for this change, the Board has worked closely with Victoria Police and Corrections Victoria:

- to introduce an operating model with Victoria Police for the management of these matters outside ordinary business hours (seven days per week)
- to establish the appropriate electronic pathways for the receipt of information by police, reviewing of electronic files by the Board member and for the issuing of orders to detain parolees.

In addition, the Board has re-issued all current parole orders to ensure that their conditions conform with the conditions as prescribed by the regulations and to ensure that parolees are aware of the re-issued orders prior to the 1 July implementation date.

### Notification to victims

To comply with the new legislative requirements for the notification to victims of a parolee's release and conditions, new procedures have been implemented to ensure that the Victims Register have sufficient notice to allow notification to victims. Whilst the requirement for notification to victims is a minimum of fourteen days, the Board provides twenty days to ensure the maximum opportunity to notify victims.

### Conclusion

The Board's staff have worked extremely diligently to implement a significant program of reform.

I would like to register my appreciation to all the staff of the Adult Parole Board secretariat for their continued delivery of an excellent level of service to the Board, and their colleagues in the corrections system. I have been extremely impressed by their energy and enthusiasm for the administrative reform program, their willingness to embrace change and the implementation of new procedures across the operation of the Board and their warm welcome of new staff and members.

I would also like to thank the Chair of the Board for his leadership and commitment, the Deputy Chair for his support during the transition of orders and all of the full-time members for their hard work during an extraordinary time of change.

## PURPOSE OF PAROLE

The purpose of parole is to promote public safety by supervising and supporting the transition of offenders from prison back into the community in a way that seeks to minimise their risk of reoffending (in terms of frequency and seriousness) while on parole and after they complete their sentence.

Parole is served under the supervision of a Community Corrections Officer and on conditions fixed by the Board. The offender must formally undertake to comply with the conditions of their parole for the duration of the order. While on parole, an offender is still serving their sentence. If the offender breaches the parole conditions, the Board can cancel parole and require them to serve the whole parole period (including both the time that they have been in the community and the time remaining on the sentence) in prison.

No system can eliminate the risk of reoffending. The reasons for reoffending are complex. Underlying problems, such as a dependence on drugs and alcohol, poverty and mental

illness or impairment, all play a significant role. In addition, prisoners face many practical obstacles to adjusting to life in the community, such as difficulties in finding appropriate accommodation and employment. These obstacles are compounded for the many prisoners who, even before entering prison, have been at the margins of mainstream society.

An effective parole system reduces the risk that prisoners will commit further offences when released into the community by providing a supervised transition into the community and by seeking to address some of the factors that may lead to reoffending. Offenders who do not obtain parole and who are released at the end of their sentence are not subject to the supervision, support and ongoing rehabilitation that the parole system provides. If the prospect of parole is removed from a prisoner, there is less incentive to undertake steps designed to reduce the risk of reoffending.

## YEAR AT A GLANCE

	2013-14	2012-13	2011-12	2010-11	2009-10	% change between 2012-13 and 2013-14
<b>Board meetings</b>						
Total (Board and DSOD) meeting days	266	242	187	166	148	9.9%
Prisoners in custody (at 30 June)	6,113	5,340	4,884	4,737	4,537	14.5%
Prisoners eligible for parole (at 30 June)	4,244	3,785	3,328	3,230	3,088	12.1%
Prisoners interviewed at prison	787	1,899	1,665	1,671	1,659	-58.6%
<b>Parole orders</b>						
Parole orders made	1,313	2,051	1,843	1,792	1,669	-36.0%
Parole orders completed successfully	1,116	1,244	1,042	1,132	1,064	-10.3%
Parole orders denied	834	425	296	201	194	96.2%
<b>Cancellation of orders</b>						
Parole orders cancelled <sup>1</sup>	761	930	659	530	539	-18.2%
Length of parole served prior to cancellation:						
* day of release to less than three months	354	414	249	210	191	-14.5%
* three to less than six months	170	227	167	124	128	-25.1%
* six to less than 12 months	126	173	138	105	120	-27.2%
* 12 months or more	111	116	105	91	100	-4.3%
<b>Reviews</b>						
Requests for reviews	400	209	-	-	-	91.4%
Rejected	363	149	-	-	-	143.6%
Accepted	37	60	-	-	-	-38.3%
<b>Victim submissions</b>						
Submissions from victims	126	91	95	69	51	38.5%

<sup>1</sup> In previous years, the Board has published a breakdown of figures according to categories of reasons for cancellation; however, the Board has discontinued this due to data quality issues relating to the current and previous years. The Board is working to rectify those issues for future reports.

## YEAR AT A GLANCE (CONT.)

	2013-14	2012-13	2011-12	2010-11	2009-10	% change between 2012-13 and 2013-14
<b>Detention and supervision orders</b>						
Detention orders made by the Supreme Court	1	0	0	0	0	N/A
Interim supervision orders made by the Supreme and County Courts	8	8	6	5	6	0.0%
Supervision orders made by the Supreme and County Courts	11	21	44	31	7	-47.6%
<b>Youth transfers</b>						
Transfers from prison to a Youth Justice Centre	3	8	2	2	6	-62.5
Transfers from a Youth Justice Centre to prison	20	26	12	16	39	-23.1
<b>Interstate transfers</b>						
Parole orders transferred from Victoria	27	25	18	19	27	8.0%
Parole orders transferred to Victoria	28	34	21	49	29	-17.6%
<b>Members of the Board</b>						
Judicial members	17	11	14	12	12	54.5%
Full-time members	4	2	1	1	1	100.0%
Community members	8	9	8	8	8	-11.1%
Departmental representatives	1	1	1	1	1	0.0%
Total members	30	23	24	22	22	30.4%
<b>Staff of the Board</b>						
Total employees	32	19	19	21	22	68.4%
<b>Financial management</b>						
Funding	\$4,394,000	\$3,185,600	\$2,808,800	\$2,777,400	\$2,523,200	37.9%
Expenditure	\$4,802,382	\$3,070,580	\$2,776,461	\$2,666,624	\$2,441,321	56.4%

## LEGISLATIVE FRAMEWORK

### Jurisdiction and functions of the Board

The operation of the Board is governed primarily by the *Corrections Act 1986*. The Board is an independent body whose decisions are not subject to ministerial or bureaucratic direction.

The Board's functions are conferred on it by a series of Acts and associated regulations, including the *Corrections Act 1986*, the *Children, Youth and Families Act 2005*, the *Serious Sex Offenders Monitoring Act 2005*, the *Serious Sex Offenders (Detention and Supervision) Act 2009* and the *Sentencing Act 1991*.

The Board has jurisdiction over:

- offenders for whom a court has ordered a prison sentence and has fixed a non-parole period
- any prisoner under the age of 21 (whom the Board may transfer to a youth justice centre)
- young persons transferred by the Youth Parole Board from a youth justice centre to a prison
- any serious sexual offender upon whom a court has imposed an extended supervision order or a supervision or detention order.

### Sentencing and parole

The majority of the Board's work relates to parole.

To be eligible for parole, an offender must have a sentence that includes a non-parole period, which the offender must serve in prison. Not all sentences include a non-parole period. In accordance with the *Sentencing Act 1991*, this depends on the length of the sentence.

For sentences:

- longer than 24 months: the court must set a non-parole period, unless the nature of the offence or the offender's history would make parole inappropriate
- between 12 and 24 months: the court is not required to but may decide to fix a non-parole period
- less than 12 months: a non-parole period is not set, therefore parole is not possible.

A non-parole period must be at least six months less than the maximum term of the sentence.

If the offender's sentence includes a non-parole period, the Board may order their release at any time after the expiry of that period.

### Supervision or detention of serious sexual offenders

A smaller but significant part of the Board's work relates to the supervision of serious sexual offenders. This work is performed by the Detention and Supervision Order Division of the Board.

## PAROLE REFORMS

The Victorian adult parole system has been the subject of a series of reviews in recent years, including reviews published by the Sentencing Advisory Council in March 2012 and Ian Callinan AC in August 2013. These have led to extensive reforms.

The Board's 2012–13 Annual Report summarised a series of reforms that were carried out in that year. The reform process has continued in 2013–14, with a series of further legislative changes and other reforms to parole. While some of the amendments did not come into force until 1 July 2014, the Board undertook significant work in 2013–14 to prepare for those changes and to implement other administrative reforms.

### Reforms relating to the grant of parole

The safety and protection of the community has been explicitly adopted by the Board as the paramount consideration in all parole decisions since the Sentencing Advisory Council's review in 2012. This has now been formalised by section 73A of the *Corrections Act 1986*, which came into force on 20 November 2013.

Section 30A(1A) and (1B) of the *Corrections Act 1986*, both of which also came into force on 20 November 2013, require registered victims to be notified at least fourteen days before the release of a prisoner on parole.

The Callinan Review recommended that certain serious offenders should not be released on parole unless two separately constituted divisions of the Board have concluded that they be released. This recommendation was enacted by section 64A of the *Corrections Act 1986*, which came into force on 1 July 2014. It provides that a prisoner who is serving a sentence for a sexual offence or serious violent offence may be released on parole only if an ordinary Division of the Board recommends that they be released and a newly created Serious Violent Offender or Sexual Offender Division of the Board adopts that recommendation.

### Reforms to breach of parole

A package of amendments that commenced on 1 July 2014:

- creates a new offence, punishable by up to three months imprisonment, for a prisoner to breach a prescribed term or condition of his or her parole order without reasonable excuse. Any additional sentence imposed for the new offence is served cumulatively on the offender's other prison sentences
- creates a separate offence of failing to comply with an electronic monitoring condition while on parole, also punishable by up to three months imprisonment
- also permits (and, in certain circumstances, requires) a member of Victoria Police to arrest and detain a parolee if that person has breached a prescribed term or condition of their parole order, pending consideration of the case by the Board
- provides that, if parole is cancelled and the prisoner is convicted of a further offence punishable by imprisonment committed during the parole period, the Adult Parole Board is not able to make a parole order granting parole to the prisoner again until at least half of their remaining parole period (at the time parole was cancelled) has elapsed, unless the Board is satisfied that circumstances exist which justify doing so.

### Other reforms

Section 61 of the *Corrections Act 1986* has been amended to reform the composition of the Board by:

- allowing the appointment of retired Judges of superior courts of other jurisdictions
- expanding the classes of members eligible to be appointed as Chairperson
- providing for the appointment of one or more Deputy Chairpersons
- restricting each Board member's tenure to no more than nine years.

The Callinan Review recommended that a sufficiently qualified person or panel of persons experienced in public and/or commercial administration and organisational management be appointed to assist in the administrative reform of the Board's structure, staffing and procedures. This has been done with the appointment of KPMG to advise the Board and the Department of Justice on a range of further administrative and procedural reforms.

The Board also notes broader reforms to parole announced by the Government. These include

the provision of an additional \$84.1 million, which will enable a range of improvements including:

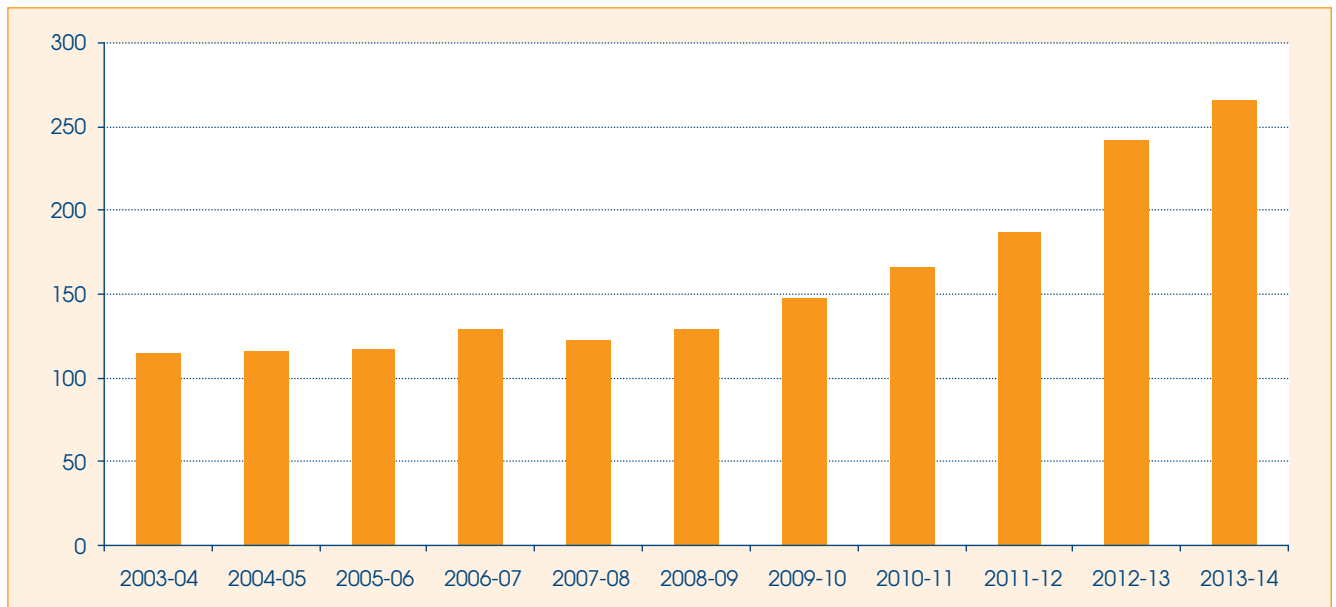
- changes to and the expansion of treatment programs for offenders while in prison, which will assist in preparing prisoners for parole
- the creation of new structures within Community Correctional Services to oversee serious violent offenders and sex offenders on parole
- the employment of specialist parole officers to deliver greater oversight of parole in the community.

## BOARD MEETINGS

In 2013–2014, the Board had 266 scheduled meeting days.

This is a 10 percent increase on the previous year (242) and continues a substantial increase over approximately the past five years, as shown in Figure 1 below.

**Figure 1 – Trends in the numbers of scheduled meeting days, 2003-04 to 2013-14**



In addition to scheduled meetings, in 2013–14 the Board convened 225 unscheduled meetings to consider urgent matters.

In previous years, the Board has regularly travelled to conduct meetings in prisons. The Board now makes much greater use of video link technology and during 2013–14 conducted only one Board meeting at a prison.

## DECISIONS RELATING TO PAROLE

In accordance with section 73A of the *Corrections Act 1986*, the safety and protection of the community is the Board's paramount consideration when making decisions relating to parole.

Subject to that paramount consideration, where it is possible and appropriate, the Board seeks to transition offenders from prison back into the community with support and under supervision and conditions that are designed to minimise the risk of the offender committing further offences, rather than have the offender released straight into the community without such supervision and support.

The Board is not bound by the legal requirements of natural justice and is able to draw upon a wide range of information in making its decisions. This can include:

- judge's sentencing comments
- police statements
- information and recommendations from Community Corrections Officers
- assessments and recommendations (if any) by appropriate clinicians or other professionals
- submissions or representations by victims including victim impact statements
- submissions or representations by the offender
- submissions or representations by other interested persons
- intelligence from police or Corrections Victoria.

### Granting of parole

Once an offender has served their non-parole period they are eligible for parole; however, release on parole is by no means automatic.

In applying the general principles set out above in order to decide whether an offender should be released on parole, the Board considers:

- the nature and circumstances of the offence or offences for which the offender is serving a sentence
- the offender's criminal history
- the offender's history of complying or not complying with previous parole orders or other orders supervised by Community Correctional Services
- whether Community Correctional Services recommend in favour of or against release of the offender on parole
- any submission received from a victim of the offender
- the outcome of formal risk assessments conducted in relation to the offender
- assessments of the offender's treatment needs
- whether the offender has undertaken treatment and, if so, formal reports of their performance in relation to that treatment
- the proposed accommodation if the offender is released on parole and whether it is confirmed and suitable (including in certain situations a detailed environmental scan and home assessment by Corrections Victoria)
- what parole conditions are available and suitable in relation to the offender.

If the Board grants parole, it can impose special conditions to address accommodation, lifestyle and treatment issues, including:

- attendance for assessment and treatment for alcohol or drug addiction, or submitting to medical, psychological or psychiatric assessment and treatment
- testing for alcohol or drug use
- attendance for personal development programs (often in conjunction with anger management programs)
- residence as directed by the Board
- attendance for treatment at the Community Forensic Mental Health Centre
- no contact, directly or indirectly, with the victim or certain potential victims (an important protection for vulnerable persons in some situations)
- no unsupervised contact with children
- participation in the sex offender maintenance program
- avoidance of certain geographical areas
- abstinence from alcohol
- assessment by, and participation in, drug programs as directed by supervising Community Corrections Officers
- participation in drug programs as directed by supervising Community Corrections Officers in consultation with the Community Offenders Advice and Treatment Service (COATS).

### Breach and cancellation of parole

If an offender is released on parole, the Board may at any time cancel the parole order and require the prisoner to be returned to prison.

As with release on parole, the Board's paramount consideration in relation to cancellation of parole is the safety and protection of the community. The Board will cancel parole if it considers that the offender would pose an unacceptable risk to community safety if they were to remain on parole.

Most commonly, this will be because the offender has breached, or is suspected of breaching, one or more of their parole conditions.

The *Corrections Act 1986* contains particular requirements in relation to breaches by offenders who are serving sentences for sexual offences or serious violent offences.

If, while such offenders are on parole, they are charged with a further sexual offence or a violent offence, the Board must cancel their parole unless the Board is satisfied that there are circumstances that justify the offender remaining on parole. If such offenders are convicted of the offence, their parole is cancelled automatically.

If an offender who is not a sexual offender or a serious violent offender is convicted of an offence while on parole, the Board must cancel their parole unless the Board is satisfied that there are circumstances that justify the offender remaining on parole.

On cancellation, an offender is liable to serve the whole parole period in prison.

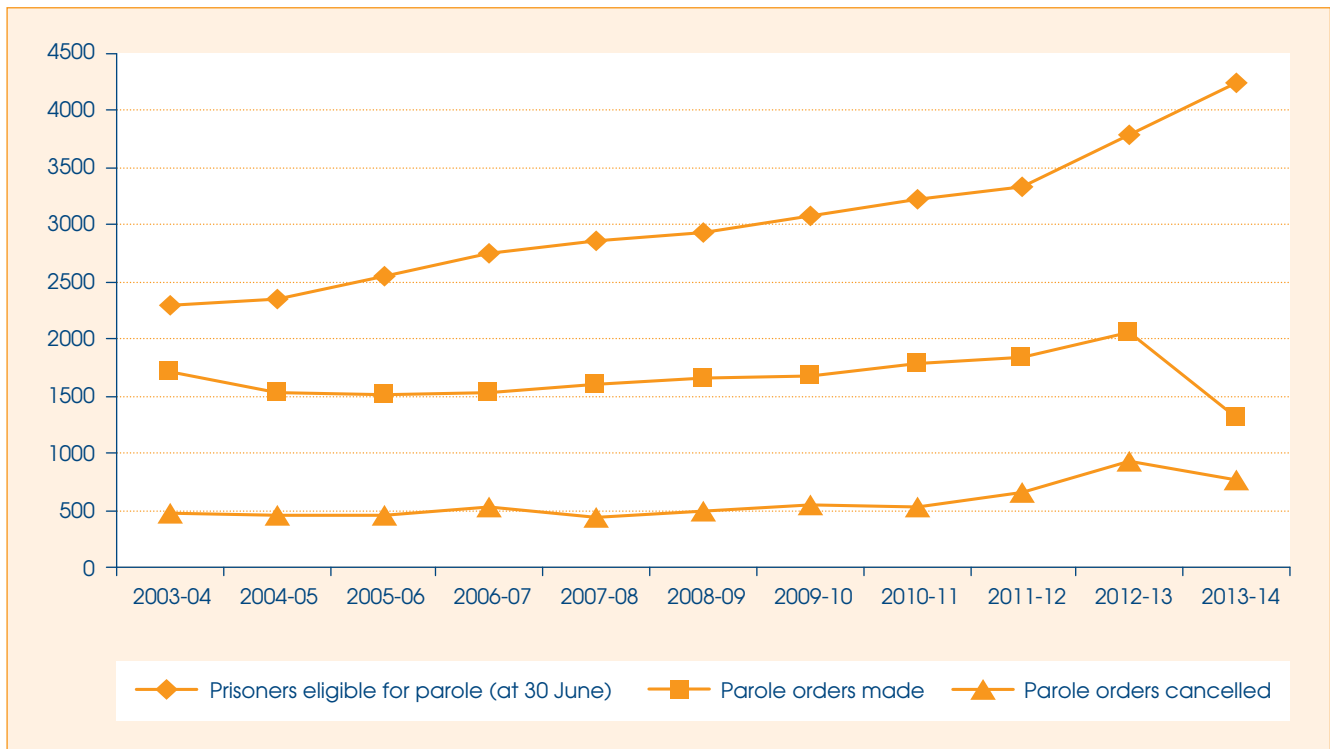
For example, an offender was sentenced to three years imprisonment, with a non-parole period of two years. The Board released him on parole at the expiry of the two-year non-parole period. He was on parole in the community for nine months before being cancelled. At that point, he had three months of his sentence remaining; however, as his parole period was one year, he would be returned to prison for a year, unless the Board exercises its discretion to direct that some or all of the period during which he was on parole should be counted as time served (commonly referred to as 'street time').

### Trends in the granting and cancellation of parole

Figure 2 shows the trend over the past decade in the number of prisoners who are eligible for parole, the number of parole orders made and the number of parole orders cancelled each financial year.

## DECISIONS RELATING TO PAROLE (CONT.)

**Figure 2 – Trends in the numbers of prisoners eligible for parole, the numbers of parole orders made and the numbers of parole orders cancelled, 2003-04 to 2013-14**



The number of prisoners who are eligible for parole (as at 30 June each year) has risen steadily for most of the decade, with the rate of increase steepening over the past two years.

Although it rose through much of the decade, the number of parole orders made did not increase at the same rate. The number of eligible prisoners grew by 65 percent between 2003–04 and 2012–13, whereas in the same period the number of parole orders made increased just 20 percent. In the current financial year, the numbers have diverged dramatically, with the number of parole orders made in 2013–14 dropping by 36 percent from the number of orders made in the previous financial year.

The number of parole orders cancelled remained steady through much of the decade, before sharply increasing (by 75 percent) in the two years between 2010–11 and 2012–13.

The number has since slightly fallen. This is likely to be a consequence of the much lower number of parole orders made, the greater scrutiny of the behaviour of parolees by Community Correctional Services and the Board and an increased focus on the paramount consideration of the safety and protection of the community. The ratio between the number of cancellations and the number of parole orders has increased from 45 cancellations in 2012–13 per hundred parole orders made in that year to 58 cancellations in 2013–14 per hundred parole orders made in that year.<sup>2</sup>

The timing of parole cancellation has also changed, as shown in Figure 3.

<sup>2</sup> Note: this comparison is between the total number of cancellations in each year with the total number of parole orders made in the same year, in order to provide an indication of the general ratio between the two types of Board decision. It does not mean that 58 percent of parole orders made in 2013-14 were cancelled. This is because some of the orders cancelled in 2013-14 would have been made in earlier years and some of the parole orders made in 2013-14 may be cancelled on or after 1 July 2014.

**Figure 3 – Percentage of parole cancellations each financial year from 2003-04 to 2013-14 according to the period between parole release and cancellation**



This shows a trend towards cancelling parole at an earlier stage in the parole order, particularly within the first three months after release on parole.

### Serious offences committed while on parole

In accordance with a recommendation of the Callinan Review, this year the Board reports for the first time on the number of people convicted during the financial year for serious violent offences and sexual offences committed by them while on parole.

In the current financial year, 60 people were convicted of serious offences while on parole.<sup>3</sup>

It is very important to note the time lag involved in investigating and prosecuting serious offences. This means that the majority of parolees who were convicted in the current financial year of serious offences committed while on parole had been released on parole,

and committed their offences on parole, prior to (and in many cases, long prior to) the reforms noted throughout this report.

Figure 4 shows the overall effect of that time lag by plotting the 60 parolees in four different ways according to the timeline at the bottom (in each row the dots have been slightly jittered vertically to minimise overlapping). Each dot in each row represents one parolee. The progressive movement of the dots to the right from row to row indicates the extent of the lag at each step from release on parole to the commission of a serious offence to cancellation of parole and conviction for the serious offence.

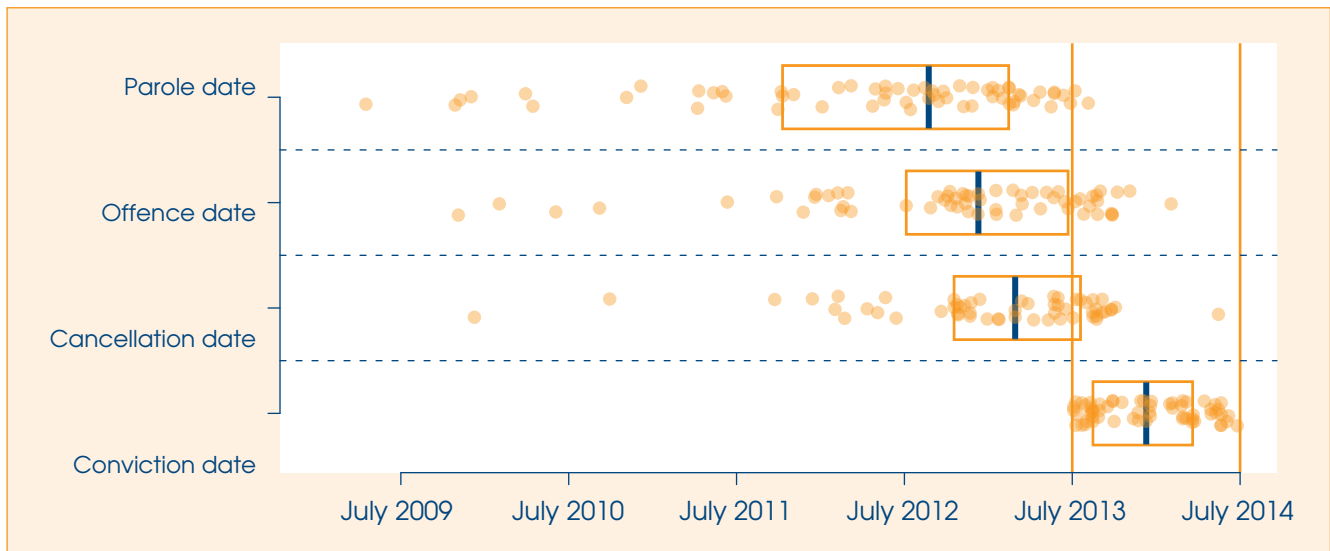
In each row, the parolees have been divided into four equal groups (quartiles), with the middle two quartiles being marked by the rectangle.

The two vertical lines mark out the start and finish of the current financial year.

<sup>3</sup> The total number of serious offences committed by those 60 parolees was 97, because some of the parolees committed more than one offence.

DECISIONS RELATING TO PAROLE (CONT.)

**Figure 4 – Parolees convicted of serious violent or sexual offences in 2013–14 by dates of release on parole, further offence, cancellation and conviction**



The first row shows the 60 cases according to the date that the person was released on parole. Just two of the 60 parolees (three percent) were released on parole this financial year. Both of those cases were within the first 35 days of this financial year. Most of the parolees were released in the 2012–13 and 2011–12 financial years, with one having been released as long ago as April 2009.

The second row shows the 60 parolees according to the date that they committed the serious offence. The general movement to the right compared with the first row indicates the time difference between release on parole and commission of the offence. Three quarters of the cases involved offences committed prior to this financial year.

The average (mean) length of time between release on parole and commission of the serious offence was 6.2 months.<sup>4</sup> Because parole periods vary greatly in length, another way to consider the lag is in terms of the percentage of parole period completed at the time the parolee committed the serious offence. The median portion of the parole period completed at the time of the serious offence was 38 percent.

<sup>4</sup> The median was 3.5 months.

The third row in Figure 4 shows the 55 parolees whose parole was cancelled, according to the date of the cancellation.<sup>5</sup> In a quarter of cases, the Board cancelled the parole in three days or less following the commission of the offence. In half of all of the cases, parole was cancelled in seven days or less. The average (mean) period was 58 days; however, this was heavily skewed by a small number of very long periods to cancellation (the longest being approximately two years and three months).<sup>6</sup>

Consistently with the reporting requirement in section 72(1)(bcb) of the *Corrections Act 1986*, the bottom row of Figure 4 shows that all of the 60 parolees were convicted in relation to the serious offence this financial year. The time between commission of the offence and conviction for that offence varied greatly, from 46 days to approximately four years and three months. In a quarter of the cases, the period was approximately six months or less and in half of the cases it was approximately nine months or less.

<sup>5</sup> In five cases, the Board did not cancel parole. In two of these cases, the serious offence committed on parole was threat to kill: one of which resulted in a suspended sentence, the other in a community correction order. The third case involved attempted armed robbery, which resulted in a community correction order. The fourth case involved recklessly causing serious injury, which resulted in a wholly suspended sentence. The fifth case involved an armed robbery, which resulted in a community correction order.

<sup>6</sup> In two cases, the Board cancelled parole before the serious offence was committed. In each of these cases, the offence was committed between when the Board issued a warrant for the parolee's arrest and when police were able to execute the warrant.

**Case study**

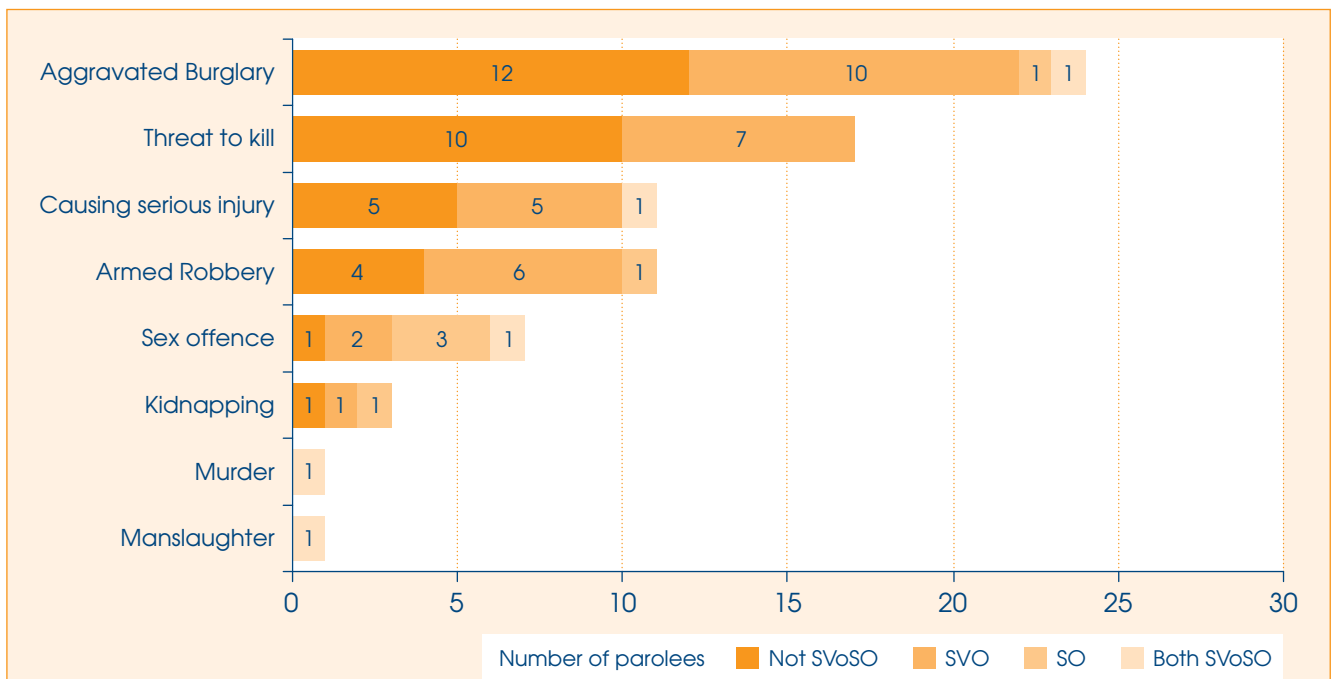
Nick<sup>7</sup> was released on parole in April 2009. Six months later, in November 2009, when he was half way through his parole period, Nick and several other people broke into a house to steal money, jewellery and drugs. There was a confrontation with the resident of the house, who was seriously injured. Nick and his co-offenders fled and were not initially identified by police.

The following month, in December 2009, the Board cancelled Nick’s parole for separate reasons.

In March 2011, a year and four months after the offence was committed, police were able to identify Nick through a DNA match. Complexities relating to the DNA evidence meant that Nick was not convicted of that offence until November 2013.

Figure 5 below contains the types of serious offence<sup>8</sup> for which the parolees were convicted.

**Figure 5 – Number of people convicted in 2013-14 of a serious violent offence or sexual offence committed while on parole**



The parolee’s status as a serious violent offender (SVO), sexual offender (SO), both a serious violent offender and sexual offender or neither a serious violent offender nor a sexual offender is based on the offence or offences for which they were on parole. Overall, close to half (47 percent) of the serious offences were committed by a parolee who was classified as serious violent offender. Five percent were by a sexual offender and three percent were by a parolee classified as both a serious violent offender and a sexual offender. Forty-five percent were committed by a parolee who was neither a serious violent offender nor a sexual offender (although 18 of the 27 parolees who fell into this category had served sentences for sexual or serious violent offences prior to the sentence for which they were on parole).

<sup>7</sup> Not his real name.

<sup>8</sup> Some parolees were convicted of more than one serious offence: typically, the multiple offences were committed on the same day or within a short period. If there was more than one serious offence, the most serious of those offences is noted.

## DECISIONS RELATING TO PAROLE (CONT.)

Over a third of the convictions (35 percent) were for aggravated burglary or attempted aggravated burglary and over a quarter of the convictions were for offences involving threats.

The murder listed in Figure 5 was committed in April 2013 by a serious violent and sexual offender (*R v Dinsley* (2013) VSC 631), who had been released on parole in August 2012.

### Interstate transfer of parole orders

In accordance with a national legislative scheme (which is applied in Victoria by the *Parole Orders (Transfer) Act 1983*), the Corrections Minister may direct that a parole order made in another state or territory be registered in Victoria, to enable the parolee to relocate to Victoria and to serve their parole here. Conversely, the Corrections Minister may request that a Victorian parole order be registered in another state or territory, to enable a Victorian parolee to serve their parole in that state or territory. In the reporting period, 27 Victorian parole orders were transferred to other jurisdictions (a slight increase from 25 orders in 2012–13).

If a parole order made in another state or territory is registered in Victoria, the parolee comes under the jurisdiction of the Victorian Adult Parole Board. In the reporting period, 28 such parole orders were transferred to Victoria (a slight decrease from 34 in the previous year).

### Youth transfers

Under section 471 of the *Children Youth and Families Act 2005*, the Board may transfer an offender who is under the age of 21 from a prison to a youth justice centre.

The Board may exercise this power only if it is satisfied, after considering a report from the Department of Human Services, that the offender is suitable and that a place is available for them in a youth justice centre.

In the reporting period, the Board transferred three prisoners to a youth justice centre.

The Youth Parole Board has an obverse power to transfer an offender who is 16 years or older from a youth justice centre to a prison. When a person transfers to prison, they become subject

to the jurisdiction of the Board as if the period of detention served by that person, prior to the transfer, had been a non-parole period.

In the reporting period, 20 offenders were transferred from a youth justice centre to a prison.

### Review of Board decisions

The Board has historically had a practice of internally reviewing its decisions if requested by an offender.<sup>9</sup> Since 2012–13, the Board has reported on such reviews in accordance with a requirement in section 72 of the *Corrections Act 1986*, which came into operation in April 2013.

In 2013–14, the Board recorded 400 requests for such reviews, which was a significant increase (91.4 percent) from the number recorded in the previous year.

The majority (363 or 90.8 percent) of the requests were rejected on the ground that there was no change in circumstance since the original decision. This compares with 149 (71.3 percent) in the previous year.

Of the reviews in 2013–14 that were successful, the most common outcome (23 cases) was to bring forward the time at which the offender's case was to be considered by the Board. An example of when this may occur is if, following the cancellation of parole and return of an offender to prison, the Board made a decision not to consider re-parole for a period and to request a progress report from Community Correctional Services close to the end of that period. The request for review may result in a decision to bring forward the date of that report and consideration of re-parole.

Other outcomes were to grant parole in place of the original decision to deny parole (five cases), to see the prisoner in person following a decision to deny parole (two cases) and to make a direction under section 77C of the *Corrections Act 1986* that a portion of the time spent on parole prior to the cancellation of parole be counted as time served in respect of the sentence (seven cases).

<sup>9</sup> The Board is currently revising its policy on reviews.

## DETENTION AND SUPERVISION ORDER DIVISION

### Chairperson's foreword

This year has seen a continued increase in the number of orders under the Division's jurisdiction.

In previous years, the Division had reported concerns about the timeliness with which sexual offenders were receiving assessment and treatment. This issue has now been largely addressed and the Division is no longer experiencing the same difficulties with sexual offenders not having been assessed and treated prior to their earliest eligibility date for parole.

Nevertheless, the Division continues to have concern about pressures on Corella Place, which is the residential facility built to house offenders subject to a supervision order who are unable to obtain appropriate accommodation elsewhere in the community or who require a higher level of supervision or support than other offenders on supervision orders.

In its 2012–13 Annual Report, the Division observed that this would become a focus of concern in 2013–14, given that at that time the facility was close to capacity and was not equipped to deal with certain offender groups, such as those who are aged and infirm.

The Board has been informed that work has now commenced to increase the capacity by 15, taking the number of offenders who can reside there from 40 to 55.

It has again been a very challenging year for the members of the Division, who have discharged their responsibilities with great skill and dedication. I thank them for their service to the community.

The support of the management and staff of the Division has been outstanding and I thank them for their professionalism.

Finally, I would like to acknowledge the leadership and dedication of my predecessor, His Honour Ross Betts, who chaired the Division from 1 January 2013 to 31 December 2013.

### Jurisdiction of the Division

Since 2005, it has been possible in Victoria for the Supreme Court or the County Court to make an order that a serious sexual offender be subject to supervision in the community following the completion of their sentence. A key difference between this and parole is that a person on parole is still serving their sentence. A court may make a supervision order only if it is satisfied by cogent evidence to a high degree of probability that the offender poses an unacceptable risk of committing a sexual offence.

The power to impose such orders was originally created by the *Serious Sex Offenders Monitoring Act 2005* ('the 2005 Act'). That Act was repealed and replaced by the *Serious Sex Offenders (Detention and Supervision) Act 2009* ('the 2009 Act') which came into operation in January 2010.

Each of the two Acts enabled the courts to impose conditions on supervision orders, and for the Board, through its Detention and Supervision Order Division, to give instructions and make directions in relation to those conditions. These can include matters such as:

- where the offender may reside
- times at which the offender must be at home
- places or areas that the offender must not visit or may only visit at specified times
- treatment or rehabilitation programs or activities that the offender must attend and participate in
- the types of employment in which the offender must not engage
- community activities in which the offender must not engage
- persons or classes of person with whom the offender must not have contact
- forms of monitoring (including electronic monitoring) of compliance to which the offender must submit

## DETENTION AND SUPERVISION ORDER DIVISION (CONT.)

- personal examinations by a medical expert which the offender must attend, for the purpose of assisting the Board in determining the need for, or form of, any instruction or direction.

The 2009 Act supplemented the power to make post-sentence supervision orders with a new power for the Supreme or County Court to order the detention of a serious sexual offender following the completion of their sentence. The Board is responsible for reviewing and monitoring offenders in detention orders and for reporting on the numbers made and the numbers completed.

Due to the close relationship between decisions relating to parole for sexual offenders and the administration of post-sentence supervision orders for serious sexual offenders, the Detention and Supervision Order Division of the Board also makes all decisions relating to parole for sexual offenders. This section of the report deals only with the Division's activities relating to supervision orders.

In this reporting period, the Division convened on 161 occasions, an increase of 27 percent from the 2012–13 reporting period. Fifty-one of those occasions were scheduled meetings. The remaining 110 were unscheduled meetings to consider urgent matters.

### The year at a glance

**Table 1 – Key statistics relating to the Detention and Supervision Order Division**

Detention and Supervision Orders	2013-14	2012-13	2011-12	2010-11	2009-10	% change between 2012-13 and 2013-14
Number of sittings of the Division	161	127	121	88	26	26.8%
Detention orders made	1	0	0	0	0	N/A
Interim detention orders made	0	0	0	0	0	N/A
Interim supervision orders made	8	8	6	5	6	0.0%
Supervision orders made	11	21	44	31	7	-47.6%
Number of persons directed to reside in a residential facility	14	12	8	8	4	16.7%
Number of persons in respect of whom an emergency power was exercised	2	1	1	0	0	100.0%
Number of persons required to comply with electronic monitoring	14	8	17	30	5	75.0%
Number of detention or supervision orders completed (including interim orders)	0	1	1	1	0	-100.0%

### Trends in the making of supervision and detention orders by courts

During the reporting period, the Supreme Court made one detention order. This was the first detention order to be made under the 2009 Act and was still in force as at 30 June 2014.

During the reporting period, the Supreme Court and County Court made eight interim supervision orders and 11 supervision orders. The duration of the supervision orders ranged from two to eight years. No orders were made under the 2005 Act.

The total number of orders made under the 2009 Act in the reporting period was 20.

During the reporting period:

- one supervision order was revoked on review
- no supervision orders were revoked on appeal
- one application for a supervision order was refused
- one offender subject to a supervision order passed away
- no supervision orders were completed.

### Orders under the Division's jurisdiction

As at 30 June 2014, the Division was responsible for the administration of 109 post-sentence orders, comprising one detention order, 104 supervision orders and four interim supervision orders. There were no orders under the 2005 Act.

The total number was slightly higher than the 101 orders at the same time in 2013.

### Directions to reside at Corella Place

Corella Place is a residential facility that was built for the purpose of housing offenders subject to a supervision order who are unable to obtain appropriate accommodation elsewhere in the community or who require a higher level of supervision or support than other offenders on supervision orders.

The 2009 Act gives the Division the power to direct an offender who is subject to a supervision order to reside at Corella Place. During 2013–14, the Division made 14 such directions. This was up from 12 directions in 2012–13 and eight directions in 2011–12.

### Emergency powers

The emergency powers contained in the 2009 Act provide the Division with the authority to give directions to manage an offender in a way that is inconsistent with, or not provided for, by the conditions of the supervision order. The Board exercised this power on two occasions in the 2013–14 reporting period.

### Electronic monitoring

Where authorised by the court making the order, the Division is able to direct offenders subject to supervision orders (including interim supervision orders) to comply with electronic monitoring. In the 2013–14 reporting period, the Division directed 14 offenders on such orders to comply with electronic monitoring.

## DETENTION AND SUPERVISION ORDER DIVISION (CONT.)

### Breaches of conditions

A court may impose a supervision order only if it is satisfied that the offender poses an unacceptable risk of committing a further sexual offence. This level of risk means that offenders on such orders are subject to a high degree of supervision by specialist workers within Corrections Victoria.

The 2009 Act enables the Division to inquire into any alleged breach of a condition of a supervision order and to assess the seriousness of the alleged breach. In doing so, the Division considers factors such as whether the conduct creates a risk to the safety of the community, is a repeated failure to comply with any condition, may increase the offender's risk of committing an offence or seriously compromises their rehabilitation or treatment.

Section 163 of the 2009 Act provides that, having regard to the seriousness of the breach, the Board may:

- take no action
- give a formal warning to the offender
- vary any directions that it has given to the offender under any condition of the order
- recommend that the Secretary to the Department of Justice apply to the court that made the order to review the conditions of the order
- recommend to the Secretary to the Department of Justice to refer the matter to the Director of Public Prosecutions to consider whether or not to apply for a detention order in respect of the offender
- recommend that the Secretary to the Department of Justice bring proceedings in respect of the offence of breach of a condition of a supervision order (which carries a maximum penalty of five years imprisonment).

The proactive supervision of these offenders means that although the Board is frequently notified of conduct that has the potential to involve breaches, Corrections staff are able to take appropriate case management steps to prevent the risk from escalating. In appropriate cases, the Board will interview and warn the offender or recommend to the Secretary that breach proceedings be initiated.

During 2013–14, the Secretary initiated 24 breach proceedings. During the same period, the courts found proven 26 breaches of supervision orders.<sup>10</sup>

<sup>10</sup> Three of the breach proceedings initiated in 2013-14 were still pending as at 30 June 2014, and five of the breach proceedings that were finalised in 2013-14 with a finding of breach proven were commenced prior to 1 July 2013.

# VICTIMS OF CRIME

## Victims Register

A Victims Register commenced on 30 August 2004 and is managed by the Victims Support Agency (VSA) of the Department of Justice. The Victims Registrar maintains contact with victims of crime who have asked to receive information about an adult prisoner who has been convicted of committing a violent crime against them.

The aim of the Victims Register is to provide victims of violent crime with timely, relevant and accurate information about offenders during their period of imprisonment. During 2013–14, the Board worked with the VSA to advise 56 registered victims of the date of release of the offender with regard to whom they were registered. In each case, in accordance with the requirements in the *Corrections Act 1986*, the notification was made at least 14 days prior to that release date.

## Victim submissions

Individuals included on the Register have the right to send a written submission to the Board when the prisoner in relation to whom they are registered is being considered for parole. The Board also accepts submissions made to it by victims who are not registered with the VSA, and considers any victim impact statements made to the sentencing court.

All submissions and letters from victims of crime are read by the Board and the issues and concerns raised are carefully considered as part of the decision-making process.

**Table 2 – Number of submissions received from victims**

Year	2013-14	2012-13	2011-12	2010-11	2009-10
Number	126	91	95	69	51

## Special conditions imposed

The Board regularly imposes special conditions on parole orders requested by victims, irrespective of whether they are registered or not, such as that the offender shall have no contact whatsoever either directly or indirectly with the victim or any member of the victim's family and geographical restrictions.

The Victims Registrar will provide information about the release of an offender on parole to victims who are on the Register, including any special conditions that the Board has imposed that are relevant to the victim.

## Victims of Crime Consultative Committee

In July 2012, the Attorney-General announced the establishment of a Victims of Crime Consultative Committee:

- to provide a forum for victims of crime and relevant justice and victim service agencies to discuss victims policies, practices and service delivery
- to advise the Attorney-General of policies, practices and reforms relating to victim issues and support services
- to promote the interests of victims in the administration of justice
- to promote the principles of the *Victims' Charter Act 2006*.

The Committee meets regularly and has representatives from the judiciary, Victoria Police, the Office of Public Prosecutions, the Victims of Crime Assistance Tribunal, the Victims Support Agency, as well as representatives of crime victims appointed from the broader community. During 2013–14, the Board was represented on the committee by the General Manager and by the Acting Chief Administrative Officer.

## Information brochures

The Board makes available a fact sheet providing general guidance for victims and a brochure, produced by the Victim Support Agency, about the Victims Register.

## OUR ORGANISATION

### Members of the Board

The tables below list all the people who held positions as members of the Board during the reporting period. Unless otherwise noted, they held the position for the whole reporting period.

#### Chairperson

The Hon. Justice Elizabeth Curtain	Justice of the Supreme Court Resigned as Chairperson with effect from 31 December 2013
The Hon. E William Gillard QC	Retired Justice of the Supreme Court Appointed to the Board as Chairperson from 1 January 2014

#### Deputy Chairperson

His Hon. Francis Shelton	Retired Judge of the County Court Appointed as Deputy Chair from 17 December 2013
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#### Judicial members

The Hon. Bernard Teague AO	Retired Justice of the Supreme Court Appointment to the Board expired 24 March 2014
The Hon. John Coldrey QC	Retired Justice of the Supreme Court Resigned as Board member with effect from 5 December 2013
His Hon. David Jones AM	Retired Judge of the County Court Resigned as Board member with effect from 31 December 2013
Her Hon. Judge Carolyn Douglas	Judge of the County Court
Her Hon. Judge Susan Pullen	Judge of the County Court Appointed to the Board from 6 November 2013
His Hon. Ross Betts	Magistrate Resigned as Board member with effect from 31 December 2013
His Hon. Gregory Connellan	Magistrate Appointed to the Board from 10 December 2013
His Hon. David Fanning	Magistrate Appointed to the Board from 10 December 2013
Her Hon. Lesley Fleming	Magistrate Resigned as Board member with effect from 31 December 2013
His Hon. Louis Hill	Magistrate Appointed to the Board from 10 December 2013
His Hon. Franz Holzer	Magistrate Appointed to the Board from 10 December 2013
His Hon. Francis Jones	Retired Magistrate Appointed to the Board from 29 April 2014
His Hon. Robert Kumar	Deputy Chief Magistrate
Her Hon. Kay Macpherson	Magistrate Appointed to the Board from 10 December 2013
His Hon. Gregory McNamara	Magistrate Appointed to the Board from 10 December 2013
His Hon. James Mornane	Retired Magistrate Appointed to the Board from 29 April 2014
Her Hon. Kim Parkinson	Magistrate Appointed to the Board from 10 December 2013

Her Hon. Jelena Popovic	Deputy Chief Magistrate Resigned as Board member with effect from 31 December 2013
His Hon. Steven Raleigh	Magistrate Resigned as Board member with effect from 31 December 2013
His Hon. Peter Reardon	Magistrate Appointed to the Board from 10 December 2013
His Hon. Ronald Saines	Magistrate Appointed to the Board from 10 December 2013
His Hon. Alan Spillane	Magistrate Appointed to the Board from 25 November 2013

### Full-time members

Dr David Curnow	Appointed to the Board from 18 May 2014
Stephen Farrow	Appointed to the Board from 11 November 2013
Michael Hepworth	Appointment to the Board expired 17 September 2013
Raj Malhotra	Appointed to the Board from 2 December 2013
Shivani Pillai	Appointed to the Board from 2 December 2013
Annie Tinney	Appointment to the Board expired on 11 December 2013
Danielle Windley	Appointed to the Board from 18 September 2013 to 16 May 2014

### Community members

Carmel Arthur	
Jim Berg	Appointment to the Board expired 16 October 2013
Dr Julian Davis	
Janet Farrow	Resigned as Board member with effect from 31 December 2013
Glenda Frost	Appointed to the Board from 17 December 2013
Peter Harvey	Appointed to the Board from 17 December 2013
Dr Kerry-Lee Jones	
Rudolph Kirby	Appointed to the Board from 17 December 2013
Veronica Olson	
Kieran Walshe APM	
Lisa Ward	Appointment to the Board expired 29 August 2013
Pamela White	Appointed to the Board from 29 April 2014
Keith Wolahan	Appointed to the Board from 17 December 2013
Judith Wright	

### Secretary to the Department of Justice

Greg Wilson <sup>11</sup>	
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<sup>11</sup> Under section 61(2)(f) of the *Corrections Act 1986*, the Secretary to the Department of Justice is automatically a member of the Board.

## OUR ORGANISATION (CONT.)

### Governance of the Board

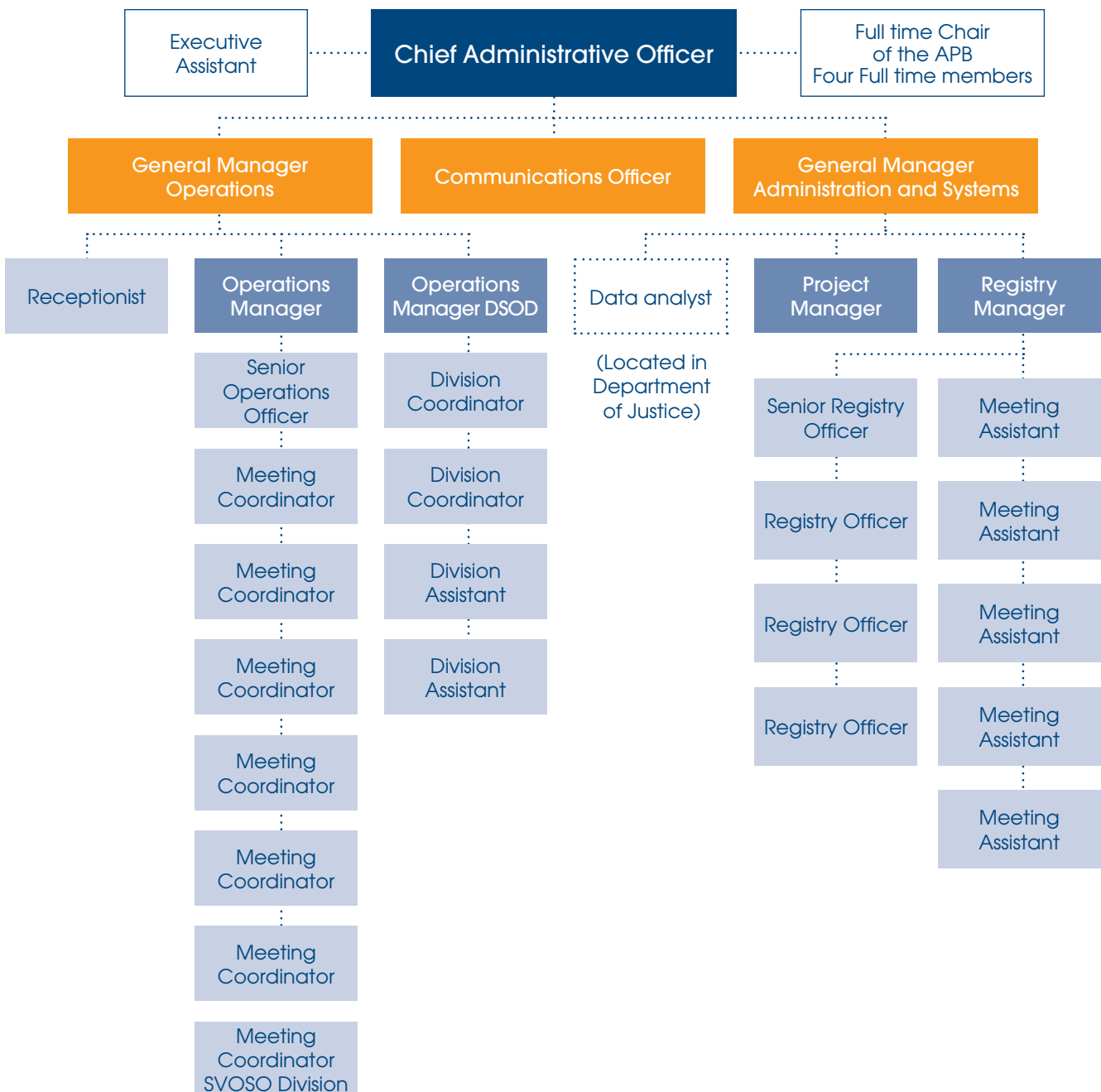
In January 2014, the Board established an Executive Committee comprising the Chairperson of the Board, the Deputy Chairperson of the Board, the full-time members of the Board and the Acting Chief Administrative Officer. The Executive Committee’s functions relate to matters such as:

- the Board’s practices and procedures

- the induction of new members and the ongoing practice development of all members
- consultation with Corrections Victoria on all proposed legislative and practice changes affecting parole.

The Executive Committee met fortnightly from January to June 2014.

### Organisational chart



## Staff

Staff of the Board provide all the administrative and support functions associated with the organisation of Board meetings. In addition, the secretariat undertakes significant monitoring, reporting and liaison functions associated with the timely and appropriate processing of all offenders who come within the jurisdiction of the Board.

As at 30 June 2014, there were 32 staff comprising one executive officer and 31 VPS staff as set out below.

**Table 3 – Non-executive workforce profile**

VPS Grade	2013-14			2012-13			2011-12			2010-11			2009-10		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
VPS Grade 6	0	2	2	1	0	1	1	0	1	1	0	1	2	0	2
VPS Grade 5	1	3	4	0	3	3	1	2	3	1	1	2	1	1	2
VPS Grade 4	0	2	2	0	0	0	0	0	0	0	1	1	0	1	1
VPS Grade 3	0	12	12	0	8	8	0	8	8	0	8	8	0	8	8
VPS Grade 2	1	10	11	2	5	7	2	5	7	0	9	9	0	9	9
VPS Grade 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>2</b>	<b>29</b>	<b>31<sup>12</sup></b>	<b>3</b>	<b>16</b>	<b>19</b>	<b>4</b>	<b>15</b>	<b>19</b>	<b>2</b>	<b>19</b>	<b>21</b>	<b>3</b>	<b>19</b>	<b>22</b>

### Equal employment opportunity employer

Appointments and promotions are based on merit, and staff members receive the training and experience required to enhance their skills and abilities. The Board values and respects the diversity of its workforce and is committed to providing a workplace that is free from sexual harassment, bullying and workplace violence for all staff and visitors to the Board.

### Occupational health and safety

The Board manages health and safety at work through the Department of Justice Occupational Health and Safety (OHS) Committee and various health and safety representatives. This includes offering all staff the opportunity to participate in a structured debriefing program by a clinical psychologist. The aim of the program is to

provide preventative and proactive interventions for the early detection, identification and/or resolution of both work and personal problems that may adversely affect work performance and wellbeing.

### Visitors to the Board

While the Board's hearings are not open to the public, it welcomes applications from individuals who have a legitimate purpose and wish to observe Board meetings.

Those with a legitimate purpose may include judges, magistrates, academic researchers and students, trainee community corrections staff, and persons with a particular interest in the operations of the Board, for example, those engaged in similar operations from other jurisdictions.

<sup>12</sup> This represents the number of filled positions. As at 30 June 2014 there were four vacancies.

## OUR ORGANISATION (CONT.)

By encouraging visitors, the Board takes an open and transparent approach to its operations, while enabling visitors to gain a greater understanding of the Board's responsibilities. At the same time, the Board ensures its meetings are conducted with the utmost integrity and a high standard of quality in terms of its decision-making.

All visitors are required to read Fact Sheet 2 – Observers at Board Meetings and sign a Confidentiality Declaration. The chairperson of the division ensures that the visitor has signed the declaration and explains the importance of maintaining the strict confidentiality of the proceedings.

### Privacy and Freedom of Information

The privacy principles contained in the Victorian *Information Privacy Act 2000* and *Corrections Act 1986* prescribe the manner in which the Board handles information collected and received about prisoners and parolees.

The *Corrections Act 1986* provides that information given to the Board is 'confidential information' unless it is disclosed in a decision of the Board or any reasons given by the Board. The Board is therefore prohibited from disclosing the contents of files kept in relation to prisoners and parolees, except if the use or disclosure is reasonably necessary:

- for the administration of Corrections legislation
- for the preparation for, conduct of or participation in criminal proceedings in any court or proceedings before a tribunal
- to lessen or prevent a serious and imminent threat to a person's life or safety.

The Board is not subject to the provisions of the *Freedom of Information Act 1982*.

### Publications

The Board makes available the following fact sheets:

Fact Sheet 1 – General Guide to Parole

Fact Sheet 2 – Observers at Board Meetings

Fact Sheet 3 – General Guide to Prisoner Interviews

Fact Sheet 4 – Parolees Required to Attend the Board

Fact Sheet 5 – The Detention and Supervision Order Division of the Adult Parole Board

Fact Sheet 6 – Information for Community Corrections Officers who Attend the Board

Fact Sheet 7 – General Guide for Victims

Fact sheets explaining significant aspects of recent reforms will be made available in the second half of 2014.

The Board offers a range of other publications and information to the public, including:

- Adult Parole Board of Victoria Annual Report
- Adult Parole Board – Members' Manual
- Adult Parole Board – Administrative Procedures Manual
- Fifty Years of the Adult Parole System in Victoria 1957 to 2007
- Victims Register – a brochure produced by the Victims Support Agency.

### Website

For further information about the Board, visit: [www.corrections.vic.gov.au/home/parole](http://www.corrections.vic.gov.au/home/parole)

# FINANCIAL REPORT

## Operating statement and financial summary – 2009–10 to 2013–14

### Funding and expenditure

The Board is funded by Corrections Victoria and utilises the Department of Justice's systems for the payment of its accounts. Consequently, there is no requirement for the Board to maintain a bank account.

**Table 4 – Funding and expenditure**

	2013-14	2013-14	2012-13	2011-12	2010-11	2009-10
	\$	% of total expenditure	\$	\$	\$	\$
Funding						
	4,394,000		3,185,600	2,808,800	2,777,400	2,523,200
Expenditure						
Salaries to staff	2,323,347	48%	1,423,521	1,401,036	1,356,329	1,316,818
Sessional member fees	329,436	7%	303,189	204,649	174,463	153,353
Salary related on-costs	752,027	16%	596,876	292,676	289,739	296,994
Operating expenses	1,397,572	29%	746,994	878,100	846,093	674,156
<b>Total expenditure</b>	<b>4,802,382</b>		<b>3,070,580</b>	<b>2,776,461</b>	<b>2,666,624</b>	<b>2,441,321</b>

The additional expenditure by the Board is attributed to particular projects and staffing resources such as:

- additional staffing resources raised from 23 to 32
- additional full-time members and the appointment of the full-time Chairperson
- additional sitting fees to members for the increased number of sittings and orientation program
- the digitisation of paper files project
- refurbishment of the Carlton office to create four additional offices and five new workstations
- expenditure for consultants and contractors to assist with administrative reforms and preparatory administrative work to support the implementation of legislative reforms such as breach of parole
- expenditure on new equipment and software applications to transition to electronic files in Board sittings, and the after hours operation of the Board.

## FINANCIAL REPORT (CONT.)

### Audited accounts

The Board's accounts are audited as part of the accounts of Corrections Victoria, Department of Justice and are published in the Department of Justice's Annual Report.

### Assets

The Board is not a body corporate and does not have power under its legislation to purchase, hold, or dispose of real and personal property.

### Employee benefits

All employees of the Board are paid by Corrections Victoria. Consequently, the Board does not make payments directly in respect of employees' superannuation, payroll tax and WorkCover.

### Member remuneration

Remuneration of sessional members and the Board's full-time members is fixed by the Governor in Council. Judicial members are not remunerated for their work on the Board. Retired judicial members and community members are remunerated at the rate of \$509 per sitting day. Retired judicial members are remunerated at the rate of \$590 per sitting day when acting as Chairperson of a division. These rates are set out in the Department of Premier and Cabinet's *Guidelines for the Appointment and Remuneration of Part-Time Non-Executive Directors of State Government Boards and Members of Statutory Bodies and Advisory Committees*.

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## CONTACT DETAILS

### Adult Parole Board of Victoria

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DX 211768 Carlton

**Telephone:** (03) 9094 2111

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[www.corrections.vic.gov.au/home/parole](http://www.corrections.vic.gov.au/home/parole)

### Interpreter service

Call 131 450 and ask for the Adult Parole Board



