

Adult Parole Board of Victoria

ANNUAL REPORT
2014–15



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LETTER TO THE MINISTER



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The Hon Wade Noonan MP
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 12 months from 1 July 2014 to 30 June 2015.

Yours sincerely

His Honour Peter Couzens
Chairperson

Stuart Ward
Chief Administrative Officer

OVERVIEW OF 2014–15

Acting Chairperson’s Report

HIS HONOUR FRANK SHELTON

It has been another year of significant, system-wide changes, with the Board consolidating its reform agenda and bedding down the recommendations from the multiple parole system reviews of recent years.

Before I continue further, I would like to acknowledge the exceptional stewardship of the previous Board Chairperson, the Honourable E. W. (Bill) Gillard QC. Bill’s work in overseeing the substantial suite of changes to the parole system, all the while ensuring that the work of the Board continued effectively and without interruption, was highly commendable. On behalf of the Board I acknowledge his contribution, which has placed the Board in good stead for its next appointed leader, His Honour Peter Couzens, retired County Court Judge.

Peter joined us at the end of the reporting year and has shown a remarkable enthusiasm and drive to continue Bill’s work at the Board. The recently retired President of the Children’s Court of Victoria comes to us with a wealth of experience in the Victorian court system and I am confident the Board is in good hands as it furthers its journey into modernisation.

Modernisation has been an important theme throughout 2014–15 at the Board. The year finds us having addressed most of the 23 measures from Ian Callinan AC’s *Review of the Parole System in Victoria*. It is an achievement worth noting, and I draw attention to the hard work of the project teams and staff who have worked to make it happen. The Board now operates in a fully electronic, technologically intuitive environment, having modernised all aspects of our operations to support the core function of the Board – to make parole decisions.

The Board’s decisions regarding parole are not designed to eliminate wholly the risk of an offender committing further offences.

The purpose of parole is to manage and reduce the risk of reoffending through providing incentives for prisoners to address their offending behaviour. The application of strict monitoring and conditions, with additional transitional support and treatment as appropriate, assist an offender on their path to rehabilitation. The Board makes decisions with the safety and protection of the community as the paramount consideration, and prisoners no longer labour under the false presumption that parole is an automatic entitlement.

Indeed, the operation of the Serious Violent Offender or Sexual Offender Division (SVOSO Division), established on 1 July 2014, is just one aspect of this new approach to parole. The Division is designed to provide an extra layer of scrutiny for those offenders whose index offence may put them at higher risk of committing serious crimes in the community. The Division considers cases where a recommendation for parole has been made for a serious violent or sexual offender by a ‘first-tier’ sitting of the Board. Only an endorsement of that recommendation by the ‘second tier’ Division can lead to a decision to grant parole. The Division heard 750 cases in 2014–15, and during my time as Acting Chairperson I have grown to appreciate the taxing nature of the Division’s work, with cases that are characteristically complex and multifaceted.

I also draw attention to the number of serious violent or sexual offence convictions, committed by parolees during a period of parole. Last year, the Board reported on this number for the first time. This year, we have seen a significant reduction, from 60 persons convicted on serious offences in 2013–14 to 22 in 2014–15. This attests to the tangible impact that recent reforms have had on the parole system, from the greater quality of information the Board receives when making its decisions, to its powers to detain parolees on a suspected breach of conditions, and stronger cancellation provisions.

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60

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IN 2013–14 TO



22

IN 2014–15

“

The Board makes decisions with the safety and protection of the community as the paramount consideration.



His Honour Frank Shelton
Acting Chairperson

“

The last few years of overhaul and modernisation have established the Board as an international leader in parole practice and operations.

The Board's work is supported by staff and Members who are passionate about their work in justice. I acknowledge outgoing Board Members Judith Wright, Keith Wolahan, Vera Olson and Judge Carolyn Douglas, and welcome in the new cohort of sessional members. I especially thank Vera Olson for her 30 years of service at the Board, as both a member of its secretariat staff and as a Community Board Member. She has had a lasting impact on the Board's work and her legacy continues to this day.

The Board also welcomed a new Chief Administrative Officer, Stuart Ward, in September 2014. Stuart quickly settled into the position and has provided very strong leadership and vision in the strategic and operational management of the Board.

Parole is a key component of Victoria's justice system, and the last few years of overhaul and modernisation have established the Board as an international leader in parole practice and operations. I look forward to continuing in the role of Deputy Chairperson and wish Peter all the best as he takes the reins.

Chief Administrative Officer's Report

STUART WARD

This report marks the transformation of the Adult Parole Board into a modern decision-making body.

The transformation not only reflects the implementation of reforms flowing from recent reviews of the parole system including the 2013 Review of the Parole System in Victoria by Ian Callinan AC. It has also been driven by improvements to resources, governance and practices that have emanated from the Board and the Secretariat that supports it. A culture of positive change and continuous improvement has seeded, and is sprouting.

Supporting the Board – both in its daily decision-making work and in the development and implementation of best practice improvements – is a Secretariat of dedicated, professional and hardworking Corrections Victoria staff. The Secretariat works in a close, complementary, and respectful partnership with the Board.

The Board manages a high volume of intense and difficult work that is of utmost importance to the Victorian community. That it does so with such efficiency and effectiveness is a credit to the Members of the Board and the staff who support it.

BOARD MEMBERS

In September 2014 the Board's membership was expanded to include 11 new Community Members and one new Judicial Member. Coming from a wide range of professional backgrounds, they bring a welcome diversity of experience and knowledge to the Board.

An extensive induction program was delivered to acquaint the new Members with the Board's practices and the broader environment in which it operates. The program included presentations from most of the Corrections Victoria Executive, information sessions run by the Full Time Members of the Board, and site visits to prisons. The new Members also observed several Board meetings before being rostered onto sittings.

The seminar program offered to Board Members, keeping them apprised of relevant information and practice developments, has continued to develop. Most monthly seminars include a discussion on a key practice point, in addition to a presentation by an external speaker. Supplementing the monthly seminars, the Board now runs two annual full day seminars to allow for practice topics and themes to be explored in greater detail and in an interactive environment.

A review of the sittings of the Board led to a successful pilot of new arrangements for scheduling meetings and rostering Members. Feedback from the pilot, conducted in the first six months of 2015, has confirmed the benefits of scheduling more meetings including half-day meetings, keeping the number of matters listed for each meeting at a manageable level, and channelling matters onto appropriate meeting agendas. The outcomes of the changes include that there is more time at meetings to consider and determine each matter, and that Board Members are able to sit with a greater frequency than would otherwise be the case.



A culture of positive change and continuous improvement has seeded, and is sprouting.

STAFF STRUCTURE

I am delighted that Corrections Victoria has agreed to the creation of a new staff structure that will provide the Secretariat with the capacity to continue to service the Board at the highest standard and improve practices on an ongoing basis. It will also provide greater incentives and career opportunities for staff. After a period of consultation, the proposed structure will be implemented in the next reporting year.

Information sharing and morale building has been enhanced through a weekly staff newsletter and professional development days.

It is important to pay tribute to Jan Noblett, who acted as the Chief Administrative Officer during the time the reform agenda was running at its peak. It is through her leadership and vision that much of the improvement work was driven.

TECHNOLOGY

Board sittings now proceed as a matter of course with Members using electronic offender files. Not only does this enable easier navigation of a large number of matters and reduce delays during the meetings, but the scanning of all documents will feed into the development of a Case Workflow System, leading to greater process efficiencies.



Stuart Ward
Chief Administrative Officer

PAROLE APPLICATIONS

Since 1 March 2015, eligible prisoners wishing to be released on parole have had to apply to the Board for parole. This includes those prisoners who have returned to custody after their parole has been cancelled and seek to be re-paroled.

In accordance with the Callinan Review recommendation for such an approach, this change demonstrates that parole is not an entitlement but a privilege, and places the responsibility on the prisoner to apply.

The successful introduction of the parole application process has been a major achievement, with the Board processing an average of 188 applications each month. Processes have been implemented for the receipt and initial assessment of each application, enabling the Board to direct whether parole planning should proceed.

Complementing the application process, the Board has worked closely with Corrections Victoria on a new suite of reports to be prepared by parole officers from Community Correctional Services and presented to the Board for consideration. The most significant of the new reports is the Parole Suitability Assessment which compiles all relevant information for the Board to determine whether to grant parole and the conditions to impose.

SERIOUS VIOLENT OFFENDER OR SEXUAL OFFENDER (SVOSO) DIVISION

The Board successfully implemented the 'second tier' SVOSO Division on 1 July 2014.

The Secretariat has serviced the SVOSO Division through a dedicated Meeting Coordinator during the first 12 months of operation. As the SVOSO Division is now well established, the support function will be absorbed into 'business as usual' and allocated among all Meeting Coordinators, building a wider knowledge base of the jurisdiction.

DETENTION AND SUPERVISION ORDER DIVISION (DSOD)

An important part of the Board's practice is its legislative role with regard to offenders who have completed their sentence, but are subject to a court order for detention or supervision because the court is satisfied that the offender poses an unacceptable risk of committing a sexual offence if the offender is in the community without the order.

During the year the Board instigated a review of DSOD processes, and the circumstances in which it receives information from Corrections Victoria.

BREACH OF PAROLE

The legislative process for the notification of breach of parole allegations by Victoria Police has been in place for 12 months, and is reported on in this report. To accommodate this process, Board Members and senior Secretariat staff are rostered to monitor notifications on a 24/7 basis.

Given that timeliness of decision-making is an important part of the process, it is commendable that a final decision was made (to cancel parole, or not cancel parole) on every notification received during the year by no later than the next working day after the notification was received.

MONTHLY REPORTS

From January 2015 the Board has produced monthly reports, enabling the Executive and Secretariat management team to monitor trends in key activities, including Board decisions.

The process will be enhanced in the coming year by quarterly reviews including analysis of identified data groups.



The successful introduction of the parole application process has been a major achievement.

GOVERNANCE OVERSIGHT

A strong governance structure ensures the Board manages its business in an agile and effective manner while, at the same time, ensuring appropriate safe-guards.

Governance is provided through a comprehensive committee structure ultimately controlled by the Executive, comprised of the Chairperson, Deputy Chairperson and Chairperson of the DSOD, the Full Time Members of the Board, and myself. Some of the governance committees involve Judicial and Community Board Members, and some include external stakeholders.

PRACTICE IMPROVEMENT GROUP

The Board established the Practice Improvement Group as a forum to review significant, novel, and complex practice points that arise in Board sittings and general business. At the time they are identified, practice points are captured on a simple form for presentation at the Group's next meeting. With the aim of reviewing the practice issues in a timely way to improve the Board's knowledge of issues and how they are dealt with, the role of the Practice Improvement Group is to recommend whether the practice point is communicated among the Board's membership, whether it needs to be examined, whether there are implications for other practices or agencies, and whether the practice needs to be captured in any of the Board's resources. The Practice Improvement Group reports to the Board's Practice Subcommittee.

All Board Members have the opportunity to be part of the Practice Improvement Group, as the Members sitting on the Board on the day of the Group's meeting participate in that meeting.

PRACTICE RESOURCES

The written resources available to Board Members and Secretariat staff have been improved. During the year –

- The Board completed and published the fifth edition of its Members' Manual, renamed as the Parole Manual.
- The Board completed 20 Practice Guidelines for Board Members.
- The Secretariat updated its Secretariat Manual and Administrative Procedures Manual.

ACKNOWLEDGMENTS

I acknowledge the strong support of Corrections Victoria, which has worked with the Board on many issues to enhance understanding and operational effectiveness, including on the implementation of significant parole system reforms.

The Chairperson of the Board provides crucial leadership to Board Members and Secretariat staff. I acknowledge both the Hon. E. W. Gillard QC and His Honour Frank Shelton, who have ably and conscientiously carried this responsibility throughout the year, and look forward to working closely with His Honour Peter Couzens. The Chairperson is very well supported by the four Full Time Members who have a wealth of knowledge, experience and capability.

Finally, I have been impressed by the knowledge, professionalism, flexibility and resilience of the Secretariat staff. Under the guidance and direction of an energetic management team, on a daily basis they undertake demanding work in an environment that is often difficult and dynamic. I am proud to have joined them, and thank them for their continued commitment and dedication.

Full Time Members

There are four Full Time Members at the Adult Parole Board. Every Board panel contains at least one Full Time Member, to ensure consistency in decision-making and to guide the other Board Members using their considerable expertise and intimate knowledge of the parole system.

They also provide high-level executive support to the operations of the Board through sitting on Subcommittees, overseeing the ongoing education and development of the other Members, delivering presentations on behalf of the Board, exploring and implementing strategies to improve Board practice, and attending to breach of parole matters after hours.



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In 2014 Stephen was awarded a Winston Churchill Memorial Trust Fellowship to study parole and prisoner re-entry in the United States of America and Canada.

STEPHEN FARROW

Stephen Farrow was appointed to the Board on 11 November 2013. Prior to his appointment, Stephen served for five years as CEO of the Victorian Sentencing Advisory Council. While in that role, he co-authored the Council's 2012 *Review of the Victorian Adult Parole System*. He trained as a lawyer and began his career as a commercial solicitor and judge's associate in the Victorian Court of Appeal, where he developed an interest in criminal law. Since that time he has worked in a range of criminal law policy roles with the Victorian government, including at the Department of Justice and the Victorian Law Reform Commission. In 2014 he was awarded a Winston Churchill Memorial Trust Fellowship to study parole and prisoner re-entry in the United States of America and Canada.



RAJ MALHOTRA

Raj Malhotra was appointed to the Board on 2 December 2013. His legal career began in Western Australia where he operated his own law firm and was thereafter appointed a Crown Prosecutor. Moving to the UK in 2005, he practiced as an Environmental Prosecutor. Since arriving in Melbourne in 2006, he has held various senior roles in the Victorian government, including Manager of Prosecution and Investigations at the Department of Transport, Special Counsel at the Victorian Government Solicitor's Office, Acting Director of the Child Protection Litigation Office (Department of Human Services) and General Counsel and Director of Regulatory Services at the Victorian Commission for Gambling and Liquor Regulation. Raj also has lecturing and training experience locally and internationally in the fields of law and prosecutions/investigations.



SHIVANI PILLAI

Shivani Pillai signed the bar roll in November 2000. Shivani's practice as a barrister was predominantly in criminal law until her appointment to the Board in December 2013 as a Full Time Member. Shivani appeared for both the defence and prosecution and regularly appeared in jury trials. She has appeared in the Federal Court, Supreme Court of Appeal, Supreme Court, County Court, Magistrates' Court, Children's Court and Victorian Civil and Administrative Appeals Tribunal. Prior to being a barrister, she was an Associate in the Supreme Court of Victoria, a Prosecutor with the Commonwealth Director of Public Prosecutions, a personal injuries investigator/consultant and a volunteer solicitor's assistant at Victoria Legal Aid.



DR DAVID CURNOW

Dr David Curnow has been a forensic psychologist for 16 years and received his PhD from Monash University in 2011. He was appointed as a Full Time Member of the Board in May 2014. Prior to this he held a variety of clinical leadership positions in the Victorian and South Australian correctional systems and the federal government. In private practice he has provided psychological treatment to a broad range of clients and groups, in addition to providing advice to courts on criminal, civil, and family law matters. He has been appointed to regional, state and national boards of the Australian Psychological Society, and is a forensic registrar supervisor for the Australian Health Practitioner Regulation Agency.

Year at a glance

	2014-15	2013-14	2012-13	2011-12	2010-11	% change between 2013-14 and 2014-15
PAROLE ELIGIBILITY						
Prisoners in custody (at 30 June)	6,219 ¹	6,113	5,340	4,884	4,737	1.7%
Prisoners eligible for parole (at 30 June)	3,765	4,244	3,785	3,328	3,230	-11.3%
PAROLE APPLICATIONS						
Total Number Received (since 1 March)	753	-	-	-	-	-
Total Progressed to Parole Planning	623	-	-	-	-	-
BOARD MEETINGS						
Total (Board and DSOD) meeting days	295	266	242	187	166	10.9%
Prisoners interviewed at prison	179	787	1,899	1,665	1,671	-77.3%
PAROLE ORDERS						
Parole orders granted	1,341	1,313	2,051	1,843	1,792	2.1%
Parole orders denied	841	834	425	296	201	0.8%
Parole orders revoked ²	70	111	42	49	37	-36.9%
Parole order completions	856	1,116	1,244	1,042	1,132	-23.3%
CANCELLATION OF ORDERS						
Parole orders cancelled	569	761	930	659	530	-25.2%
Length of parole served prior to cancellation:						
• day of release to less than three months	324	354	414	249	210	-8.5%
• three to less than six months	99	170	227	167	124	-41.8%
• six to less than 12 months	83	126	173	138	105	-34.1%
• 12 months or more	63	111	116	105	91	-43.2%

¹ This figure is based on the numbers on the morning of 30 June 2015, due to data collection anomalies on this date.

² Parole orders are 'revoked' when the Board reverses a decision to grant parole to an offender, prior to the release on parole of that offender.

	2014-15	2013-14	2012-13	2011-12	2010-11	% change between 2013-14 and 2014-15
SVOSO DIVISION						
Total matters considered	750	-	-	-	-	-
SVOSO orders granted	598	-	-	-	-	-
SVOSO orders denied	9	-	-	-	-	-
SVOSO orders revoked	12	-	-	-	-	-
Other outcomes ³	131	-	-	-	-	-
SERIOUS VIOLENT OR SEXUAL OFFENCE CONVICTIONS						
Total number persons convicted	22	60	-	-	-	-63.3%
• SVO convictions	20	54	-	-	-	-63.0%
• SO convictions	1	5	-	-	-	-80.0%
• Both SVO and SO convictions	1	1	-	-	-	0.0%
BREACH OF PAROLE (DETENTION)						
Total Notifications Received	198	-	-	-	-	-
Total Ceased to Detain	46	-	-	-	-	-
Total Detained	152	-	-	-	-	-
• Total Cancelled	119	-	-	-	-	-
• Total Not Cancelled	33	-	-	-	-	-
REVIEWS						
Requests for reviews	373	400	209	-	-	-6.8%
• Rejected	344	363	149	-	-	-5.2%
• Accepted	29	37	60	-	-	-21.6%
VICTIM SUBMISSIONS						
Submissions	124	126	91	95	69	-1.6%
DETENTION AND SUPERVISION ORDERS						
Detention orders made by the Supreme Court	1	1	0	0	0	0.0%
Interim supervision orders made by the Supreme and County Courts	13	8	8	6	5	62.5%
Supervision orders made by the Supreme and County Courts	15	11	21	44	31	36.4%

³ Other outcomes include parole variations, deferred cases, additional conditions, or prisoners being considered on multiple occasions.

	2014-15	2013-14	2012-13	2011-12	2010-11	% change between 2013-14 and 2014-15
YOUTH TRANSFERS						
Transfers from Prison to a Youth Justice Centre	2	3	8	2	2	-33.3%
Transfers from a Youth Justice Centre to Prison	15	20	26	12	16	-25.0%
INTERSTATE TRANSFERS						
Parole orders transferred from Victoria	24	27	25	18	19	-11.1%
Parole orders transferred to Victoria	39	28	34	21	49	39.3%
MEMBERS OF THE BOARD AT 30 JUNE 2015						
Judicial Members	17	17	11	14	12	0.0%
Full Time Members	4	4	2	1	1	0.0%
Community Members	17	8	9	8	8	112.5%
Departmental representatives	1	1	1	1	1	0.0%
Total Members	39	30	23	24	22	30.0%
STAFF OF THE BOARD AT 30 JUNE 2015						
Total employees	31	31 ⁴	19	19	21	0.0%
FINANCIAL MANAGEMENT						
Funding	5,550,800	4,394,000	3,185,600	2,808,800	2,777,400	26.3%
Expenditure	5,129,911	4,802,382	3,070,580	2,776,461	2,666,624	6.8%

⁴ The 2013-14 Annual Report reported this figure as 32. The extra staff member is not part of the Board's Secretariat but is made available to the Board from the Department of Justice & Regulation. As such, they are not included in the staff count and this figure is corrected to 31.

2014–15 Highlights

PAROLE APPLICATION PROCESS

- Requirement to apply for parole commenced on 1 March 2015.
- Onus to initiate parole consideration now on the prisoner, rather than the Board.

SERIOUS VIOLENT OFFENDER OR SEXUAL OFFENDER (SVOSO) DIVISION

- SVOSO Division established on 1 July 2014.
- ‘Two tier system’ parole decision framework assures an extra layer of consideration for all SVOSO parole decisions.
- Board Chairperson sits on every SVOSO Division panel.
- The Division considered 750 matters in 2014–15.

SERIOUS VIOLENT OR SEXUAL OFFENCE CONVICTIONS

- A 63.3 per cent reduction in the number of parolees convicted on serious violent or sexual offences.

63.3%

REDUCTION IN THE NUMBER OF PAROLEES CONVICTED

ON SERIOUS VIOLENT OR SEXUAL OFFENCES

100%

OF BREACH NOTIFICATIONS CONSIDERED AND DETERMINED EITHER ON THE DAY OF THE NOTIFICATION OR ON THE NEXT WORKING DAY

BREACH OF PAROLE

- Breach of parole legislation enacted on 1 July 2014.
- Victoria Police empowered to arrest and detain a parolee on a suspected breach.
- Board operates 24-hour, seven-day-a-week model to manage breach notifications.
- 100 per cent of breach notifications considered and determined either on the day of the notification or on the next working day.

NEW PAROLE CONDITIONS

- New parole conditions commenced on 1 July 2014.
- Simpler language used.
- Four extra core conditions added to all parole orders.

ROSTER MODERNISATION

- Board meeting roster overhauled on 1 January 2015.
- More meetings scheduled allowing for more frequent attendance by sessional Board Members.
- Reduced case load at meetings, enabling greater scrutiny and consideration of each individual case.

FULL DIGITISATION

- Digitisation of Board files finished late 2014.
- Over two million pages scanned.
- All Board hearings conducted electronically.
- All hard copy duplicate files securely destroyed.

BOARD MEMBER EDUCATION

- Parole Manual updated.
- Suite of internal Practice Guidelines developed.
- Monthly educational seminars hosted for Board Members.
- Comprehensive orientation and induction program for new Members.

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Roster modernisation has led to reduced case load at meetings, enabling greater scrutiny and consideration of each individual case.

What is parole?

LEGISLATIVE FRAMEWORK

The *Corrections Act 1986* establishes the Adult Parole Board of Victoria, its composition, functions, powers, and decision-making principles. Unlike a court, the Board is exempt from the rules of natural justice and its decisions are not subject to appeal. The Board has additional functions outlined in 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 a supervision or detention order. These offenders are managed through the Board's Detention and Supervision Order Division (DSOD).

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 sentencing 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 sentencing 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 by the sentencing court, 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.

The main decisions made by the Board are:

- to grant parole
- to deny parole
- to revoke parole
- if parole is granted, to impose conditions on parole
- to vary parole conditions
- to cancel parole if there has been a breach (or suspected breach) of a parole condition, or if the risk of harm to the safety and protection of the community has escalated.

The Board must give paramount consideration to the safety and protection of the community when making a parole decision (section 73A, *Corrections Act 1986*).

Cancellation of parole

The legislative provisions governing the cancellation of parole are found in section 77 of the *Corrections Act 1986*. Key provisions relate to:

- Automatic cancellation of parole. Parole is automatically cancelled when an offender is sentenced to a term of imprisonment while on parole, or when a serious violent or sexual offender is convicted on a violent or sexual offence while on parole. Furthermore, the Board is required to consider whether to cancel parole when a parolee is charged with committing an offence while on parole that is punishable by imprisonment.
- Time to count. Time spent on parole in the community does not count as time served on a prison sentence. As such, a parolee who has had their parole cancelled must serve the time they spent on parole in addition to the remainder of their prison sentence, extending their sentence end date. However, the Board may direct that some or all of the period a parolee spent on parole counts as time served ('time to count' or 'street time').
- Serving half the unexpired period of parole on cancellation. If a parolee is convicted on an offence punishable by imprisonment, committed while on parole, and subsequently has their parole cancelled, they normally cannot be re-paroled until they have served at least half the parole period remaining at the time of cancellation.
- The safety and protection of the community is the Board's paramount consideration in making a decision to cancel an offender's parole.

Parole conditions

There are 10 core parole conditions that apply to every parole order, and 18 special conditions that are applied on a discretionary basis depending on an offender's individual circumstances.

The core conditions are:

- 1) You must not break any law.
- 2) You must report to the community corrections centre specified in this Order within 2 clear working days after this Order comes into force.
- 3) You must notify a community corrections officer of any change of address at least 2 clear working days before the change of address.
- 4) You must notify a community corrections officer of any change of employment within at least 2 clear working days of the change of employment.
- 5) You are under supervision of a community corrections officer.
- 6) You must report to, and receive visits from, a community corrections officer as and when directed by the community corrections officer.
- 7) You must be available for interview by a community corrections officer, the Regional Manager or the Adult Parole Board at the time and place as directed by the community corrections officer or the Regional Manager or Adult Parole Board.
- 8) You must attend in person at a community corrections centre as directed in writing by a community corrections officer.
- 9) You must not leave Victoria without the written permission of the Regional Manager.

- 10) You must comply with any direction given by a community corrections officer or the Regional Manager or the Adult Parole Board that is necessary for a community corrections officer or the Regional Manager or the Adult Parole Board to give to ensure that you comply with this Order.

The special conditions include conditions relating to alcohol abstinence, drug testing, curfews, residential and travel restrictions, victim contact restrictions, participation in rehabilitation programs, community work, and electronic monitoring.

PURPOSE AND PRINCIPLES

The purpose of parole is to provide a structured, supervised and supported transition back into the community for offenders who have served the non-parole period of their sentence and are approaching the end of their prison sentence, under conditions that are designed to minimise their risk of reoffending. Parole cannot completely eliminate the risk of reoffending. It aims to provide an incentive to offenders to address factors that contributed to their offending and ensure their level of risk is managed appropriately in the community under strict monitoring and supervision. Offenders who are released at the end of their sentence without parole have less opportunity for ongoing treatment, rehabilitation, and transitional support.

In making decisions to grant parole, the Board carefully considers all relevant

information, with the paramount consideration being the safety and protection of the community, as directed by section 73A of the *Corrections Act 1986*.

Other matters that the Board takes into account include (but are not limited to):

- the sentence imposed by the court including any comments about parole and rehabilitation
- the nature and circumstances of the offence for which the offender is serving a sentence
- the offender's criminal history, including performance on past paroles or community-based orders
- any submission received from a victim of the offender
- the outcome of formal risk assessments conducted in relation to the offender
- whether the offender has undertaken treatment and, if so, formal reports of their performance in relation to that treatment
- suitable and stable accommodation arrangements
- the offender's behaviour in prison.

For serious offenders, the Board considers a detailed home assessment report about the suitability of proposed accommodation.

THE HISTORICAL CONTEXT OF PAROLE

The Adult Parole Board of Victoria has been in operation since 1957. It was created as part of a series of major reforms that replaced the Indeterminate Sentences scheme, which had operated since 1908.

Under that scheme, a court could declare a person to be an ‘habitual criminal’ and could sentence them to be imprisoned indefinitely, to be released only when the Governor in Council, acting on the advice of the Indeterminate Sentences Board, decided that they had “sufficiently reformed or that there is some other good and sufficient reason”. Upon release, the person was subject to conditions and supervision and could be returned to prison for breach of those conditions.

The parole system created in 1957 was broader in scope, as it applied to any prisoner sentenced to a term of imprisonment longer than twelve months. It also provided a greater degree of certainty, as the sentencing court was to fix a non-parole period, after which the prisoner would become eligible for parole, and a head sentence, being the maximum length of the sentence.

In the Second Reading Speech for the Penal Reform Bill 1955, which introduced the parole system in Victoria, the Chief Secretary, Arthur Rylah, indicated that the overriding aim of parole is the protection of the community. In setting out the purpose of parole, he commented that:

A man cannot be trained to live at peace with the community if he is kept in close captivity under a harshly-regimented régime. The logical and essential thing to do, after he is trained and is ready for release, is to provide a period of supervision in the community. I have no hesitation in declaring that a prisoner’s prospects of rehabilitation will be considerably enhanced by the institution of a parole service to provide guidance and supervision to released prisoners. Experience shows that the problems of rehabilitation are greatest immediately following release and recidivism is greatest at this stage. Each prisoner properly rehabilitated and reabsorbed into community life is a social and economic gain to the community, and by such means in the long run society is protecting itself.⁵

The benefit of parole in reducing reoffending has recently been supported by research from New South Wales.⁶ In 2014, the New South Wales Bureau of Crime Statistics and Research examined nearly 7,500 offenders who were released in 2009 and 2010 according to whether the offender was released with or without parole supervision and according to the intensity of the parole supervision. The researchers ensured that the groups being compared in terms of release status and supervision intensity were alike in all other observed respects. It found that:

- offenders who received parole supervision upon release from custody took longer to commit a new offence, were less likely to commit a new indictable offence and committed fewer offences than offenders who were released unconditionally into the community; and
- more active supervision can reduce parolee recidivism, but only if it is rehabilitation focused.



The benefit of parole in reducing reoffending has recently been supported by research.

⁵ Victoria, ‘Penal Reform Bill’, *Parliamentary Debates*, Legislative Assembly, 1 December 1955, 2386–2387 (Arthur Rylah, Chief Secretary).

⁶ Wai-Yin Wan, Suzanne Poynton, Gerard van Doorn and Don Weatherburn, ‘Parole Supervision and reoffending’, *Trends and Issues in Crime and Criminal Justice* No.485 (2014) Australian Institute of Criminology

MODERNISATION AND REFORM

The Board’s journey to modernisation was consolidated in 2014–15, with several key reforms completed throughout the reporting year. This section illustrates the breadth of those changes and the impact they have had on the operation of parole.

Parole reforms

PAROLE APPLICATION PROCESS

The requirement for prisoners to formally apply for parole commenced on 1 March 2015. This replaced a system where prisoners were automatically considered by the Board on the expiry of their non-parole period, and instead places the onus on prisoners to initiate the parole process. Prisoners are able to make an

application to the Board from 12 months prior to their earliest eligibility date, and must also submit an application if they wish to be considered for re-parole following a parole cancellation.

The operation of the application process is illustrated in the hypothetical case studies below.

Parole application journey hypothetical

	OFFENDER #1	OFFENDER #2
Offender Characteristics	Prisoner is classified as a serious violent offender who was convicted on armed robbery and sentenced to a period of six years with a non-parole period of four years Prison location – Loddon	Prisoner is classified as a serious violent offender who was convicted on arson causing death and sentenced to a period of twelve years with a non parole period of nine years Prison location – Fulham
Prison Behaviour	Nil incidents in second half of sentence. Completed recommended offending behaviour programs	Positive urinalysis results for cannabis and buprenorphine. Further incidents reported for standover tactics. Completed recommended offending behaviour programs
Recommendation from the Prison Case Management Review Committee	Meets threshold to proceed with parole planning	Does not meet threshold to proceed with parole planning
Previous Parole History	Nil. Has completed a community corrections order	Served one parole period prior to current sentence – parole was cancelled.
Assessment of parole application by Board	Proceed with parole planning	Parole application deferred
Result	Parole Suitability Assessment (PSA) provided three months before EED Board will consider PSA to determine whether to grant parole and if so, what conditions to impose	New parole application may be submitted once offender has rectified behaviour.

SERIOUS VIOLENT OFFENDER OR SEXUAL OFFENDER (SVOSO) DIVISION

The Board's SVOSO Division was established on 1 July 2014 in accordance with section 64A of the *Corrections Act 1986*. This section 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 the SVOSO Division adopts that recommendation. In essence, it provides a second tier of robust review to the release of offenders who may present a higher risk to the safety and protection of the community.

The SVOSO Division must be comprised of the Chairperson of the Board and at least one other member, selected by the Chairperson. The SVOSO Division considered 750 matters in 2014–15.

PREPARATION FOR THE INTRODUCTION OF THE CASE WORKFLOW SYSTEM

Following the achievement of full digitisation of the Board's offender database, work commenced on the second aspect of Measure 1 of the Callinan Review⁷ – the case management (workflow) system. The objectives of this system include improved quality of case administration through the automation of case handling activity; decision management and quality assurance processes; streamlined electronic flows of information to and from the Board; improved data capture and reporting capabilities; and a user friendly, efficient and intuitive system.

The Board is working closely with the Corrections Applications Technology Services team at Corrections Victoria on the development of the system, to commence operation in December 2015.

BREACH OF PAROLE

Under section 78B of the *Corrections Act 1986*, Victoria Police is empowered to detain parolees suspected of having breached prescribed terms and conditions of their parole orders, including the condition that they must not break any law. Victoria Police notifies the Board of the details of the alleged breach within 12 hours of the detention. In response, a member of the Board determines whether the circumstances warrant further detention pending consideration of cancellation of parole by a full Board.

Since 1 July 2014, 198 notifications were received from Victoria Police. Of these, 152 parolees continued to be detained pending a full Board decision, with 119 eventually having their parole cancelled.

The Board has made this final determination on either the day it received the information from Victoria Police or on the next working day in all instances.

The Board continues to work closely with Victoria Police and Corrections Victoria to ensure the effectiveness of the operating model.

BREACH OF PAROLE – CASE STUDY

Peter⁸ was convicted at the Melbourne County Court for the offences of *Possess Prohibited Firearm*, *Possess Drugs* and *Driving-related offences*. On this occasion Peter received a sentence of one year with a non-parole period of six months. Peter was released on parole one month after his earliest eligibility date and successfully completed his three-month intensive period of parole. Six weeks after this Peter came to the attention of Victoria Police after a night out with friends ended in a verbal and physical altercation with another group of males. Within five hours of the incident Victoria Police notified the Board, and within three hours of the notification a decision was made to detain Peter until further information could be provided by his parole officer. Twenty-four hours after the initial notification, Peter's parole officer provided the Board with a written report about the incident. Based on his escalation of risk, the Board cancelled Peter's parole order. During this episode, Peter was in police custody the entire time, representing no risk to the community.

⁷ "A new and comprehensive electronic database and case management system which is accessible to all members of the Board and its staff needs to be established as quickly as possible. The database and case management system should be designed to include appropriate Police intelligence and to allow secure remote access by Board members."

⁸ Not his real name.

IMPROVED COLLABORATION WITH CORRECTIONS VICTORIA

The achievements of the past year reflect the strong working relationship and cooperative spirit between the Board and Corrections Victoria. The Board and the Parole Central Unit (a division of Corrections Victoria) have engaged in a range of activities to strengthen processes, with numerous administrative reforms implemented across the system.

Some of the highlights include:

- Early identification and notification to the Board of parolees who experience significant mental health decline resulting in a hospital admission
- Reform of reports provided to the Board in relation to offenders applying for parole and offenders on parole
- Quick identification and outcomes for offenders who use drugs whilst on parole.

The Board acknowledges the commitment, hard work and efforts of the staff of Corrections Victoria who manage and supervise offenders subject to parole.

COMPLETION OF PROJECTS

This year saw 27 projects commenced with five projects closed.

These projects are monitored by the Project Board, a description of which can be found under the “Governance” section of this report.

For the purposes of coordination, projects are categorised as:

- Continuous improvement of Board practice and Secretariat processes/procedures
- IT system development or enhancement
- Corrections Victoria operational/parole reforms.

Successful completions this year included:

- The digitisation of all offender-related records and secure destruction of obsolete hard copy files.
- Implementation of the new parole application process that has seen the Board consider 753 parole applications from prisoners who wish to be considered for parole.
- Revision and implementation of the suite of reports utilised by Community Correctional Services when making recommendations on parole release and conditions and reporting on offenders’ progress on parole.

IMPLEMENTATION AND CLOSURE OF CALLINAN REFORMS

In July 2013, former High Court Judge Ian Callinan AC delivered his report *Review of the Parole System in Victoria*. Mr Callinan recommended 23 measures to reform the parole system.

Throughout the 2014–15 reporting year, the Board has continued to work cooperatively with Corrections Victoria and others to implement the recommended reforms. As at 30 June 2015, 22 of the 23 measures have been acquitted. Ten of the recommendations were implemented during the 2014–15 reporting year.

The one partially outstanding measure relates to the deployment of a case workflow system for members and staff of the Board, with the expectation that the system will be operational by December 2015. The priority this work has for the Board means that Secretariat staff have been committed to work full time with the Corrections Victoria project management team responsible for delivering the project.

The Board is also actively participating in the establishment of an effective framework for the evaluation of the parole system reforms.

CHURCHILL FELLOWSHIP

In 2014, Stephen Farrow, a Full Time Member of the Board, was awarded a Winston Churchill Memorial Trust Fellowship to study the operation of parole and prisoner re-entry in the United States and Canada.

The Fellowship enabled Stephen to travel to North America for four weeks in April and May 2015. While there, Stephen was able to observe five parole boards in operation (the Massachusetts State Parole Board, the New Jersey State Parole Board, the Pennsylvania Board of Probation and Parole, the Provincial Ontario Parole Board and the National Parole Board of Canada). Stephen met with parole board members and staff, parole officers and prisoners.

Stephen also met with leading parole researchers, including Professor Joan Petersilia of Stanford University (California) and Professor Ralph Serin of Carlton University (Ontario). At the University of Minnesota, he attended a meeting of the Robina Institute Parole Release and Revocation Project Advisory Committee and the Institute’s annual conference, where he was able to meet leading parole experts from across the United States.

Stephen’s research will assist the Board’s strategic planning, by providing information and recommendations based on his study of the history of parole, his observations of how a range of other parole boards operate in practice and his examination

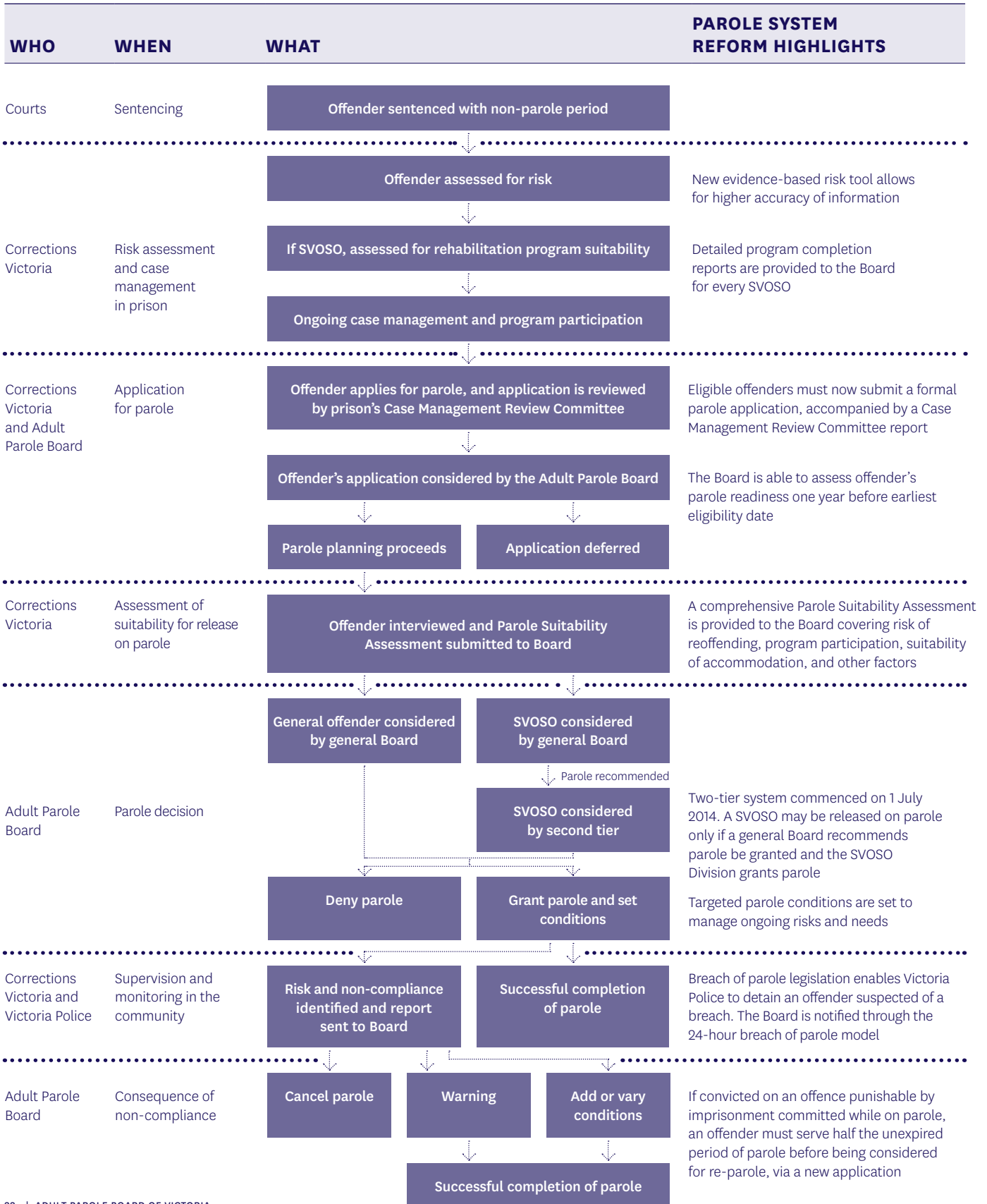
of current reforms, particularly in the United States. In particular, his Fellowship will assist the Board:

- to ensure that the recent parole reforms in Victoria are implemented coherently and effectively
- to consistently and effectively exercise the significant areas of discretion that it continues to have in making decisions about its processes and procedures
- to make strategic decisions about how to anticipate and respond to further challenges and opportunities and to continue to increase the public value that it provides through its work.

Parole in 2015

JOURNEY FROM SENTENCING TO PAROLE

The diagram below illustrates, at a high level, the steps governing an offender’s journey from the time of their sentencing to the successful completion of their parole.



THE BOARD – THEN AND NOW

Board operations have changed dramatically in the past three years in terms of its resourcing and operations. A greater representation of the community has the support and time it requires to consider each case before it in a thorough and careful manner, and make an informed decision that is recorded accurately and actioned efficiently.

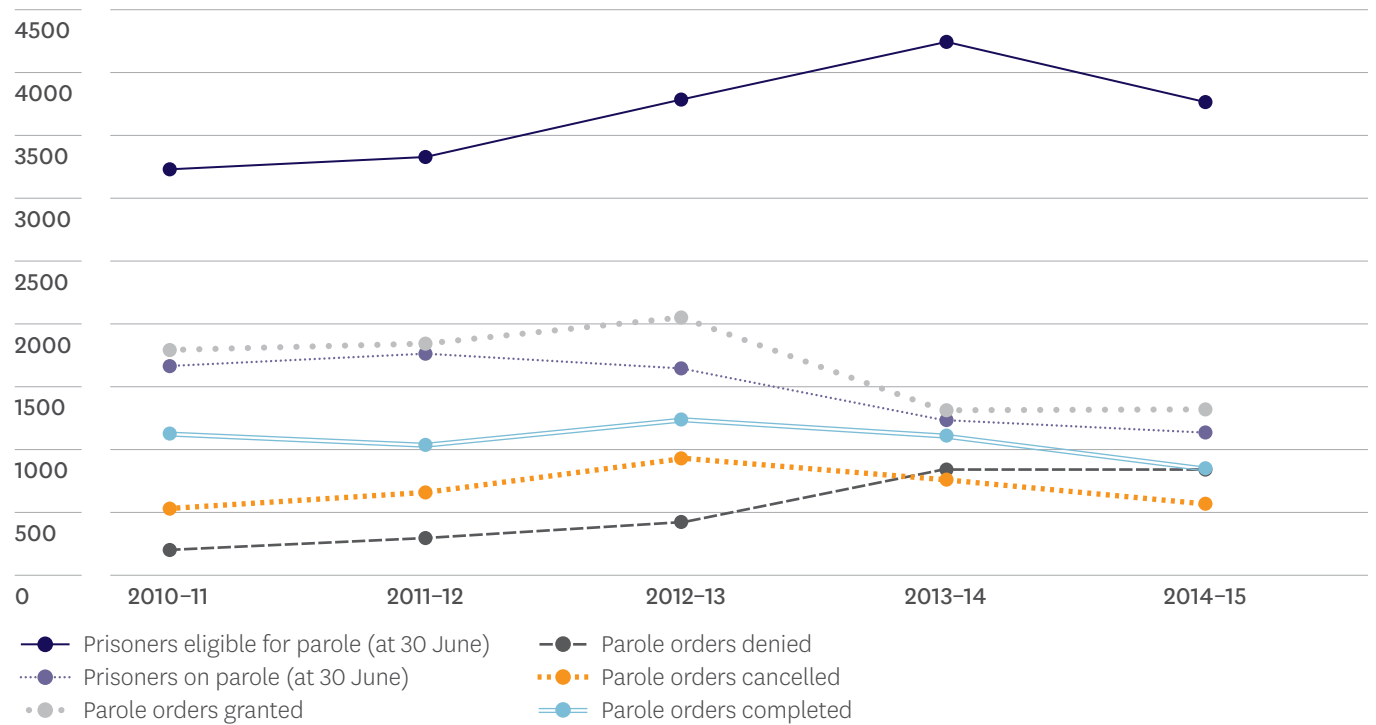
		2011-12	2014-15
Board Membership	Total Members	24	39
	Judicial Members	14	17, including a full-time Chairperson
	Full Time Members	1	4
	Community Members	8	17
	Secretary to the Department of Justice	1	1
Number of Board Secretariat staff		19	31 Newly created positions include: • Chief Administrative Officer • General Manager, Administration and Systems • Project Manager • Communications Officer
Number of Board meeting days		187	295
Average matters considered per meeting day		55	33
Initiation of parole consideration		Board initiated consideration of parole for all eligible prisoners.	Eligible prisoners must apply to the Board for parole.
File management		Master blue file and three triplicate pink files kept for each offender. All incoming reports and documents photocopied three times for triplicate files.	Electronic database contains all offender files and documentation. Master blue file kept as back up.
Decision recording		Decisions handwritten in triplicate by all Board Members on panel.	Decisions recorded electronically by Meeting Coordinator, becoming single source of truth.
Parole trends	Parole granted	Higher ratio of parole orders granted in relation to prisoners eligible for parole (0.55).	Lower ratio of parole orders granted in relation to prisoners eligible for parole (0.36).
	Parole denied	Lower ratio of parole orders denied in relation to prisoners eligible (0.09).	Higher ratio of parole orders denied in relation to prisoners eligible (0.22).
	Parole cancelled	Lower ratio of parole orders cancelled in relation to parole orders granted (0.36).	Higher ratio of parole orders cancelled in relation to parole orders granted (0.42).
Funding received by the Board		\$2,808,800	\$5,550,800

Note: A meeting day may include multiple sittings, and matters considered are divided across those sittings

DECISION-MAKING AND BOARD OPERATIONS

Decisions relating to parole

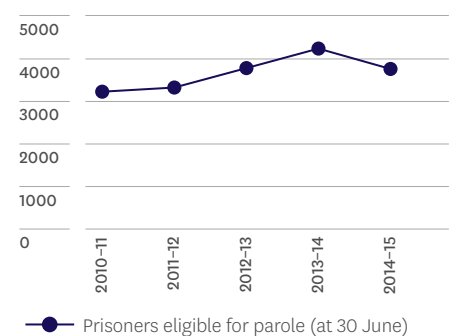
Figure 1: Trends in the numbers of prisoners eligible for parole, prisoners on parole, parole orders granted, parole orders denied, parole orders cancelled, and parole orders completed.



Prisoners eligible for parole

The number of **prisoners eligible for parole** as at 30 June each year increased substantially from 2011-12 to 2013-14, continuing a rising trend for the previous decade. It then declined by 11.3 per cent in 2014-15. A major factor in this decline is likely to be amendments to the *Sentencing Act 1991* which came into force in September 2014. They enable a sentencing court to impose a sentence of imprisonment of up to two years (previously limited to three months) in combination with a community corrections order. For example, an offender who would previously have received a total sentence of 18 months comprising an 18 month sentence of imprisonment with a nine month non-parole period may now receive a total sentence of 18 months comprising a nine month sentence of imprisonment followed by a nine month community corrections order.

Figure 1a: Prisoners eligible for parole



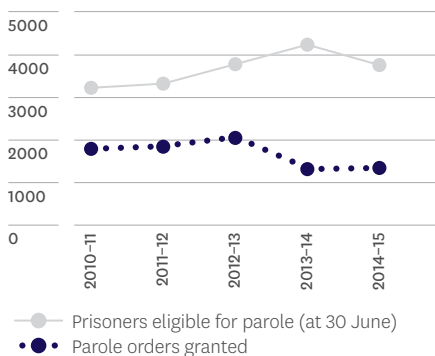
Parole orders granted

Until 2012–13, the number of **parole orders granted** had been increasing, although the increase had been lagging the increase in the number of prisoners eligible for parole. In 2013–14, the number of prisoners eligible for parole increased steeply, while the number of parole orders granted dropped by more than a third (36.0 per cent). The drop in parole orders granted by the Board is a consequence of the many parole reforms and reflects a tightening of the criteria for release on parole.

In 2014–15 the drop in the number of parole orders granted stabilised.

The ratio between the number of prisoners eligible for parole and the number of parole orders granted is now much lower. This can be seen by comparing 2012–13 and 2014–15. In both years the number of prisoners eligible for parole was almost identical (3,785 and 3,765); however, in 2012–13 the Board granted 2,051 parole orders (a ratio of 0.54) whereas in 2014–15 the Board granted 1,341 parole orders (a ratio of 0.36).

Figure 1b: Parole orders granted

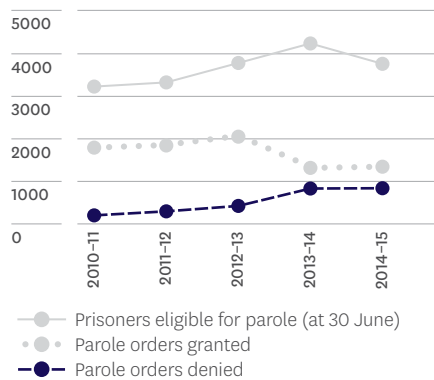


Parole orders denied

The number of **parole orders denied** has been increasing throughout the past five years. The increase was particularly steep from 2012–13 to 2013–14, and has levelled off in the most recent financial year.

Until 2012–13, the increase in parole orders denied had been occurring in tandem with the increase in the number of parole orders granted, both of which reflected the increase in the number of prisoners eligible for parole. Since 2012–13 the pattern of parole orders denied has essentially been the inverse of parole orders granted, with the increase in denials mirroring the fall in orders granted.

Figure 1c: Parole orders denied



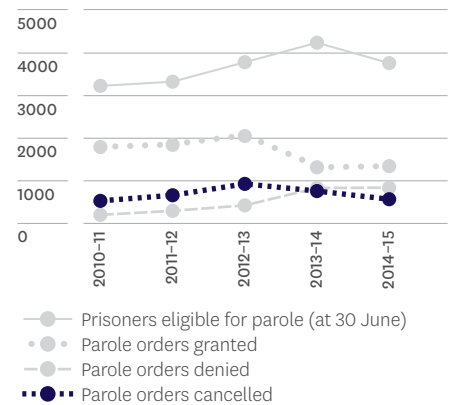
Parole orders cancelled

The number of **parole orders cancelled** peaked in 2012–13 at 930. It has since declined to 569 in 2014–15, reflecting the lower number of parole orders granted in 2013–14 and 2014–15.

The ratio between parole orders granted and parole orders cancelled was 0.30 in 2010–11. It peaked at 0.58 in 2013–14 (in other words, there was a much higher number of orders cancelled relative to the number of orders granted, compared with previous years).

In 2014–15 the ratio was 0.42. While this is lower than the peak in the previous financial year, it is much higher than it was in 2010–11.

Figure 1d: Parole orders cancelled



Prisoners on parole

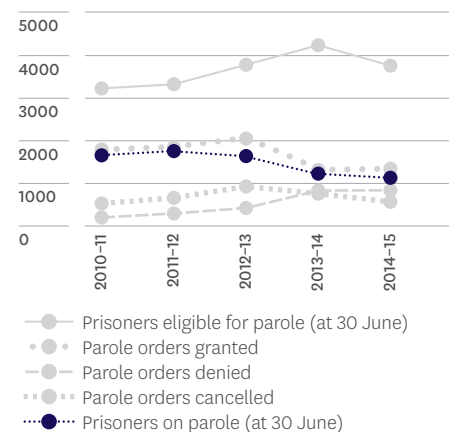
The number of **prisoners on parole** has been declining since 2011–12.

Despite the increase in parole orders granted in 2012–13, the number of prisoners on parole declined in that year because of the sharp increase in cancellations.

The reduction in prisoners on parole was sharpest in 2013–14, reflecting a decline in the number of orders granted, an increase in denials, and a much shallower decline in the number of cancellations.

The rate of decline in the number of prisoners on parole has slowed in 2014–15 as the number of parole orders granted has stabilised and the number of cancellations has slightly declined.

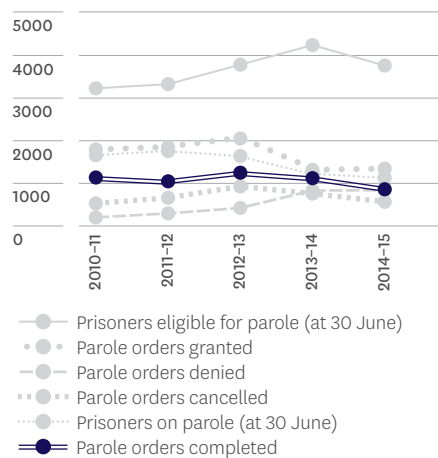
Figure 1e: Prisoners on parole



Parole orders completed

The number of **parole orders completed** each financial year had fluctuated between a low of 1,042 in 2011-12 to a high of 1,244 in 2012-13, before declining to 856 in 2014-15. It is important to see those fluctuations in light of the movements in the number of parole orders granted and the number of cancellations (bearing in mind that an order can be as short as two months or as long as the parolee’s natural life). For example, in 2010-11, the number of orders granted was relatively high and the number of cancellations was relatively low, meaning that the number of orders completed was relatively high. The completions declined in the following year as the number of cancellations increased. Although the number of cancellations increased further in 2012-13, an increase in the number of orders granted meant the number of completions rose. The number of cancellations declined in 2013-14, and the number of completions also declined, because of the very steep drop in the number of orders granted. The number of completions has continued to decline in 2014-15, despite a continued fall in the number of cancellations and an increase in the number of orders granted. The decline in completions is most likely to be a lagged effect of the very steep drop in the number of orders granted from 2012-13 to 2013-14.

Figure 1f: Parole orders completed



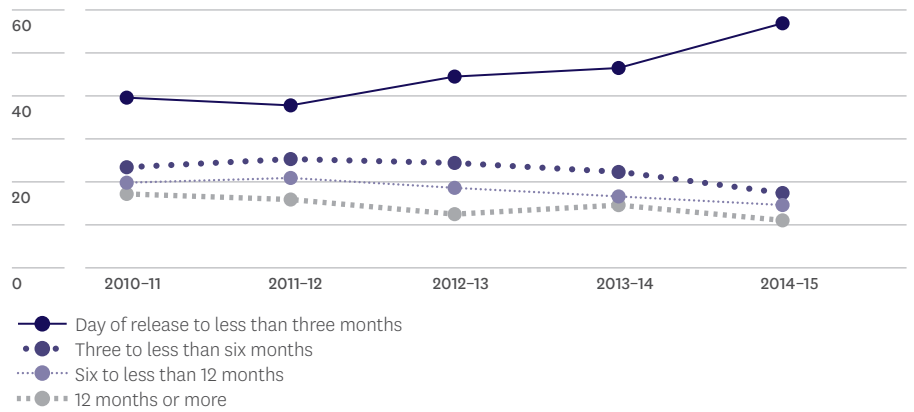
SERIOUS VIOLENT OFFENDER OR SEXUAL OFFENDER PAROLE ORDERS

Of the 1,341 parole orders granted in 2014-15, 520 (38.8 per cent) related to serious violent or sexual offenders. More than three-quarters of those offenders were serious violent offenders (405), with 103 sexual offenders, and 12 who were both serious violent and sexual offenders.

LENGTH SERVED ON PAROLE PRIOR TO CANCELLATION

The trend towards cancelling parole within the first three months of a parole order has continued into 2014-15, with 56.9 per cent of cancellations occurring between the day of release to less than three months.

Figure 2: Percentage of parole cancellations each reporting year from 2010-11 to 2014-15 according to the period between parole release and cancellation



SERIOUS VIOLENT OR SEXUAL OFFENCE CONVICTIONS

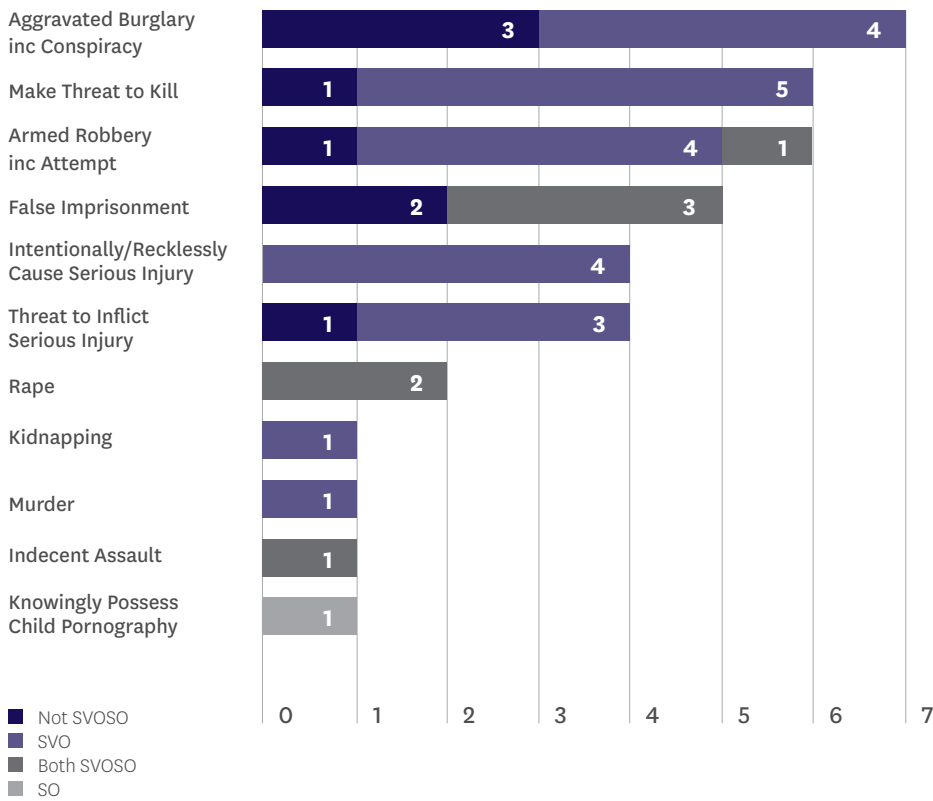
In 2013–14, the Board reported for the first time on the number of people convicted during the reporting year for serious violent offences and sexual offences committed by them while on parole. There were 60 people convicted during that year.

In 2014–15, there were 22 people convicted in respect of 38 offences, a 63.3 per cent reduction from last year.

Figure 3 illustrates those offences and the classification of the offender who committed the offences (note: a person may be convicted on more than one offence). Their 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 sexual offender is based on the offence or offences for which they were on parole.

Over half (57.9 per cent) of the offences were committed by a parolee classified as a serious violent offender. The murder listed in Figure 3 was committed by Gavin Perry in July 2013, on which he was convicted in October 2014. The two rapes were committed by Adrian Bayley in 2012, on which he was convicted in May 2015.

Figure 3: Number of people convicted in 2014–15 of a serious violent or sexual offence committed while on parole



In 2014–15, there were 22 people convicted in respect of 38 offences, a 63.3 per cent reduction from last year.

BREACH OF PAROLE – DETENTION

Breach of parole legislation was enacted on 1 July 2014, allowing Victoria Police to detain a parolee suspected of a breach of a prescribed term or condition of their parole order (section 78B of the *Corrections Act 1986*).

When this occurs, the Board is notified and it decides whether to continue to detain the parolee until the breach can be considered at a full Board sitting, at which the Board may determine to cancel parole, warn the parolee, or take other action.

From 1 July 2014 to 30 June 2015, 198 breach of parole notifications were received from Victoria Police. Just over three quarters of those notifications (76.8 per cent) resulted in continuing detention for the parolee.

Figure 4: Number of parolees detained and cancelled by the Board following notification of a suspected breach of parole by Victoria Police

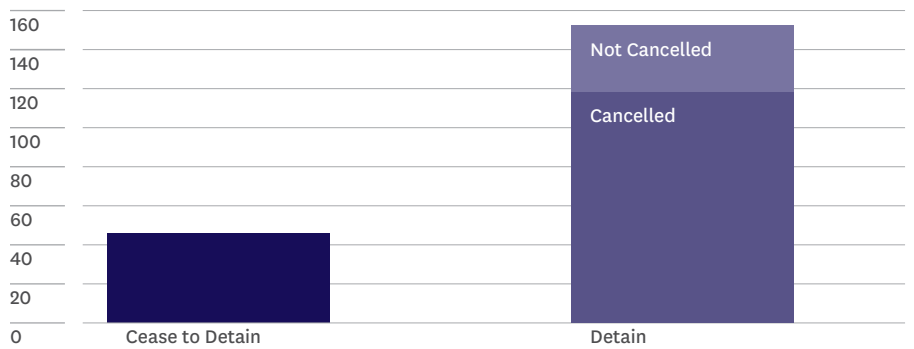


Figure 5: Percentage of parole orders cancelled following detention of parolee on a suspected breach of parole

Of the parolees who continued to be detained, 78.0 per cent had their parole cancelled.

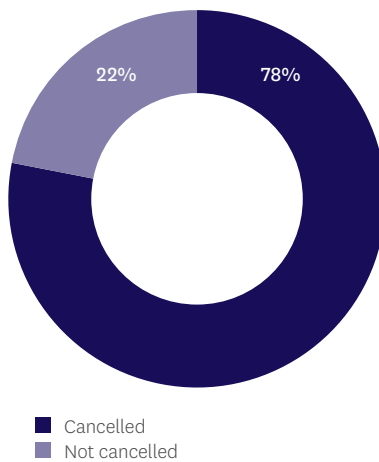
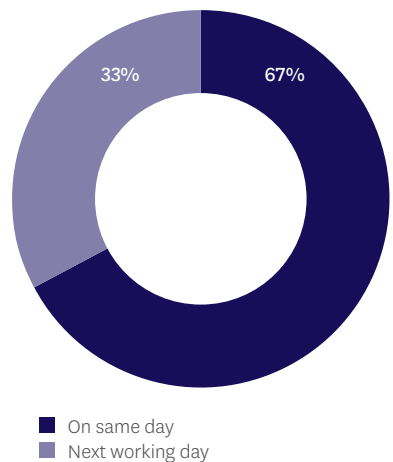


Figure 6: Time taken by the Board to make a decision on a detained parolee

100.0 per cent of final determinations on cancellation have been made either on the day of the receipt of the notification or on the next working day.



REVIEWS

In 2014–15, the Board received 373 requests for a review of a parole decision, a slight decrease from the 400 requests recorded in 2013–14.

- 344 (92.2 per cent) of the requests were rejected, on the ground that there was no change in circumstance since the original decision.
- 29 (7.8 per cent) of the requests were accepted. The most common outcomes were to bring forward the date on which an offender's case was to be considered by the Board (12 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 (12 cases). Other outcomes were to grant parole in place of the original decision to deny parole (two cases), and to see the prisoner in person following a decision to defer consideration (three cases).

PAROLE APPLICATIONS

The requirement for prisoners to apply for parole commenced on 1 March 2015. From 1 March 2015 to 30 June 2015, 753 applications were received by the Board.

- Of those 753 applications, 82.7 per cent were approved to proceed to parole planning.
- 6.6 per cent were deferred.
- The remaining applications were either denied, or deemed unnecessary or invalid.

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. Conversely, the Youth Parole Board may transfer an offender from a youth justice centre to a prison.

In 2014–15:

- 15 young people were transferred from a youth justice centre to an adult prison.
- 2 young people were transferred from an adult prison to a youth justice centre.

INTERSTATE TRANSFERS

The Victorian Minister for Corrections is empowered by a national legislative scheme to direct that a parole order made in another state or territory be registered in Victoria, to enable the parolee to relocate to Victoria and serve their parole here. Correspondingly, the 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 2014–15:

- 24 Victorian parole orders were transferred to other jurisdictions.
- 39 interstate parole orders were transferred to Victoria.

VISITORS TO THE BOARD

The Board's hearings are not open to the public, however individuals who have a legitimate purpose are welcome to enquire about observing a meeting.

In 2014–15, 28 visitors observed Board meetings. These included community corrections staff, Department of Justice & Regulation graduates, academic researchers, and others working broadly in corrections and justice.

Having visitors attend meetings promotes public transparency and contributes to the Board's engagement agenda. All visitors are required to sign a Confidentiality Declaration to prevent unauthorised disclosure of personal or sensitive information.



Having visitors attend meetings promotes public transparency and contributes to the Board's engagement agenda.

Collaboration with Victoria Police

FUGITIVE TASK FORCE

Fugitive Task Force is part of the Victoria Police State Anti-Gang Division and is responsible for the timely and safe arrest of offenders who have either had their parole cancelled or breached a supervision order.

Fugitive Task Force members work closely with the Adult Parole Board, Community Correctional Services, health professionals and government agencies (both State and Federal) in order to achieve the Unit's mandate.

The Board and Fugitive Task Force work together collaboratively to ensure arrests occur swiftly by providing full access to reports and documentation on an offender's file.

Fugitive Task Force also ensure the safe escort and security of offenders extradited back to Victoria from other states and territories in Australia.

The Board and Fugitive Task Force are parties to a memorandum of understanding which provides for a shared agreement and understanding of the processes relating to the exchange of information and cooperation.

MELBOURNE NORTH POLICE STATION

The Board holds meetings on a daily basis at its office in Carlton and is at times required to interview offenders either via video link or in person.

When an offender is required to attend a meeting, the Board may cancel their parole order and issue a Warrant for Apprehension and Return to Prison.

If this occurs, Melbourne North Police will attend the location to execute the warrant and provide for the safe return of the offender to prison custody.

The Board and Melbourne North Police are parties to a protocol which provides a framework for shared responsibilities and communication.

Victims

VICTIMS REGISTER

A Victims Register commenced on 30 August 2004 and is managed by the Victims Support Agency (VSA) within the Department of Justice & Regulation. The Victims Register is responsible for maintaining contact with victims of violent crime who have requested to receive information about an adult prisoner. A criminal act of violence includes offences such as assault, sexual assault offences, kidnapping and murder.

Individuals may also apply to be on the Victims Register if they were not the victim of the crime for which the prisoner was imprisoned but they:

- have a family violence intervention order in force against the prisoner
- can demonstrate a documented history of family violence being committed against them by the prisoner
- can demonstrate a substantial connection to the offence for which the prisoner is serving the prison sentence.

The aim of the Victims Register is to provide victims of crime with timely, relevant and accurate information about a prisoner during their imprisonment. The Victims Register will provide advice about the release of a prisoner on parole, including any special conditions imposed that are relevant to the victim and any cancellation of the order.

During 2014–15, the Board worked with VSA to advise 90 registered victims of the date of release of a prisoner. In each case, in accordance with the requirements of section 30A of the *Corrections Act 1986*, the 14 days' prior notification of a prisoner's release was achieved and exceeded.

VICTIM SUBMISSIONS

Individuals included on the Register have the right to send a written submission to the Board when the prisoner for whom they are registered is being considered for parole.

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

All submissions received by the Board are treated as private and confidential and are read only by Secretariat staff and Board Members. Prisoners do not have access to victim submissions.

During the reporting year, 124 submissions were provided for the Board's consideration.

VICTIMS SUPPORT AGENCY BIENNIAL COMMITTEE MEETINGS

The VSA Biennial Committee meets twice a year and includes representation from the Victims Register, the Adult Parole Board, Victoria Police, Corrections Victoria and the Magistrates' Court. This committee provides a forum for Department of Justice & Regulation agencies to discuss victim policies and service delivery.

VICTIMS OF CRIME CONSULTATIVE COMMITTEE

In July 2012 the Attorney-General announced the establishment of Victims of Crime Consultative Committee. The purpose of this Committee is to:

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

The committee meets quarterly and includes representation from the judiciary, Victoria Police, the Office of Public Prosecutions, the Victims of Crime Tribunal, the VSA, and representatives from the broader community. The Board is represented on this committee by the Chief Administrative Officer.

On 26 April 2015, the Attorney-General announced the appointment of retired Supreme Court Justice, the Honourable Bernard Teague AO as Chair of the committee. Justice Teague will replace the Honourable Justice Cummins.

Litigation

The Board was involved in several significant court actions during the reporting year:

Mercorella v The Secretary to the Department of Justice [2015] VSC 18 involved an application for habeas corpus (unlawful imprisonment) against the Secretary as the custodian of prisoners. The Board had cancelled the parole of Mr Mercorella on his extradition to South Australia and imprisonment there. On release from prison in South Australia, he was arrested on the warrant issued by the Board and returned to custody in Victoria. In granting the application, the Supreme Court held that the Board could not cancel parole for breach of conditions that he was unable to comply with while in custody in South Australia, and that section 77(6A) of the *Corrections Act 1986* did not extend to a term of imprisonment imposed interstate (section 77(6A) provides that if a prisoner is sentenced to another term of imprisonment while on parole, the parole is cancelled). The Board has introduced practice changes in response to the decision.

Yoxon v Secretary to the Department of Justice; Yoxon v Adult Parole Board [2015] VSC 124 were actions based on the cancellation of parole by the Board after it had been notified by the police of an alleged breach on the last day of Mr Yoxon's parole term. The Court found that, based on the information that had been provided to it about his conduct, it was reasonably open to the Board to conclude that Mr Yoxon had breached a condition of his parole by committing a criminal offence, and could have cancelled his parole on that basis. However, after reviewing the wording of the Board's decision, the Court was not satisfied that the Board had been positively satisfied that Mr Yoxon had committed a criminal offence as was necessary, rather than having a suspicion that he may have. Since the decision, the Board has modified the way in which it records relevant decisions.

At the time of writing, the case of *Marrogi v Secretary to the Department of Justice* is before the court (and has been the subject of media reporting). The case involves a challenge to the Board's decision to cancel parole based on an alleged breach of a non-association condition relating to members of Outlaw Motorcycle Gangs. In an important interlocutory ruling in the case, the Supreme Court determined the legal validity of the condition.

The Board has also been involved in inquests in the Coroners Court. The Board has not been the subject of any Freedom of Information or other administrative review proceedings.

Stakeholder Engagement

An important aspect of the Board's work is reaching out to organisations and educating relevant stakeholders about the Board's work, especially in relation to the recent suite of reforms. The Board presented to numerous organisations in 2014-15. Many of these presentations were delivered to various parts of Corrections Victoria in order to strengthen the Board's partnership with front-line corrections officers, and build their understanding of the Board's functions.

External presentations included organisations in the psychological, judicial, and legal fields, including the Australian Psychological Society Forensic College, Western Cluster Mental Health, the Victorian Magistracy, Jesuit Social Services, Victoria Legal Aid, the Criminal Bar Association, Victoria Police, and Monash University. All engagements are managed through the Board's Stakeholder Engagement Subcommittee, which considers invitations and opportunities to present and determines the most appropriate speakers and key messages for the individual audiences.

DETENTION AND SUPERVISION ORDER DIVISION

Chairperson's Foreword

2014–15 saw a further increase in the number of offenders under the jurisdiction of the Detention and Supervision Order Division. During the reporting period, a total of 29 orders were made in the courts under the *Serious Sex Offenders (Detention and Supervision) Act 2009*, including only the second detention order. As at 30 June 2015, there was a total of 118 offenders subject to post-sentence orders, compared with 109 at the same time last year.

In previous annual reports, the Division had raised concerns about capacity 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. The Division therefore welcomed the opening of an additional 15 beds at Corella Place in April 2015. This expansion is important in the context of the continued steady increase in offenders subject to supervision orders.

The Division enjoys a close working relationship with the management team at Corella Place. In early December 2014, I and a delegation of Board Members visited the facility and received an illuminating presentation from the General Manager on the management philosophy that underpins Corella Place, as well as a full tour of the facility. Members left with a deeper understanding of the important function that Corella Place and its staff play in the management of supervision order offenders.

In May 2015, the Minister for Corrections announced an independent review of the *Serious Sex Offenders (Detention and Supervision) Act 2009*. The Complex Adult Victim Sex Offender Management Review commenced on 1 June 2015 and, broadly, has been asked to examine the management of complex cases involving sex offenders who commit offences against adult victims, including the appropriateness of the current legislative and governance arrangements to adequately manage this offender cohort. In late June 2015, I met with the review panel – Justice David Harper, Professor Paul Mullen and Professor Bernadette McSherry – and invited it to observe a sitting of the Division, which it did. The Division welcomes the review and looks forward to the recommendations the panel makes when it finalises its report in October 2015. Meanwhile, the Division has commenced its own review of processes.

During 2014–15, seven new members of the Adult Parole Board were appointed to sit on the Detention and Supervision Order Division. This brings the total number of members who sit on the Division to 25. The work of the Division is at times emotionally taxing and I thank all members for their dedicated service throughout the year.

Finally, on behalf of all members, I also thank the secretariat staff for their continued dedication and support of the Division.

– **His Honour Frank Shelton,**
Chairperson of the Detention
and Supervision Order Division

Key statistics relating to the Division

Table 1: DSOD year at a glance

	2014-15	2013-14	2012-13	2011-12	2010-11	% change between 2013-14 and 2014-15
Number of sittings of the Division	115	161	127	121	88	-28.6%
Detention orders made	1	1	0	0	0	0.0%
Interim detention orders made	0	0	0	0	0	N/A
Interim supervision orders made	13	8	8	6	5	62.5%
Supervision orders made	15	11	21	44	31	36.4%
Number of persons directed to reside in a residential facility	17	14	12	8	8	21.4%
Number of persons in respect of whom an emergency power was exercised	0	2	1	1	0	-100.0%
Number of persons required to comply with electronic monitoring	18	14	8	17	30	28.6%
Total number of persons subject to electronic monitoring	69	56	-	-	-	23.2%
Number of detention or supervision orders completed (including interim orders)	6 ⁹	0	1	1	1	N/A
Number of persons on a detention order (as at 30 June 2015)	2	1	-	-	-	100.0%
Number of persons on a supervision order (as at 30 June 2015)	111	104	-	-	-	6.7%
Number of persons on an interim detention order (as at 30 June 2015)	0	0	0	0	0	N/A
Number of persons on an interim supervision order (as at 30 June 2015)	5	4	-	-	-	25.0%

⁹ Includes four supervision orders revoked on review and two supervision orders that expired.

Jurisdiction of the Division

The *Serious Sex Offenders (Detention and Supervision) Act 2009* ('the 2009 Act') empowers the Supreme Court or the County Court to make a supervision order of up to 15 years, or an interim supervision order, in respect of an eligible offender on the application of the Secretary of the Department of Justice & Regulation. An eligible offender is defined in the 2009 Act as a person of or over 18 years who has received a custodial sentence in respect of a relevant sexual offence, as set in Schedule 1 of the Act. The 2009 Act came into operation on 1 January 2010 and replaced the *Serious Sex Offenders Monitoring Act 2005*.

In making a supervision order, the court must be satisfied that the offender poses an unacceptable risk of committing a further sexual offence if the order is not made. The court is responsible for setting the conditions of a supervision order.

The 2009 Act established the Detention and Supervision Order Division as a division of the Adult Parole Board. The functions of the Division under section 118 of the 2009 Act are to:

- monitor compliance with and administer the conditions of a supervision order
- give directions and instructions to an offender in accordance with any authorisation given to the Adult Parole Board under a supervision order
- make decisions to ensure the carrying into effect of the conditions of supervision orders
- make recommendations to the Secretary in relation to applying to a court to review the conditions of supervision orders
- review and monitor the progress of offenders on supervision orders.

In executing its function to give directions to an offender on a supervision order, the 2009 Act requires that any directions constitute the minimum interference with the offender's liberty, privacy or freedom of movement that is necessary in the circumstances to ensure the purposes of the conditions, and are reasonably related to the gravity of the risk of the offender re-offending.

The 2009 Act also empowers the Supreme Court to make a detention order of up to three years, or an interim detention order, in respect of an eligible offender on the application of the Director of Public Prosecutions. In making a detention order, the court must be satisfied that the offender poses an unacceptable risk of committing a relevant offence if a detention order is not made.

Under the 2009 Act, the Division is responsible for reviewing and monitoring offenders on detention orders and for reporting on the numbers made and the numbers completed.

Offenders subject to supervision and detention orders are case managed by Corrections Victoria, which provides reports to the Division on each offender containing recommendations to facilitate their ongoing management.

Membership of the Division

The Chairperson of the Adult Parole Board may determine Board Members who are eligible to sit on the Division (other than the Secretary of the Department of Justice & Regulation), and select the Chairperson of the Division.

A sitting of the Division requires at least one Chairperson (who must be a judicial member) and two other members of the Division.

As at 30 June 2015, there were 25 members of the Division.

Operations of the Division

The Division typically meets on a Monday at the Adult Parole Board's offices in Carlton.

During this reporting period, the Division convened on 115 occasions; of which 51 were scheduled meetings and the remaining 64 were unscheduled meetings to consider urgent matters.

Trends in the making of supervision and detention orders by courts

During 2014–15, the Supreme Court made one detention order. This is the second detention order made under the 2009 Act. As at 30 June 2015, both detention orders were still in force.

During the reporting period, the Supreme Court and County Court made 13 interim supervision orders and 15 supervision orders. No orders were made under the 2005 Act.

The total number of orders made under the 2009 Act in 2014–15 was 29.

During the reporting period:

- four supervision orders were revoked on review
- no supervision orders were revoked on appeal
- no applications for supervision orders were refused
- one offender subject to a supervision order passed away
- two supervision orders expired.

Orders under the Division's jurisdiction

As at 30 June 2015, the Division was responsible for the administration of 118 post-sentence orders, comprising two detention orders, 111 supervision orders and five interim supervision orders.

At the same time last year, there was a total of 109 post-sentence orders, representing an 8.3 per cent increase from 2013–14 to 2014–15.

Directions to reside at Corella Place

In setting the conditions of a supervision order, the court may specify where the offender is required to reside. This may be a residential address in the community or Corella Place – 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.

Where authorised by the court making the order, the Division may direct that an offender residing in the community must reside at Corella Place. During 2014–15, the Division made 18 such directions, in respect of 17 offenders. This represented a 21.4 per cent increase on the previous year.

Emergency powers

The emergency powers contained in the 2009 Act permit the Division to give directions to manage an offender subject to a supervision order in a way that is inconsistent with, or not provided for, by the conditions of the order that were set by the court. The Division was not required to exercise these powers in the 2014–15 reporting period.

Electronic monitoring

In making a supervision order, or interim supervision order, the 2009 Act requires the court to consider imposing conditions relating to forms of compliance monitoring, including electronic monitoring. In doing so, the court may itself direct that an offender comply with electronic monitoring or, otherwise, delegate authority to the Division to make such a direction. In 2014–15, the Division directed 18 offenders on supervision orders, or interim supervision orders, to comply with electronic monitoring. This was an increase of 28.6 per cent on the previous year.

As at 30 June 2015, a total of 69 offenders on supervision orders were subject to electronic monitoring. This includes all supervised offenders residing at Corella Place. At the same time last year, there was a total of 56 supervision order offenders subject to electronic monitoring, representing an increase of 23.2 per cent.



In 2014–15, the Division directed 18 offenders on supervision orders, or interim supervision orders, to comply with electronic monitoring.

Breaches of supervision orders

Section 160 of the 2009 Act states that it is an offence for an offender, without reasonable excuse, to fail to comply with a condition of a supervision order. Proceedings for this offence may only be brought by the Secretary of the Department of Justice & Regulation or a member of the police force by the filing of a charge-sheet. The maximum penalty for a breach of an order is five years' imprisonment.

The 2009 Act enables the Division to inquire into any alleged breach of a condition of a supervision order and, in doing so, assess the seriousness of the alleged breach. To discharge its breach inquiry function, the Division relies upon timely, relevant and accurate information from the specialist case managers in Corrections Victoria who are responsible for the supervision of this offender cohort.

In assessing the seriousness of an alleged breach of a condition, 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 a 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 alleged breach, the Division 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 apply to the court to review the conditions of the supervision order
- recommend to the Secretary to refer the matter to the Director of Public Prosecutions to consider whether or not to apply to the Supreme Court for a detention order in respect of the offender
- recommend that the Secretary bring proceedings in respect of the offence of breach of a supervision order.

During 2014–15, the Secretary initiated 34 breach proceedings. During the same period, the courts found proven 26 breaches of supervision orders.¹⁰

¹⁰ Eight of the breach proceedings initiated in 2014–15 were still pending as at 30 June 2015, and four of the breach proceedings that were finalised in 2014–15 with a finding of breach proven were commenced prior to 1 July 2014.

ORGANISATION AND GOVERNANCE

Board Members

The tables below list all the people who held positions as members of the Board during the reporting period.

CHAIRPERSON	
The Hon. E William Gillard QC	Retired Justice of the Supreme Court Resigned as Chairperson with effect from 8 May 2015
His Honour Frank Shelton	Retired Judge of the County Court Acting Chairperson from 9 May 2015 – 28 June 2015
His Honour Peter Couzens	Retired Judge of the County Court Appointed to the Board as Chairperson on 9 June 2015, to take effect from 29 June 2015

DEPUTY CHAIRPERSON	
His Honour Frank Shelton	Retired Judge of the County Court Appointed as Deputy Chairperson from 17 December 2013
Her Honour Judge Susan Pullen	Judge of the County Court Appointed as Deputy Chairperson from 1 July 2014 – 1 December 2014

FULL TIME MEMBERS	
Stephen Farrow	Appointed to the Board from 11 November 2013
Raj Malhotra	Appointed to the Board from 2 December 2013
Shivani Pillai	Appointed to the Board from 2 December 2013
Dr David Curnow	Appointed to the Board from 18 May 2014

JUDICIAL MEMBERS	
Her Honour Judge Susan Pullen	Judge of the County Court Appointed to the Board from 6 November 2013
Her Honour Judge Carolyn Douglas	Judge of the County Court Appointment to the Board expired 17 September 2014
His Honour Robert Kumar	Deputy Chief Magistrate Appointed to the Board from 13 December 2011 Re-appointed to the Board from 30 June 2015
His Honour Gregory Connellan	Magistrate Appointed to the Board from 10 December 2013
His Honour David Fanning	Magistrate Appointed to the Board from 10 December 2013
His Honour Franz Holzer	Magistrate Appointed to the Board from 10 December 2013

JUDICIAL MEMBERS (CONT.)

His Honour Gregory MacNamara	Magistrate Appointed to the Board from 10 December 2013
Her Honour Kay Macpherson	Magistrate Appointed to the Board from 10 December 2013
Her Honour Kim Parkinson	Magistrate Appointed to the Board from 10 December 2013
His Honour Peter Reardon	Magistrate Appointed to the Board from 10 December 2013
His Honour Ronald Saines	Magistrate Appointed to the Board from 10 December 2013
His Honour John Doherty	Magistrate Appointed to the Board from 29 October 2014
His Honour Alan Spillane	Retired Magistrate Appointed to the Board from 25 November 2013
His Honour Louis Hill	Retired Magistrate Appointed to the Board from 10 December 2013
His Honour Francis Jones	Retired Magistrate Appointed to the Board from 29 April 2014
His Honour James Mornane	Retired Magistrate Appointed to the Board from 29 April 2014

COMMUNITY MEMBERS

Carmel Arthur	Appointed to the Board from 2 December 2008 Re-appointed to the Board from 30 June 2015
Kieran Walshe APM	Appointed to the Board from 5 February 2013
Glenda Frost	Appointed to the Board from 17 December 2013
Peter Harvey	Appointed to the Board from 17 December 2013
Rudolph Kirby	Appointed to the Board from 17 December 2013
Pamela White	Appointed to the Board from 29 April 2014
Nora Lamont	Appointed to the Board from 16 September 2014
Dr Patricia Mehegan	Appointed to the Board from 16 September 2014
Claude Minisini	Appointed to the Board from 16 September 2014
James Parke	Appointed to the Board from 16 September 2014
Pam Pedersen	Appointed to the Board from 16 September 2014
Geoff Wilkinson OAM	Appointed to the Board from 16 September 2014
Kornelia Zimmer	Appointed to the Board from 16 September 2014
Nicole Burns	Appointed to the Board from 23 September 2014
Rosemary Lever	Appointed to the Board from 23 September 2014
Mary Malone	Appointed to the Board from 23 September 2014

COMMUNITY MEMBERS (CONT.)

Dr Lindsay McMillan OAM	Appointed to the Board from 23 September 2014 Resigned as Board member with effect from 20 November 2014
Professor Charles (Bob) Williams	Appointed to the Board from 23 September 2014
Judith Wright	Appointment to the Board expired 4 July 2014
Veronica (Vera) Olson	Appointment to the Board expired 26 March 2015
Keith Wolahan	Resigned as Board member with effect from 26 February 2015

SECRETARY TO THE DEPARTMENT OF JUSTICE & REGULATION

Greg Wilson¹¹



His Honour
Peter Couzens

Veronica (Vera) Olson

VERA OLSON – LONGEST SERVING MEMBER OF THE ADULT PAROLE BOARD

The retirement of Vera Olson from the Board in March 2015 marked the end of the longest term ever served by a member of the Victorian Adult Parole Board.

Vera began work at the Board in 1985 as an Administrative Officer, and continued working on the administrative side of the Board for the next 15 years. She retired from the public service on 15 July 2000 and on the recommendation of the then Chairperson, the Honourable Justice Frank Vincent, was appointed to the Board as a Community Member on 15 July 2001.

Vera demonstrated considerable insight and understanding of the personalities of offenders, which enabled her to effectively communicate with them. Her in-depth knowledge of Board policies and procedures proved immensely valuable in making decisions, where she always balanced the interests of the community, the views of the victim, the intention of the sentencing court, and the needs of the offender.

Vera retired in March 2015 after almost 14 years as a Board Member and 30 years serving the Board.

Vera discharged her responsibilities with great skill and dedication and she is commended for her service to the community.

MEMBER EDUCATION AND DEVELOPMENT

In his *Review of the Parole System in Victoria*, Ian Callinan AC recommended:

“The Parole Board should conduct regular seminars for continuing education, to raise the standards and knowledge of its members, and to promote consistency in the making of decisions” (Measure 20).

Regular training and educational development is an important aspect of Board membership. In addition to an orientation program for new members which includes prison and correctional facility visits, the Board hosts comprehensive monthly educational seminars and bi-annual full day seminars.

Through the seminar series, Board Members are kept abreast of practice and procedural changes in Corrections Victoria and emerging trends and reforms in law, psychology, health and offender programs. Experts from various fields are invited to present at the seminars. Seminars are digitally recorded to ensure Board Members who are unable to attend due to their professional or personal commitments are able to readily access the information they need to make sound, informed decisions.

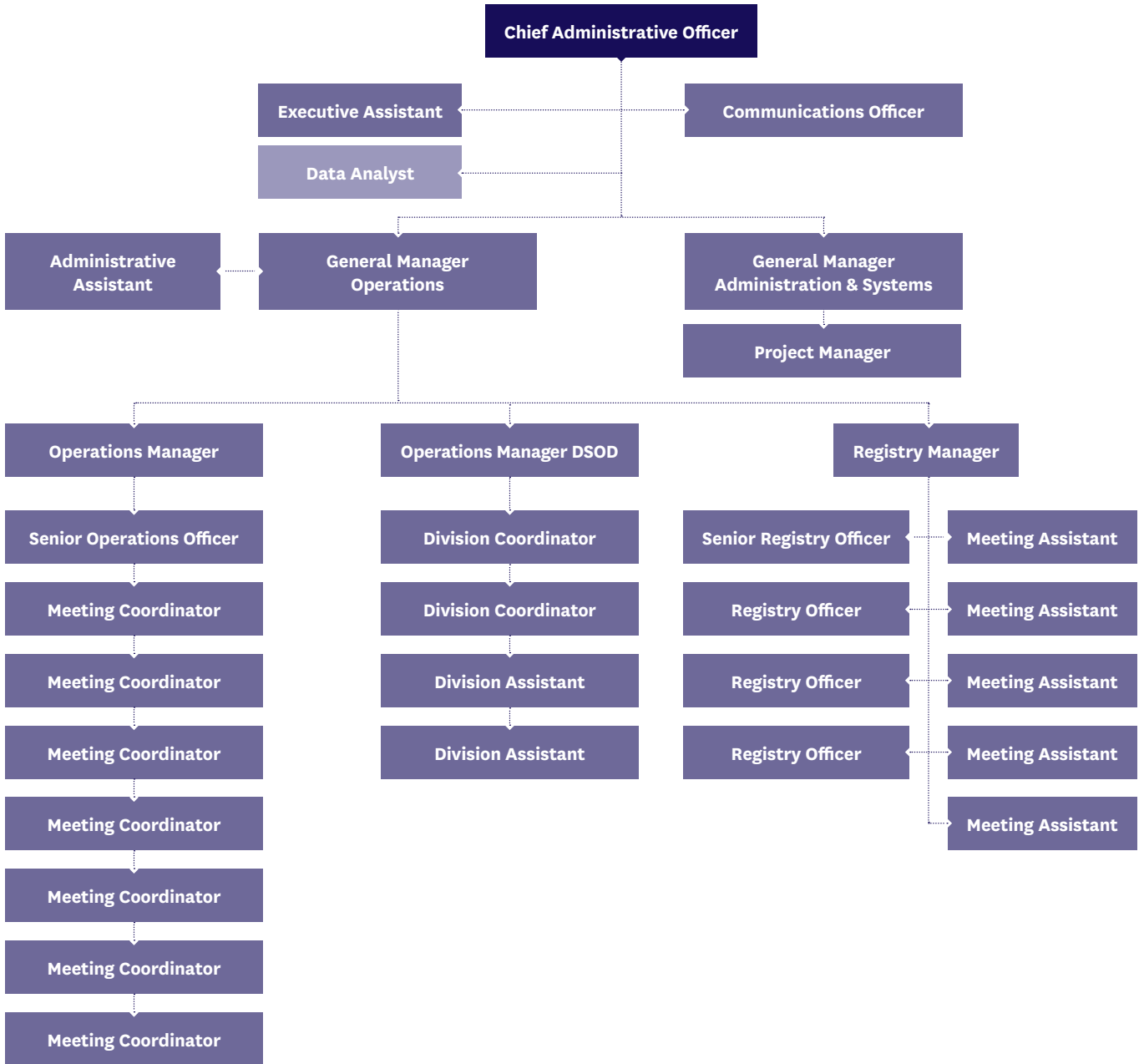
Furthermore, the four Full Time Members supplement the seminars by providing individual training to members, particularly in relation to important legislative changes to Board practice.

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

Board Secretariat

There are 31 staff employed by the Department of Justice & Regulation who comprise the Board Secretariat. A Corrections Victoria Data Analyst responsible for the parole portfolio works from the Board on a part-time basis.

ORGANISATIONAL CHART



NON-EXECUTIVE WORKFORCE PROFILE

Table 2: Non-executive workforce profile

VPS CLASSIFICATION	2014–15			2013–14			2012–13			2011–12			2010–11		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
STS Grade 7	1	0	1	0	1	1	0	0	0	0	0	0	0	0	0
VPS Grade 6	0	2	2	0	2	2	1	0	1	1	0	1	1	0	1
VPS Grade 5	1	3	4	1	3	4	0	3	3	1	2	3	1	1	2
VPS Grade 4	0	1	1	0	1	1 ¹²	0	0	0	0	0	0	0	1	1
VPS Grade 3	1	11	12	0	12	12	0	8	8	0	8	8	0	8	8
VPS Grade 2	2	9	11	1	10	11	2	5	7	2	5	7	0	9	9
VPS Grade 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	5	26	31	2	29	31	3	16	19	4	15	19	2	19	21

OCCUPATIONAL HEALTH AND SAFETY

The Board appoints a dedicated health and safety representative (HSR) and deputy HSR to manage occupational health and safety for its workers. 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. The Board is committed to providing a safe and healthy workplace that is free from discrimination, harassment, bullying and workplace violence.

EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

The Board is an 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.



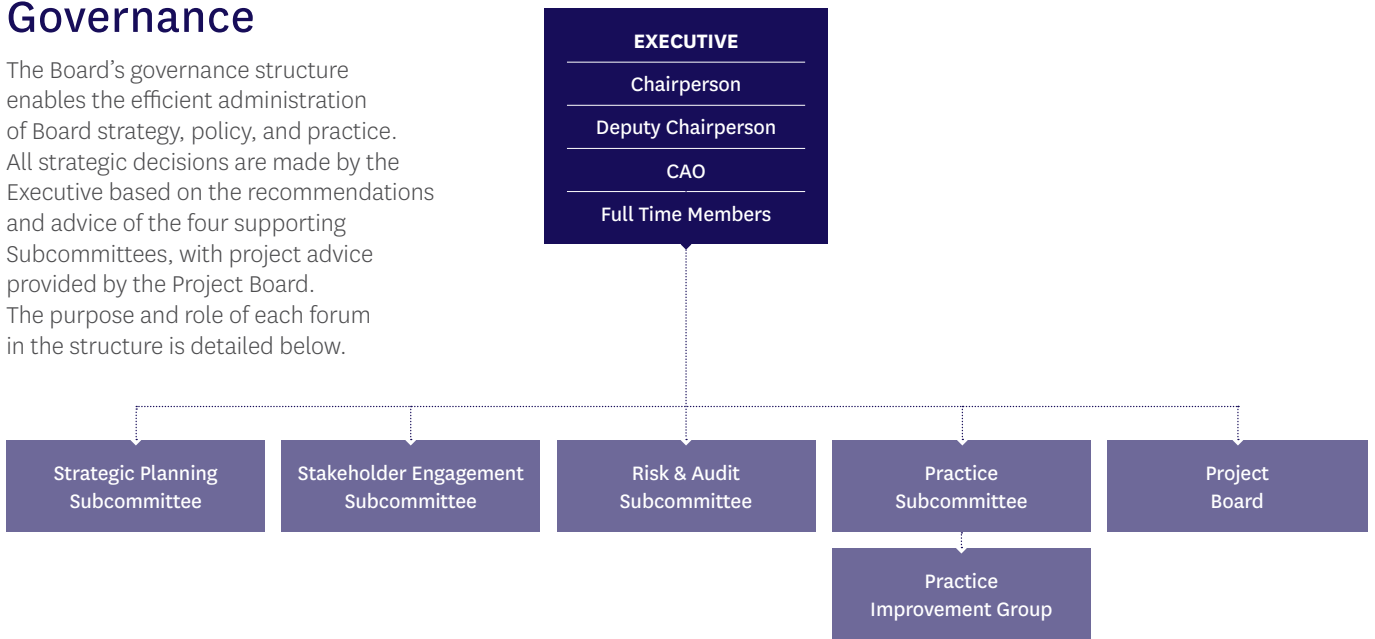
Natasha
General Manager,
Administration & Systems

Pauline
General Manager,
Operations

¹² The 2013–14 Annual Report reported this figure as 2. The extra staff member is not part of the Board's Secretariat but is made available to the Board from the Department of Justice & Regulation. As such, they are not included in the staff count and this figure is corrected to 1.

Governance

The Board’s governance structure enables the efficient administration of Board strategy, policy, and practice. All strategic decisions are made by the Executive based on the recommendations and advice of the four supporting Subcommittees, with project advice provided by the Project Board. The purpose and role of each forum in the structure is detailed below.



EXECUTIVE

The Executive is the most senior body in the Board’s governance structure. Its membership consists of the Chairperson, Deputy Chairperson, Chief Administrative Officer, and the four Full Time Members. The Executive debates and endorses high-level changes to Board functioning and provides advice and consultation on all proposed legislative and practice changes to Corrections Victoria and relevant stakeholders. The Executive leads the four Subcommittees and its decisions are based on their investigations, recommendations and advice.

STRATEGIC PLANNING SUBCOMMITTEE

The Strategic Planning Subcommittee is responsible for the development of the annual report and the Board’s inaugural Strategic Plan. It was established to oversee the development, implementation, ongoing monitoring and evaluation of the Strategic Plan, which is currently in the development stage and will be completed in the 2015–16 reporting year. The Subcommittee is chaired by a Full Time Member.

STAKEHOLDER ENGAGEMENT SUBCOMMITTEE

The Stakeholder Engagement Subcommittee provides strategic direction to the Board in all its communications – both internal and external. It is chaired by a Full Time Member, and membership includes judicial and community representatives from the Board’s membership, and senior staff from the Department of Justice & Regulation’s Strategic Communications unit. The Subcommittee investigates strategies to improve the Board’s engagement with the community and the public, as well as strengthen its existing relationships with partner corrections agencies and government bodies.

RISK AND AUDIT SUBCOMMITTEE

The Risk and Audit Subcommittee oversees the identification and management of key areas of risk at the Board. It is chaired by a Full Time Member and its membership combines both Board members and senior secretariat staff in order to manage this significant area of responsibility. The Subcommittee regularly reports to the Executive to ensure rigorous ongoing risk management.

PRACTICE SUBCOMMITTEE

The Practice Subcommittee was established to ensure consistency of practice across the Board and to develop standards, direction, and guidance for Board Members in decision-making. The Subcommittee is responsible for developing and overseeing the Board’s suite of internal practice guidelines, designed to educate Board Members on specific areas of practice. The Chairperson of the Board chairs this Subcommittee and its membership includes senior members of Corrections Victoria.

PRACTICE IMPROVEMENT GROUP

The Practice Improvement Group is chaired by a Full Time Member and reports directly to the Practice Subcommittee. Its purpose is to review decisions and practice points that may be significant, novel or complex and make recommendations to the Board to adopt a specific practice approach, amend resource material, or conduct a further review in relation to that practice point. Its membership is fluid and may include any Board Member who sat on the panel where the practice point arose.

PROJECT BOARD

The Project Board oversees the implementation of major programs and projects at the Board, both internally and on an interagency level where they intersect with Corrections Victoria. Its key functions include the resolution of issues encountered at the operational level that have been escalated to the Board, and to review and endorse processes, procedures and policies relevant to new operations. Strategic guidance and planning also form part of the Project Board's purpose. It is chaired by the Chief Administrative Officer and its membership includes senior Corrections Victoria staff.

Privacy and information

PRIVACY POLICY AND FREEDOM OF INFORMATION

The information disclosure principles contained in Part 9E of the *Corrections Act 1986* and the *Privacy and Data Protection Act 2014* prescribe the manner in which the Board handles personal and confidential information. The Board is not subject to the operation of the *Freedom of Information Act 1982*.

“Personal and confidential information” is defined broadly in the *Corrections Act 1986* to include:

- information relating to the personal affairs of a person who is or has been an offender or a prisoner
- information given to the Adult Parole Board that is not disclosed in a decision of the Board or in any reasons given by the Board for a decision of the Board.

Registered victim submissions to the Board are treated with strict confidentiality.

Personal and confidential information may be disclosed if the use or disclosure is reasonably necessary for the performance of “official duties” (defined under section 104ZX of the Act to include law enforcement and conduct of proceedings in a court or tribunal) and otherwise may only be disclosed if the information falls within an exception under 104ZY(2) of the Act.

The Board is prohibited from disclosing information given to the Board such as reports from Corrections Victoria, psychological or psychiatric reports, police or intelligence reports, and other information relating to prisoners and parolees unless the use or disclosure is reasonably necessary:

- for the administration of Corrections legislation; or

- for the preparation for, conduct of or participation in –
 - > criminal proceedings in any court; or
 - > proceedings before a tribunal; or
 - > an inquest or investigation held by a coroner; or
 - > to lessen or prevent a serious and imminent threat to a person's life or safety.

It is an offence for a ‘relevant person’ to use or disclose personal or confidential information unless that use or disclosure is authorised under the Act (see section 104ZZA).

The legislative restrictions governing confidentiality and the disclosure of information enables full and frank communication by prisoners, victims, treating practitioners and others with the Board. Consequently the Board is better placed to make informed decisions and perform its statutory functions.

AVAILABLE PUBLICATIONS

The Board makes available the following publications:

- 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 Sheet 8 – Breach of Parole and Cancellation
- Adult Parole Board – Parole Manual
- Adult Parole Board – Secretariat Manual
- Adult Parole Board Annual Reports
- Fifty Years of the Adult Parole System in Victoria 1957 to 2007

Further information about the Board can be found on the Corrections Victoria website, at www.corrections.vic.gov.au/home/parole.

FINANCIAL REPORT

Operating statement and financial summary 2010–11 to 2014–15

FUNDING AND EXPENDITURE

The Board is funded by Corrections Victoria and its accounts are managed through the Department of Justice & Regulation.

Table 3: Funding and expenditure

	2014–15	2014–15	2013–14	2012–13	2011–12	2010–11
	\$	% of total expenditure	\$	\$	\$	\$
Funding	5,550,800		4,394,000	3,185,600	2,808,800	2,777,400
Expenditure						
Salaries to staff	2,765,123	53.9%	2,323,347	1,423,521	1,401,036	1,356,329
Sessional member fees	445,829	8.7%	329,436	303,189	204,649	174,463
Salary related on-costs	904,796	17.6%	752,027	596,876	292,676	289,739
Operating expenses	1,014,163	19.8%	1,397,572	746,994	878,100	846,093
Total expenditure	5,129,911		4,802,382	3,070,580	2,776,461	2,666,624

AUDITED ACCOUNTS

The Board's accounts form part of the audited accounts of the Department of Justice & Regulation and are published in the Department of Justice & Regulation'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 \$509.00 per sitting day. Retired Judicial Members are remunerated at the rate of \$590.00 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*.

ADULT PAROLE BOARD OF VICTORIA

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