

# Annual Report 2018-19



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**Adult  
Parole  
Board**  
Victoria

## Letter to the Minister

The Hon Ben Carroll MP  
Minister for Corrections  
Level 1, 2 Treasury Place  
East Melbourne VIC 3002

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 2018 to 30 June 2019.

Yours sincerely

His Honour Peter Couzens  
Chairperson

Stuart Ward  
Chief Administrative Officer

Section

1

INTRODUCTION



His Honour Peter Couzens presents at the Leo Cussen Criminal Law Conference



## Foreword from the Chairperson

The 2018–19 reporting year brought two significant developments to the Adult Parole Board, the first relating to accommodation and the second to the implementation of a new case workflow system.

### Accommodation

On 18 February 2019, the Board moved into new accommodation at 50 Franklin Street Melbourne. A two-page feature contained later in this report provides a detailed review of our accommodation and saves the need for me to describe it here.

Suffice to say that the new accommodation is vastly superior to its predecessor and is more in keeping with today's modern Adult Parole Board. It is an extremely well-designed and appointed facility catering more than adequately for the needs of the Board's members and Secretariat now and for the foreseeable future.

One major benefit worthy of special mention, however, is the vastly improved security that the building provides for the Board's membership and staff. Members and staff now enter the building through a secure entrance which is completely separate from the entrance used by members of the public including parolees.

Furthermore, a secure hearing room situated on the ground floor ensures that parolees attending the Board for

interviews are no longer required to attend the same floor as the Board's Secretariat and members.

The official opening of the building was conducted on 12 April 2019 by the Minister for Corrections, The Honourable Ben Carroll MP, who was accompanied by the Commissioner for Corrections, Emma Cassar, and the Deputy Secretary to the Department of Justice and Community Safety, Julia Griffith.

The unveiling of a plaque by Minister Carroll to commemorate the event was preceded by a smoking ceremony performed in the building's forecourt by Alex Kerr, a member of the Ganun Willam Balak clan of the Wurundjeri tribe.

I wish to acknowledge, congratulate and thank all those responsible for the provision and planning of the Board's new accommodation as well as all those responsible for the move from 444 Swanston Street Carlton to 50 Franklin Street Melbourne.

In particular, I wish to acknowledge and thank Jake Hawley, Executive Director Business Services at Corrections Victoria, and his team who worked collaboratively and constructively with the Board's Chief Administrative Officer Stuart Ward, Office Manager Barbara Hamston and Project Manager Vanessa Walker in the planning and provision of the Board's accommodation.

### PRISM (Parole Records Integrated System of Management)

On 31 October 2018, I had the great pleasure of launching PRISM, a state-of-the-art case workflow system, in the presence of Corrections Victoria Information Technology (CVIT) Program Manager David Thornton, members of CVIT, representatives of Wipro (the company responsible for the development and building of the system), Board members and the Board's Secretariat.

The first of the twenty-three recommendations contained in the Callinan Review of the Victorian parole system which was tabled in Parliament in July 2013 bears repeating:

*"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."*

The electronic database was put in place in 2014 but the implementation of the recommended case workflow system was delayed until 2018. The reason for this delay was largely attributable to the complexity of the

project. In short, the expense and delay associated with the project has and will continue to prove most worthwhile.

Members now have remote access to files which they are allocated to consider prior to the relevant hearing day thus enabling them to better prepare for their hearings. PRISM has also greatly enhanced the integrity of the Board's filing system, creating the means of collecting, managing and recording offender information from across Corrections Victoria, Victoria Police and other sources to provide a modern and comprehensive resource for members and Secretariat staff.

On 31 May 2019, I attended the offices of Wipro in South Melbourne for the purpose of introducing a presentation of PRISM to the Minister for Corrections who attended in company with Jake Hawley.

The presentation was conducted by the Board's General Manager Practice Development, Natasha Burhop, full-time member Stephen Farrow and Senior IT Project Officer Emma Francis.

The presentation, although relatively brief, provided the Minister with an informative display of the working of the system and gave him the opportunity of seeing for himself why it is so important for the operation of the Board.

## Parole outcomes

With minor adjustments, the parole outcomes for the reporting year are in line with the 2017-18 outcomes adding weight to the claim made in last year's report that Victoria's parole system has stabilised with benefits to parolees and community safety alike.

Based on this data, the Board granted parole for 53 per cent of applications determined during the year and

denied 47 per cent. However, after taking into account the number of applications where prisoners decided to withdraw their applications and dealing exclusively with the total number of applications that were determined by the Board, the ratio is 62 per cent granted compared with 38 per cent denied.

I wish to highlight the following aspects of the reporting year's statistics:

1. The number of persons convicted of committing a serious violent offence or sexual offence while on parole totalled less than a handful, three. This is in keeping with the five in each of the two previous reporting years but in stark contrast to the 60 in 2013-14 and the 22 in 2014-15.
2. The successful completion rate of parole rose to 81 per cent. This compares more than favourably with the 56 per cent in 2014-15.
3. The continuing decline in the number of parole cancellations and police notifications of possible breaches of parole.

These are outstanding results, a testament to the transformation of the parole system post the Callinan Review.

## Membership

There were no changes to the Board's membership in the reporting year other than for the substitution of the present Secretary to the Department of Justice and Community Safety, Rebecca Falkingham, for her predecessor Greg Wilson.

Four members of the Board were re-appointed in 2018-19. They are judicial member Magistrate Alan Spillane, full-time members Stephen Farrow and Dr David Curnow, and community member Kieran Walshe APM.

During the reporting year, two of the Board's community members received Commonwealth Honours.

Aunty Pam Pedersen OAM was awarded the Medal of the Order of Australia in the 2019 Australia Day Honours while Kristy McKellar OAM received a like award in the 2019 Queen's Birthday Honours. The members, management and staff of the Board were delighted with the honours bestowed on both of our community members.

## His Honour Frank Shelton, Deputy Chairperson

His Honour Frank Shelton, Deputy Chairperson of the Board, will sadly retire from the Board at the end of his present term of appointment on 19 December 2019.

His Honour joined the Board as a sessional judicial member on 19 December 2011. On 17 December 2013, he was appointed Deputy Chairperson and has continued to serve in that role firstly as deputy to my predecessor The Honourable E. W. Gillard QC and secondly as my deputy from 9 June 2015.

As Deputy Chairperson, His Honour has served as a member of the Board's Executive and as a member of the Board's Practice Subcommittee. In addition to his role as Deputy Chairperson, His Honour was the Chairperson of the Board's Detention and Supervision Orders Division from 1 January 2014 until 26 February 2018 when the function of the division was transferred to the Post Sentence Authority.

Throughout his time at the Board, His Honour has endeared himself to the members and staff alike with his warm and friendly personality and has been

	2018-19	2017-18
Applications received	1,746	1,680
Grants of parole	803	803
Denials of parole (including prisoners who withdrew their applications)	707	706
Cancellations of parole	153	156
Notifications by Victoria Police of alleged breaches of parole	52	55
Number of persons convicted of committing serious offences on parole	3	5
Successful completion rate	81% (664)	79% (574)
Number of prisoners on parole	838	858

a great mentor to judicial, full-time and community members.

His Honour's wise counsel has been an enormous assistance to me during my time as Chairperson and I've come to rely upon him very much.

His Honour has served the Board with great distinction and will be greatly missed.

### **Stuart Ward, Chief Administrative Officer**

Stuart Ward resigned as the Chief Administrative Officer of the Adult Parole Board on 28 June 2019 to take up the role of Deputy Chair of the Post Sentence Authority.

His resignation brought to an end just under five years of outstanding service to the Board during which he dedicated himself tirelessly and expertly to rebuilding an organisation whose reputation and standing had been shattered by the tragic events of 2012 and 2013 and where deficiencies had been so clearly exposed in the review of the Victorian parole system conducted in 2013 by former High Court Justice Ian Callinan AC.

Stuart's goals upon taking up the position of Chief Administrative Officer were to oversee the implementation of the Callinan reforms which related to the Board, to help bring the Board, administratively at least, into the twenty-first century, to repair and

raise the morale of the Secretariat and to commence rebuilding public confidence in the Board and the parole system as a whole. He achieved each of those goals.

Thanks largely to Stuart, the Adult Parole Board of Victoria now sets the benchmark for parole boards throughout Australia. It is a modern, progressive, innovative, efficient and effective organisation bearing little resemblance to the organisation which he joined in 2014.

From the commencement of my time as Chairperson in 2015, exactly nine months after Stuart commenced as Chief Administrative Officer, we formed a very close and effective working partnership, one which I will always remember and greatly value.

Throughout his time with the Board, Stuart was unfailingly loyal and supportive to all who worked with him at the Board regardless of seniority or position.

Stuart's appointment as Deputy Chair of the Post Sentence Authority is a recognition of his distinguished

career as a lawyer and administrator in the public sector, including:

- ▶ Chief Administrative Officer of the Adult Parole Board from 2014 to 2019
- ▶ Legal Practice Manager at the Office of Public Prosecutions (OPP) from 2007 to 2014, as well as Acting Solicitor for Public Prosecutions at the OPP from 2008 to 2009
- ▶ Chairperson of the Motor Car Traders' Guarantee Fund Claims' Committee from 2001 to 2007
- ▶ Deputy Chairperson and Acting Chairperson of the Business Licencing Authority for various periods.

Although we will miss him greatly, he richly deserves the honour bestowed upon him with his new appointment and we wish him well.

His Honour Peter Couzens  
with full-time members  
Stephen Farrow and  
Dr David Curnow



## Community engagement

Once again, the Board took part in a number of Law Week opportunities with the aim of providing interested members of the public with a better understanding of parole and in particular the role of the Adult Parole Board.

In conjunction with Deakin Law School, I delivered presentations in both Ballarat and Shepparton. In addition, full-time member Stephen Farrow delivered a presentation in Geelong.

As with last year, the Board's major presentation was conducted at the County Court of Victoria in Melbourne on 18 May 2019. The presentation consisted of an explanation of parole by me followed by a mock parole hearing. The mock parole hearing was conducted by a three-member panel including judicial member Her Honour Judge Susan Pullen, full-time member Colleen Bell and community member Heidi Tucker.

Caitlin Ring, a staff member in the Board's Secretariat, read out the sentencing remarks. Principal Practitioner Dylan Reynolds from Reservoir Community Correctional Services also took part by explaining the process involved in the preparation of a Parole Suitability Assessment report and the subsequent Risk and Compliance report in a scenario where the fictional parolee engaged in conduct breaching his parole.

The presentation was conducted in front of a large and interested audience in one of the County Court's courtrooms.

The feedback from the audience was extremely positive, making the exercise very worthwhile.

I extend my thanks to His Honour Chief Judge Peter Kidd QC for allowing the

Board to use one of the County Court's courtrooms.

I would also like to thank Dr Marilyn McMahon, the Deputy Dean of Deakin Law School, and her colleagues for inviting the Board to be part of the university's program in Shepparton, Ballarat and Geelong.

In addition to Law Week, there were other opportunities throughout the reporting year for our members to engage with members of the public, including students, regarding parole and the role of the Board.

I, for example, had the great pleasure of addressing the Annual Dinner of the Royal Victorian Association of Honorary Justices, as well as members and guests of the Brighton Rotary Club at one of their monthly meetings. I also presented to legal practitioners at the Leo Cussen Criminal Law Conference.

I also took part in interviews for a Supreme Court podcast (called Gertie's Law) and a video for the Victoria Law Foundation's digital channels.

Full-time member Dr David Curnow presented at the Corrections Victoria Clinicians Conference, to psychology students at both Swinburne University and La Trobe University, and also to prison chaplains.

Full-time member Stephen Farrow presented to law students at Monash University on two separate occasions during the reporting year.

## Ongoing member education

The Board has conducted a series of bimonthly one-hour training seminars for members as well as two all-day seminars, one in the middle of the

year and one at the end of the calendar year.

The seminars have brought together a wide range of speakers presenting on subjects both directly and indirectly associated with the criminal justice system as well as on subjects directly relevant to parole.

The seminar program is not only important from the point of view of education but also for the opportunity of bringing sessional members together to meet with each other as well as with the Board's Executive, including the full-time members.

The Board is exceptionally fortunate to be able to boast an outstanding team of judicial, full-time and community members supported by a hardworking, dedicated and talented Secretariat led throughout the reporting year by Chief Administrative Officer Stuart Ward and his management team of Anita Lis, Natasha Burhop, Fatima Ebrahim, Tania Tesich, Emma Francis, Vanessa Walker and David Klotz.


The Secretariat is the engine room of the Board's operations. It comprises 30 people of various ages, experience and diverse backgrounds. Together they form a tight-knit team without whom the Board could not effectively operate. I acknowledge and thank each of them for their invaluable contribution to the work of the Board during the reporting year.

To the members, I extend my sincere thanks for their ongoing commitment and service to the Board during the reporting year. It has been a privilege to work with them.

Finally, I once again thank His Honour Frank Shelton and Stuart Ward for their outstanding service to the Board and Victorian community. I extend the Board's very best wishes to His Honour Frank Shelton for his future endeavours, as well as to Stuart Ward as he embarks on a new chapter of his professional life as Deputy Chair of the Post Sentence Authority.



**His Honour Peter Couzens**  
Chairperson  
Adult Parole Board



His Honour Peter Couzens  
and full-time member  
Colleen Bell



## Foreword from the Chief Administrative Officer

### My final reflection

This is my final message as the Chief Administrative Officer of the Adult Parole Board, a position I have been proud to hold since September 2014. I have been fortunate to be appointed as Deputy Chair of the Post Sentence Authority and commenced in that role on 30 June 2019.

When I arrived at the Board, it was bruised and fragile. It was reeling from the intensity of the sustained public criticism it had faced and was continuing to face. And it was daunted by the enormous task before it of reforming processes, modernising its operations, and restoring the community's trust in the Board and the parole system. A good start had been made, but there was a mountain of work to be done.

Almost five years later, the Board that I am leaving is completely different. Arguably, it is in the strongest position it has ever been in. At every level, it is operating with vision, with confidence, with certainty, and with strength. The Board is now recognised as a leading parole authority, both nationally and internationally.

It has been a remarkable transformation, and I am proud to have played my role in it, alongside many others. It is a good time for me to leave, and my successor will have a sound platform on which to bring fresh ideas and a fresh approach to build on what has already been achieved.

The Board's transformation has been made possible by a number of factors, including the steadfast support of the government, the priority it was accorded, the investment of necessary resources, good accountability and governance, and outstanding support from other agencies, most notably and importantly Corrections Victoria.

Above all else, though, it has been made possible by the hard work, expertise, dedication, and resilience of the Board's membership and staff, including many who are no longer with the Board. It is to them that I pay tribute in my final message. There deserves to be public recognition of their thankless but important work in improving Victoria's justice system.

I want to particularly acknowledge the Chair, His Honour Peter Couzens. When Peter was appointed in mid-

2015, the Board and the parole system desperately needed a leader who could make sense of what had occurred and acknowledge it with respect and regret, and, in the hostile environment that existed at that time, could present a compelling case that things were changing for the better. Although it was not an easy role, Peter took it on with the care, strategic approach, determination and vigour he brings to everything he does. He quickly became the champion for the reforms and the parole system. He stood firm, both protecting and promoting the Board. From his courage and strength, the membership and staff gained strength. His enthusiasm, his resolve, and his integrity have inspired and energised the membership and staff. The community has benefited enormously by what he has invested of himself into the Board. It has been an absolute professional and personal honour to have worked in close partnership with him.

Peter has been supported throughout by His Honour Frank Shelton, a loyal, wise and steady Deputy Chair. Frank's presence and contribution through the difficult times has given the Board much needed credibility, and I have always been grateful for his generosity in making himself available, sharing his immense knowledge, and guiding other members.



On a daily basis, there are many people who undertake leadership responsibilities for the Board. The full-time members – Stephen Farrow, David Curnow, Nafsika Sahinidis and Colleen Bell – have identified and driven improvement opportunities in practice, process, strategy, risk management, professional development, and communication. Individually they possess an impressive and extensive range of professional talents. Working collaboratively as they do, their talents are amplified, providing a valuable resource for the broader membership and the Secretariat.

The Secretariat management team have weathered many storms. Despite the demanding pace and extent of the change they have had to manage, they continue to push themselves and each other to consistently deliver at the highest standard and, at the same time, foster a positive culture among the Secretariat staff. I have been fortunate to have had the privilege to lead such a dedicated, capable and practical management team, and express my thanks to Natasha Burhop, Anita Lis, Tania Tesich, Fatima Ebrahim, David Klotz, Vanessa Walker and Emma Francis.

Finally, I acknowledge Barbara Hamston, Officer Manager and Executive Assistant, who has provided invaluable support to the Chair and myself. Without her, we simply could not have kept going.

### **The Adult Parole Board's operations in 2018-19**

The 2018-19 Annual Report provides another strong statement about how the Board contributes to the safety of the Victorian community.

By law, the Board must give paramount consideration to the safety and protection of the community when making decisions relating to parole.

It is a daily challenge for the Board to balance the full spectrum of issues impacting the safety and protection of the community – both in the short-term and longer-term.

Protecting the community and keeping it safe is not just about denying prisoners parole, as some media reports might suggest. While it is, indeed, necessary to deny parole to some prisoners who pose a risk to the community's safety in the short-term, the Board remains mindful of working toward the longer-term objective of putting in place good structure, supervision and support to assist prisoners to successfully reintegrate into the community in a way that reduces the risk of them

reoffending, not just while they are on parole but also after their sentence has finished.

It is not easy for prisoners to return to the community after serving lengthy terms of imprisonment. Because transition to the community is difficult, there is a risk of reoffending. Returning to the community on a parole order can assist prisoners get through the difficult reintegration period, with the aim of reducing their risk of reoffending and establishing foundations on which they can rebuild their life in a way that allows them to make a positive contribution to society.

Prisoners are denied parole if their risk to the community cannot be adequately mitigated through targeted conditions and supervision. In 2018-19, 38 per cent of the parole applications determined by the Board were denied. The reasons for denial are widespread, ranging from poor behaviour in prison, the failure to complete required offending behaviour programs, to the lack of suitable accommodation to reside at while on parole. These reasons can increase the risk to community safety to a point where the risk outweighs the benefit of parole to the prisoner.



On the other hand, the majority of parole applications determined by the Board in 2018-19 were granted (62 per cent). This outcome reinforces that prisoners who work with Corrections Victoria in prison to prepare and plan for parole have good prospects of being granted parole.

That the Board's decision-making is protecting the community is highlighted by two key points of data contained in this report:

- ▶ Firstly, of all the parole orders that ended in 2018-19, 81 per cent were completed successfully. This is the highest successful parole completion rate recorded and continues the improving trend of recent years. It demonstrates that parole is not too hard to complete, and that those who are granted parole have a good chance of completing it successfully.
- ▶ Secondly, only three people were convicted in 2018-19 for committing serious offences while on parole. This statistic continues the declining trend reported since 2013-14, over which time there has been a 95 per cent reduction. The number of persons convicted of serious offences committed while on parole has remained at five or less for the last three years, compared to 60 when this measure was first introduced in the Board's 2013-14 Annual Report.

Overall, the data in this report shows that:

- ▶ the vast majority of eligible prisoners continue to apply for parole
- ▶ most of the parole applications determined by the Board are granted

- ▶ most prisoners who are granted parole successfully complete it
- ▶ the controls around managing prisoners on parole are successful in most cases in preventing escalation of risk to the point of commission of serious offences.

The outcomes reported for 2018-19 represent the culmination of the extensive reforms and improvements that have been implemented over the past five years, to both the Board and the broader parole system. The combined and coordinated impact of the changes has directly led to a markedly better parole system and a safer community.

Every aspect of the Board's operations has changed over the past five years – whether that be through:

- ▶ amendments to the governing legislation
- ▶ changes to processes, such as the introduction of the parole application process
- ▶ ensuring that the Board's focus is on decision-making, and not case management
- ▶ improvements in the information available to the Board for decision-making purposes
- ▶ the responsiveness of Corrections Victoria and the Board to escalating risk
- ▶ improvements in recording and communicating the reasons for Board decisions
- ▶ improvements to the induction, training and support of Board members
- ▶ changes to the scheduling and running of Board hearings, including by capping the number of cases considered at each hearing
- ▶ better governance
- ▶ an improved Secretariat structure
- ▶ technology to support operations.

This report highlights three further major changes that have occurred in 2018-19, complementing the previous reforms and progressing the Board on its quest to be a model decision-making body. They have been integral parts of the overall plan to rebuild the Board and complete its transformation.

- ▶ In October 2018, the Board deployed its new case workflow system, PRISM. This event is of enormous significance to the Board for a number of reasons:
  - » It acquits the final outstanding recommendation of the *Review of the Parole System in Victoria* by former High Court Justice Ian Callinan AC.
  - » It has immensely improved the way the Board is informed for, and performs, its decision-making functions in very practical ways. It allows members to remotely access the relevant information for matters for pre-reading and preparation before hearings, meaning that the members are well-prepared coming into the hearings. By compiling relevant information about prisoners from multiple sources into an easy-to-navigate access point, it means that all relevant information relating to prisoners and decisions is easily accessible to members. Amongst other benefits, this will directly contribute to the further reduction of risk of decisions being made without access to all relevant information or sufficient time being available to thoroughly consider all relevant information.
  - » PRISM was a major and complex information and communications technology (ICT) project running over several years, requiring considerable foundational work and integration with several legacy systems, extremely complex design and programming requirements to reflect the Board's operations, and the assignment of up to 25 per cent of the Board's Secretariat staff to work full-time on it (with all of the consequential operational implications that flow from that). In short, it was a mammoth and extremely complex

project for the Board. It is an absolute credit to the capability, maturity and drive of the Board's Secretariat and membership that it was able to maintain normal operations while actively working in close partnership with CVIT and the system developer toward the successful design, development and deployment of PRISM, and to ultimately deliver a product in accordance with the project plan and which has been embraced by members and staff as a game-changing improvement. Although there are many people who played important roles in the successful completion of this project and in managing the operational implications, I particularly acknowledge the contribution of Natasha Burhop (General Manager, Practice Development) who carried the project from its early stages and worked tirelessly and with complete professional commitment to ensure PRISM would meet the Board's requirements. I also recognise the invaluable contributions of Stephen Farrow (full-time member) and Emma Francis (Senior IT Project Officer).

The successful design, development and deployment of PRISM not only supports the Board on a daily basis, but it marks the Board's growth, capability and status as a highly-functioning professional organisation.

- ▶ From the beginning of 2019, the Board adopted new security arrangements for hearings at which prisoners on parole attend in-person, ensuring improved security for the members and staff attending those hearings. From 1 January 2019, security services are provided by trained Corrections Victoria prison officers who have specific statutory powers to take necessary action to ensure the Board's hearings run safely, and hence effectively. The transition to the new security arrangements was managed extremely smoothly, and the Board is very pleased with the outcome.

- ▶ In February 2019, the Board moved into new premises at 50 Franklin Street, Melbourne, improving its general working environment and hearing capacity. Of particular significance, the Board now has access to a secure hearing room in which it conducts all in-person interviews with prisoners on parole. In combination with the new security services implemented in January 2019, this has addressed the risk to members and staff associated with conducting these interviews.

The new accommodation reflects the modern organisation the Board has become, its professionalism, and its status as an important public entity.

As has been the case with all of the changes the Board has implemented in recent years, the members and staff have again given their complete and practical support to each of these changes. The Board's healthy culture of seeking out, investigating and implementing opportunities for continuous improvement has been crucial to underpinning the successful renovation of the Board, and will continue to drive it forward.

## Final comment

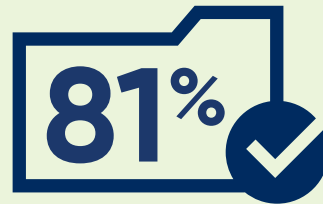
My time at the Board has not been easy. It has presented me with some of the most challenging professional experiences I have endured. Despite this, I have never regretted my decision to join the Board to help to repair the damage it had suffered under the pressure of its then workload. I was motivated in my resolve because I believe that the Board is, and should be acknowledged as, an important institution for the Victorian community. I have worked as hard as I possibly could, with like-minded colleagues, to rebuild the Board and its reputation. And so, it is with enormous pride that I leave the Board at a time when it can again claim the respect it justly deserves.



**Stuart Ward**  
Chief Administrative Officer  
Adult Parole Board



# Key highlights for 2018–19



of prisoners successfully completed their parole, the highest rate since comparable records have been kept



of persons convicted of committing serious offences while on parole since the Board first reported it in 2013–14



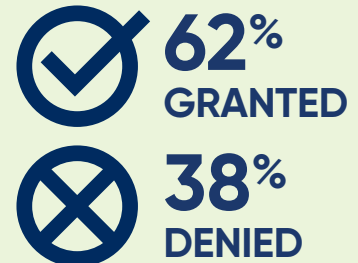
## New case workflow system

The Board implemented PRISM



## Law Week 2019

Parole information sessions in Ballarat, Shepparton and Geelong, as well as a mock parole hearing at the County Court



Parole applications determined by the Board during the year



## New premises

The Board moved to 50 Franklin Street



## Improved security

The Board improved its physical security for members and staff



over five years in parole cancellations



The Secretariat's Natasha Burhop, Stuart Ward and Emma Francis with full-time member Stephen Farrow on PRISM's go live

*PRISM has transformed the way I work. With easier access to offender information, including real-time information, my decisions are more informed. I can access information from anywhere, at any time of the day or night, which is particularly useful when I'm on call to receive breach of parole notifications from Victoria Police after hours.*

**Colleen Bell**  
Full-time member

## The Board's new case workflow system, PRISM

The *Review of the Parole System in Victoria*, conducted by former High Court Justice Ian Callinan AC, made 23 recommendations to reform parole in Victoria, including "a new and comprehensive electronic database and case management system."

The Adult Parole Board has acquitted this recommendation with the implementation of its new case workflow system called PRISM on 29 October 2018.

Over the past five years, the Board and Corrections Victoria have worked together to progressively acquit all the recommendations from the Callinan Review. The implementation of PRISM on 29 October 2018 was the final component of the extensive reform agenda.

A launch event to celebrate the implementation of PRISM was held on 31 October 2018 with presentations by His Honour Peter Couzens, the Board's Chairperson, and David Thornton, Program Manager for Corrections Victoria Information Technology (CVIT).

*I have adapted enthusiastically to PRISM, noting many benefits from the new system. The opportunity for pre-reading prior to hearings facilitates opportunities for more informed consideration and discussion. I particularly value the systematic format in which information is presented, and the chance to quickly access contemporary and historical reports.*

**Rosi Lever**  
Community member

*I find it's much more efficient to access digital content on PRISM than sort through bundles of documents searching for the right information. I can easily see the prisoner's full offending history, and previous Board decisions are clearly articulated. Remote access means I can spend more time, either at home or in chambers, to prepare for my hearings and carefully consider all the relevant issues.*

**Her Honour Judge Susan Pullen**  
Judicial member

### PrISM

PRISM is the Board's central source of prisoner information for its decision-making processes. It receives information from various sources, primarily Corrections Victoria but also victims, Victoria Police, the courts, and prisoners and their supports, and presents the information in an easy-to-read digital format. The Board can quickly access all relevant information about a prisoner, including sentence details, victim submissions, previous Board decisions, Corrections Victoria reports, prison incidents and much more.

PRISM uses modern technology and is a unique system that was developed for the Board. PRISM has inbuilt workflow to improve Board processes – it enables the Board to schedule and allocate matters to hearings, and record decisions. It prompts the Board on the next steps in the process, and automatically generates templates, including parole orders and decision letters, for prisoners, Corrections Victoria and Victoria Police.

Each member now has a PRISM-enabled laptop to pre-read their cases remotely and better prepare for hearings. The Board's paramount consideration is the safety and protection of the community. By providing members with more time to scrutinise matters, PRISM enables the Board to make more informed decisions.

### Acknowledgements

PRISM was selected as a finalist in the 2019 ISG ANZ Paragon Awards in the category of 'impact'. The ISG ANZ Paragon Awards recognise and reward the achievements of industry leaders across seven categories, including impact, and seek to highlight the innovative approaches and behaviours that drive success and which themselves reflect the evolving nature of technology and business today.

On 31 May 2019, the Board demonstrated PRISM to the Minister for Corrections, The Hon. Ben Carroll MP, on request by the Premier of Victoria, The Hon. Daniel Andrews MP. His Honour Peter Couzens introduced the demonstration and then Stephen Farrow, full-time member, Natasha Burhop, General Manager Practice Development and Emma Francis, Senior IT Project Officer, presented PRISM – what it looks like and how it works.

Since launch, the Board has delivered demonstrations on request to several of its stakeholders including Community Correctional Services and the Youth Parole Board. These stakeholders requested demonstrations to consider how PRISM could be adopted and adapted for their organisations. The Post Sentence Authority has also requested a demonstration of PRISM.

The fact that PRISM was selected as a finalist in a prestigious award and several of the Board’s stakeholders have requested a demonstration is an acknowledgement to what the Board and Corrections Victoria have achieved.

The implementation of PRISM on 29 October 2018 was a culmination of five years’ work and the Board would like to acknowledge and thank Corrections Victoria, particularly Corrections Victoria Executive

and CVIT, for its commitment and collaboration to ensuring the successful delivery of PRISM.

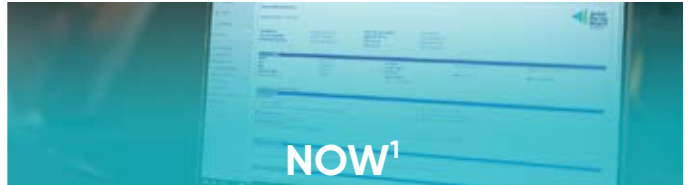
The Board would also like to acknowledge and thank its members and staff, and particularly the PRISM project team – led by Natasha Burhop and Emma Francis – as well as Stephen Farrow, project lead, and the project’s change management team chaired by Anita Lis, General Manager Operations.

*PRISM has modernised the Secretariat. The consolidation of information in one central IT system has been embraced positively by my team as it has improved the way we work. Our operations, file administration and workflow processes have become significantly more effective, seamless and transparent.*

**Anita Lis**  
General Manager Operations



**BEFORE PRISM**



**NOW<sup>1</sup>**

**Creating files**

The Secretariat created and maintained four hard copy files of every prisoner in its jurisdiction. This was an extremely time-consuming process.

The Secretariat only creates and maintains one hard copy file for its records. Information in PRISM is drawn directly from relevant databases, so it is accurate and up-to-date.

**Pre-reading to prepare for hearings**

Members would need to arrive early on the day of their hearings to access the hard copy files and pre-read their cases. There was limited time for members to scrutinise matters before the panel discussion and decision-making.

Each member has a PRISM-enabled laptop to pre-read their cases remotely and better prepare for hearings. This provides them with more time to scrutinise matters and leads to more informed decision-making.

**Accessing information**

Each hard copy file could contain hundreds to thousands of documents which the members would need to sift through to access relevant information. There was always a risk that, due to the large number of documents in each file, information relevant to a decision may be missed. Data was scattered across different databases or contained in hard copy files.

PRISM is the Board’s central source of prisoner information and presents the information in an easy-to-read digital format. PRISM has an ‘Offender 360’ that the Board can quickly access all relevant information about a prisoner to make an informed decision.

**Facilitating hearings**

The Secretariat would spend a lot of time using different systems to schedule and allocate matters to hearings and perform post-meeting tasks (such as requesting further reports from Corrections Victoria). The Secretariat also had to manually check that legislative requirements were met. For example, only the Serious Violent Offender or Sexual Offender (SVOSO) Division of the Board can grant parole to a serious violent offender or sexual offender, following a recommendation by the General Division, and the members sitting on the SVOSO Division must not have sat on the General Division that made the recommendation.

The Secretariat can schedule and allocate matters to hearings in PRISM. PRISM’s inbuilt workflow also prompts the next steps. For example, when a General Division recommends parole for a SVOSO prisoner, the Senior Registry Officer is automatically notified and can commence the process to list the matter for a SVOSO Division hearing. PRISM won’t allow a member who sat on the General Division to sit in the SVOSO Division hearing. PRISM incorporates rules to ensure that these and other legislative requirements are met. In PRISM, the Secretariat’s management team has visibility of its team’s tasks and can easily identify when more resources are required to complete a task (PRISM indicates when a task is pending or delayed).

**Recording decisions**

There was extensive manual handling with the entry and re-entry of information for different purposes and at different stages. For example, members would write their decision by hand. Secretariat staff would later have to manually enter relevant information into various databases and prepare letters and orders.

The Board’s decisions are entered into PRISM electronically and in real-time (during Board hearings) by the Secretariat, which enables the members to immediately sign off their decisions. Decision letters, parole orders, templates and instruments are generated automatically. This minimises double-handling and the risk of error.

**Responding to urgent matters**

If an urgent matter relating to a prisoner on parole occurred outside business hours (for example, on a public holiday), members could not readily gain access to the prisoner’s file to quickly respond to the matter.

Each member has a PRISM-enabled laptop and members on the on-call roster can respond to urgent matters very quickly from any location.

1 Some of PRISM’s new functionality to improve the Secretariat’s administrative processes, described in the facilitating hearings and recording decisions sections, were not in place at 30 June 2019 as these are scheduled to be implemented in the next phase of the case workflow system project (to enhance PRISM’s features) on 3 September 2019.

Section

2

MEMBERS



His Honour Chief Judge Peter Kidd presents to members at the Board's educational seminar in June 2019

## Members

The Board's membership consists of members from a diverse range of backgrounds, both professionally and culturally, with rich and relevant experiences that they each bring to the Board.

The majority of members, some of whom have public profiles and are well-known within the community, have had, or continue to have, outstanding careers in a range of different fields.

In 2018-19, Aunty Pam Pederson OAM, a community member of the Board, was awarded a Medal of the Order of Australia (OAM) for her service to the Indigenous community. Kristy McKellar OAM, also a community member, was awarded an OAM for her service to the community through social welfare initiatives.

Board panels normally comprise a presiding judicial member, a community member and a full-time member.

The judicial members include current and retired County Court judges and magistrates.

The experience and backgrounds of the community members include:

- ▶ people who have been or have supported victims of crimes
- ▶ retired police officers
- ▶ an Aboriginal elder
- ▶ mental health service provision
- ▶ public administration

- ▶ journalism
- ▶ members of other decision-making Boards at tribunals, hospital administration, education and child protection
- ▶ the founder of Crime Stoppers.

The full-time members include lawyers and a forensic psychologist.

Following the appointment of eight new members in 2017-18, the Board's membership has been stable in 2018-19. The only change was the new Secretary to the Department of Justice and Community Safety, Rebecca Falkingham, for her predecessor, Greg Wilson. The Secretary is a member of the Board but does not have an active role in Board hearings.

In 2018-19, His Honour Alan Spillane, judicial member, Kieran Walshe APM, community member, Stephen Farrow, full-time member, and Dr David Curnow, full-time member, were re-appointed by Governor in Council for a further three years. This is an acknowledgment of their value and commitment to the Board.

### Member education – bimonthly seminar series

The Board has an established, comprehensive and educational seminar program as part of its professional development program to increase the knowledge of its members, and to promote consistency in the making of decisions. The program involves bimonthly seminars presented by experts and professionals who are leaders in their fields, biannual all-day seminars, and visits to prisons.

Each bimonthly seminar includes a 'practice discussion' during which the Chairperson and full-time members speak about Board practices to the

members. The members also have an opportunity to contribute their perspective to the practices and operation of the Board.

The seminar program in 2018-19 included presentations on:

- ▶ the consideration of parole for prisoners who are subject to deportation
- ▶ how psychology can treat prisoners convicted of violent offending
- ▶ the Board's new case workflow system, PRISM
- ▶ the supports available for Aboriginal people during the parole process
- ▶ parole from the perspective of parole officers from Community Correctional Services
- ▶ a sex offender treatment program (the Better Lives program)

Two all-day seminars were also held during the reporting year in December 2018 and June 2019 with presentations on:

- ▶ the Judy Lazarus Transition Centre (presented by Judy Lazarus AM)
- ▶ the role of ex-prisoners as peer mentors in prison
- ▶ stalking and fixated offenders
- ▶ Pacific Islander and Maori prisoners
- ▶ fraud-related offending and drug trafficking
- ▶ the Post Sentence Authority (presented by the Authority's Chair Michele Williams QC and members Peter Rose QC, Carmel Arthur and Angela Moran)
- ▶ issues associated with sentencing (presented by His Honour Chief Judge Peter Kidd).

The Board acknowledges the invaluable contribution of speakers who presented at the seminar series, many of whom have dedicated their lives to the management and treatment of offenders.



## His Honour Frank Shelton Deputy Chairperson

In mid-2010, I was aged 68 and rapidly approaching 'the age of statutory senility', 70, when judges are required to retire. How would I spend my retirement? Judge David Jones AM, a judicial member of the Adult Parole Board since 2002 and Chair of its Detention and Supervision Order Division (DSOD), asked whether I would be interested in being a judicial member of the Board. Over 17 years as a Judge of the County Court, I had been very involved with the criminal justice system, presiding in over 100 criminal trials and pronouncing innumerable more sentences. Together with my love of chairing meetings, I was very interested in the suggestion.

In December 2011, on my retirement from the County Court, I was appointed a judicial member of the Board, together with Magistrate Robert Kumar OAM and Magistrate Ross Betts. Our training was conducted over six sessions during 2012. In addition, we sat in on several hearings.

Come 2013, I commenced chairing hearings of the Board. It was a different scene from today.

Each of the three sitting members had a hard copy of the master file with sometimes 80 plus matters to determine in a sitting – a member was often visually hidden behind a pile of files! There was only one full-time member Michael Hepworth. He was very experienced, and I was always relieved to have him sitting with me. There were frequent visits by Board members to prisons around Melbourne and in the countryside, with overnight stays in nearby towns. In 2011-12, over a 12-month period, 1,665 prisoners were interviewed in-person by the Board. In-person interviews are now rare

because Corrections Victoria submit very comprehensive reports to the Board meaning most decisions can be made on the papers.

The *Corrections Act 1986* now requires that the safety and protection of the community is the paramount consideration of the Board in determining matters. My experience was that, in 2013, the Board certainly followed this principle and continues to do so.

In 2013, the part-time Chair of the Board was a Supreme Court Judge, Justice Simon Whelan, until May 2013 and then Justice Elizabeth Curtain AM. They acted as Chair, as well as performing full-time duties as Supreme Court Judges. They did not even have an office at the Board!

There was an administrative staff of 19 (in 2018-19, there were 30 administrative staff) supporting the activities of the Board.

In September 2012, the tragic rape and murder of Jill Meagher by parolee Adrian Bayley occurred. This led to the appointment of former High Court Justice Ian Callinan AC to conduct a review of the Victorian parole system. In his report, which he handed down in July 2013, he stated that "the volume of work sought to be done by the Board is intolerably heavy".

A full-time Chair was appointed (this, in fact, had been recommended by Justice Whelan).

The two-tier system for the consideration of granting parole to serious violent offenders or sexual offenders was implemented. Files were put into electronic form – millions of pages were converted to electronic form by staff working in shifts.

An adverse result of the report, which was critical of the Board, was that most members chose to retire by the end of 2013 and a wealth of experience was lost. Staff were subjected to abusive phone calls and morale was low. The Board was subjected to regular criticism in the media.

At this time, I was appointed as Deputy Chair for four years and, shortly thereafter, Chair of the DSOD.

In January 2014, the Hon. E. William Gillard QC, retired Supreme Court Judge, commenced as Chair of the Board. He emphasised that the Board was primarily a decision-making body and its priority was not determining which programs prisoners should undertake prior to release on parole.

Stuart Ward joined the Board as Chief Administrative Officer in September 2014. Judge Peter Couzens, just retired as President of the Children's Court, became Chair of the Board in June 2015. Under their joint inspired and enthusiastic leadership and efforts, the Board has gone from strength to strength. It is now regarded as the pre-eminent parole authority in Australia, as well as gaining international recognition over the past few years.

The standing of the Board in the local community has been greatly enhanced. The media has a better understanding of the difficult task performed by the Board.

The figures speak for themselves. In 2013-14, 60 persons were convicted of committing serious offences on parole (the first year that the Board reported on it). In the year just concluded, the number was down to three. In 2014-15, 56 per cent of prisoners completed their parole. This reporting year, the figure was 81 per cent.

Following the Harper Review, in which the Board actively participated, the Board's DSOD function transferred to the Post Sentence Authority in February 2018. The Board had been seeking this for some years.

There is a strong bond of friendship and professionalism existing between the Board members who meet regularly for the member education seminars. Four very competent full-time members add to the expertise of the Board. They are ably supported by dedicated staff working in a happy environment in impressive new premises at 50 Franklin Street.

### Some final thoughts

It is frequently said that parole is a privilege, not a right. However, it is at least an expectation on the part of the prisoners that if they behave in prison and successfully complete recommended programs, they will be

released on their earliest date. And it is, after all, what the sentencing judge or magistrate had intended. Of course, the Board only makes its decisions when it has received all relevant information, including comprehensive reports from Corrections Victoria. The Board's paramount consideration is the safety and protection of the community.

It is surprising how frequently prospective parolees come from families where the parents separated (particularly when the parolees were aged five to seven) and they have experienced family violence.

The illicit drug 'ice' is a widespread problem for offenders and is often the reason that they commit crimes. The use of 'ice' is the most common reason for a prisoner's parole to be cancelled.

The lack of suitable accommodation is a common reason for the Board to deny parole. It is particularly sad to see young prisoners with no one prepared to accommodate them.

The normal composition of a hearing panel is most suitable. The presiding judge or magistrate, in the absence of the rules of natural justice, ensures that principles of fairness prevail, as well as dealing with any legal issues which arise. The full-time member ensures

a consistent approach to decision-making. The community member provides a non-legal approach from his or her background.

As long ago as 1910, Sir Winston Churchill, in speaking in the House of Commons and referring to criminals, spoke of "an unfaltering faith that there is a treasure, if you can only find it, in the heart of every man". I like to think that the Board, in its daily deliberations, seeks that 'treasure' while recognising the paramountcy of community safety and protection and the rights of victims.

**His Honour Frank Shelton**  
Deputy Chairperson

*His Honour Frank Shelton was appointed to the Adult Parole Board on 19 December 2011. He was appointed Deputy Chairperson of the Board on 17 December 2013. He was also Chairperson of the Board's Detention and Supervision Order Division from 1 January 2014 until 26 February 2018. His term will expire on 19 December 2019.*



The Board's Executive -  
Stephen Farrow, Colleen Bell,  
Stuart Ward, His Honour Peter  
Couzens, His Honour Frank  
Shelton, Nafsika Sahinidis  
and Dr David Curnow

# Adult Parole Board members 2018–19

## Chairperson

### His Honour Peter Couzens

Retired Judge of the County Court, Retired President of the Children's Court of Victoria  
Appointed to the Board as Chairperson from 9 June 2015

## Deputy Chairperson

### His Honour Frank Shelton

Retired Judge of the County Court  
Appointed to the Board as Deputy Chairperson from 17 December 2013

## Full-time members

### Stephen Farrow

Appointed to the Board from 11 November 2013

### Dr David Curnow

Appointed to the Board from 18 May 2014

### Nafsika Sahinidis

Appointed to the Board from 31 January 2017

### Colleen Bell

Appointed to the Board from 19 December 2017

## Judicial members

### Her Honour Judge Susan Pullen

Judge of the County Court  
Appointed to the Board from 6 November 2013

### 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

State Coordinating Magistrate  
Appointed to the Board from 10 December 2013

### His Honour Gregory McNamara

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

Retired Magistrate  
Appointed to the Board from 29 October 2014

### His Honour Alan Spillane

Retired Magistrate  
Appointed to the Board from 25 November 2013

### Her Honour Jacinta Heffey

Retired Magistrate  
Appointed to the Board from 22 November 2017

### Her Honour Michelle Hodgson

Magistrate  
Appointed to the Board from 22 November 2017

### Her Honour Catherine Lamble

Retired Magistrate  
Appointed to the Board from 17 April 2018

## Community members

### Kieran Walshe APM

Former Deputy Commissioner of Victoria Police  
Appointed to the Board from 5 February 2013

### Glenda Frost

Former President of Royal Victorian Association of Honorary Justices, experienced in company and tax law and accounting  
Appointed to the Board from 17 December 2013

### Peter Harvey

Former Detective Inspector of Victoria Police – Crime Department  
Appointed to the Board from 17 December 2013

### Pamela White PSM

Retired public servant with extensive experience in human services  
Appointed to the Board from 29 April 2014

### Dr Patricia Mehegan

Member of the Mental Health Tribunal, cross-cultural consultant  
Appointed to the Board from 16 September 2014

### Claude Minisini

Chief Executive of a corporate issues management consultancy, former member of Victoria Police  
Appointed to the Board from 16 September 2014

### Aunty Pam Pedersen OAM

Aboriginal community Elder from the Yorta Yorta nation, Elder representative for the Children's Koori Court  
Appointed to the Board from 16 September 2014

### Geoff Wilkinson OAM

Retired senior crime journalist, founder of Crime Stoppers Victoria  
Appointed to the Board from 16 September 2014

### Nicole Burns

Member of the Administrative Appeals Tribunal, Migration and Refugee Division, Department of Foreign Affairs and Trade (DFAT) consultant  
Appointed to the Board from 23 September 2014

### Rosemary Lever

Former Deputy Chancellor of RMIT University, former CEO of the Children's Protection Society  
Appointed to the Board from 23 September 2014

### Mary Malone

A senior health administrator from South Australia and regional Victoria  
Appointed to the Board from 23 September 2014

### Kristy McKellar OAM

Family Violence and Social Change Consultant, and survivor advocate  
Appointed to the Board from 19 December 2017

### Charlene Micallef

Former Manager of the Victims Strategy and Services Directorate at the Office of Public Prosecutions  
Appointed to the Board from 19 December 2017

### Chris Trotter

Professor in the Department of Social Work at Monash University and Director of the Monash Criminal Justice Research Consortium  
Appointed to the Board from 19 December 2017

### Heidi Tucker

Chief Executive Officer of Anchor Inc which provides housing and support services for children, young persons, and families in the outer east region of Melbourne.  
Appointed to the Board from 19 December 2017

## Secretary, Department of Justice and Community Safety

### Rebecca Falkingham

Appointed as Secretary to the Department of Justice and Community Safety on 29 November 2018. Under section 61(2)(f) of the *Corrections Act 1986*, the Secretary to the Department of Justice and Community Safety is a member of the Board but does not have an active role in Board hearings.

Section

3

OPERATIONS AND DECISION-MAKING



Stephen Farrow, His  
Honour Peter Couzens  
and Dr David Curnow

# Purpose of parole

The purpose of parole is to promote public safety by supervising and supporting the transition of prisoners from prison back into the community in a way that seeks to minimise their risk of reoffending. The Board must treat the safety and protection of the community as its paramount consideration.

## Sentencing and parole

### Sentencing

The courts have the sole responsibility for sentencing offenders. Only courts can impose a sentence and set a non-parole period as part of a sentence of imprisonment.

The Board has no role in the sentencing process and cannot change a sentence imposed by a court.

The Board's role is not to decide whether the prisoner has been punished too much or not enough.

The Board cannot decide to make the prisoner serve longer in prison to denounce their offence or to deter them or someone else from committing a similar offence. This is because those are sentencing considerations and are solely matters for the courts.

The Board's role is to consider the risk of the prisoner's transition back into the community.

Not all prison sentences include a non-parole period. In accordance with the *Sentencing Act 1991*, this depends on the length of the prison sentence.

A non-parole period must be at least six months less than the maximum term of the sentence. For example, if a court sentences a prisoner to five years' imprisonment, the longest possible non-parole period is four and a half years, but it can be shorter.

<b>More than 24 months</b>	The sentencing court must set a non-parole period, unless the nature of the offence or the offender's history would make parole inappropriate.
<b>Between 12 and 24 months</b>	The sentencing court is not required to, but may decide to, fix a non-parole period.
<b>Less than 12 months</b>	A non-parole period can not be set by the sentencing court, therefore parole is not possible.

### Adult Parole Board

The *Corrections Act 1986* establishes the Adult Parole Board, its composition, functions, powers, and decision-making principles. The Board has additional functions outlined in the *Children, Youth and Families Act 2005* and *Sentencing Act 1991*.

The Board does not have a case management function. It is not responsible for preparing prisoners for parole, or for supervising and managing them while they are on parole. It does not have an investigative function. Rather, it is a decision-making body that relies on information provided to it, primarily by Corrections Victoria, to make decisions in accordance with its statutory authority.

### Board decisions

The main decisions made by the Board are to:

- ▶ determine if a parole application will proceed to the preparation of a Parole Suitability Assessment (this means that the Board requests a Parole Suitability Assessment from Corrections Victoria's Community Correctional Services to provide information upon which it can decide whether to grant, deny or defer parole)
- ▶ defer the parole application
- ▶ grant parole
- ▶ deny parole
- ▶ revoke parole (this takes place after the Board has granted parole but before the prisoner has been released. For example, a positive drug test in prison may result in the

Board revoking the prisoner's parole before they are released)

- ▶ to impose discretionary conditions on a parole order
- ▶ vary parole conditions
- ▶ warn a prisoner on parole if their conduct has the potential to lead to their parole being cancelled
- ▶ cancel parole if there has been a breach (or suspected breach) of a parole condition, or if the risk to the safety and protection of the community has escalated
- ▶ following a parole cancellation, determine whether to grant any time to count.

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

### Factors taken into account

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.

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

- ▶ the sentence imposed by the court including any comments by the court about parole and rehabilitation
- ▶ psychiatric or psychological reports available to the court when it imposed the sentence
- ▶ victim impact statements provided to the sentencing court
- ▶ the nature and circumstances of the offence for which the prisoner is serving a sentence
- ▶ the prisoner's criminal history, including performance on past parole orders or community-based orders
- ▶ a submission received from a victim of the prisoner
- ▶ the outcome of formal risk assessments conducted for the prisoner

- ▶ whether the prisoner has undertaken treatment or programs and, if so, formal reports of their performance
- ▶ psychiatric or psychological reports requested by the Board
- ▶ whether proposed accommodation is suitable and stable
- ▶ the prisoner's behaviour in prison, including outcomes of random drug tests
- ▶ for serious offenders, the Board considers a detailed home assessment report about the suitability of proposed accommodation and intelligence held by Corrections Victoria and Victoria Police.

### Parole conditions

The Board is required by law to impose 10 core parole conditions on every parole order. The Board may also impose discretionary conditions depending on a prisoner's individual circumstances. If a prisoner breaches a condition, their parole may be cancelled and they may be returned to custody.

### Core conditions

The ten core conditions are:

1. You must not break any law.
2. You must report to the community corrections centre specified in this Order within two clear working days after this Order comes into force.
3. You must notify a community corrections officer of any change of address at least two clear working days before the change of address.
4. You must notify a community corrections officer of any change of employment within at least two clear working days of the change of employment.
5. You are under the 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 an 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.

### Discretionary conditions

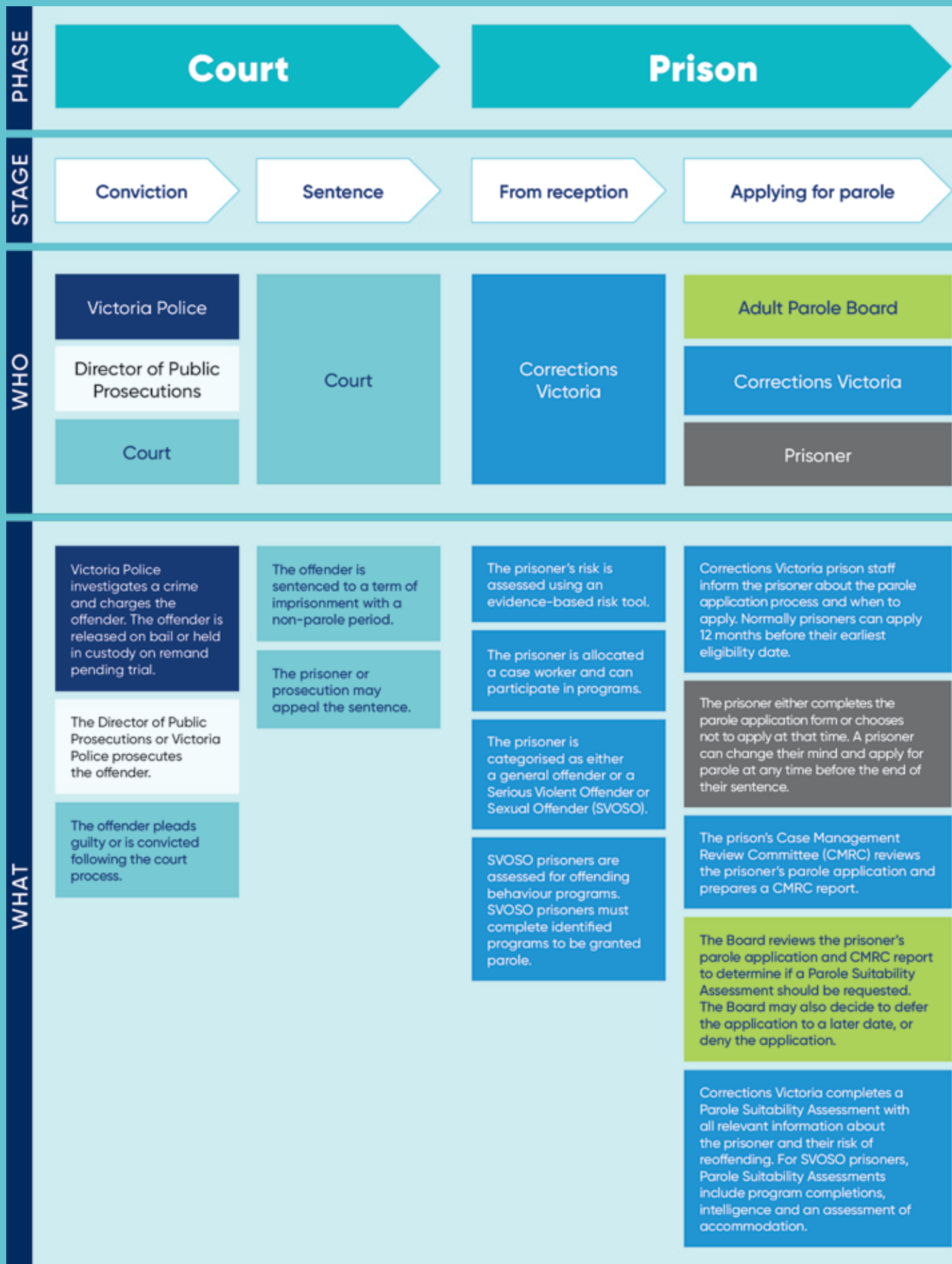
Discretionary conditions may relate to:

- ▶ alcohol abstinence
- ▶ drug testing
- ▶ curfews
- ▶ residential restrictions
- ▶ geographical restrictions prohibiting entry into specified areas
- ▶ victim contact restrictions
- ▶ participation in rehabilitation programs
- ▶ community work
- ▶ electronic monitoring – both geographical and alcohol consumption.

### Varying and revoking conditions

The Board can vary the conditions of a parole order at any time during the parole period. Conditions can be added to respond to changes in risk. Alternatively, conditions can be revoked if the prisoner has been performing well on parole for a long period. The Board's primary consideration is always the safety and protection of the community.

# THE PAROLE PROCESS



# Parole

## Deciding to grant or deny parole

## Parole outcome

Adult Parole Board

Adult Parole Board

Corrections Victoria

Victoria Police

Prisoner

The Board considers the prisoner's parole application and the Parole Suitability Assessment.

To assist with its decision, the Board may interview the prisoner or Corrections Victoria parole officers and other staff. The Board takes into account written submissions by victims of crime.

The Board's paramount consideration is always the safety and protection of the community.

For general offenders, the Board decides to either grant or deny parole to the prisoner.

For SVOSO prisoners, a general Board panel considers whether to recommend parole. The SVOSO Division will then consider whether to grant or deny parole. The two-tiered decision-making process provides a higher level of scrutiny before parole is granted to serious offenders.

The Board sets targeted parole conditions to manage the prisoner's ongoing risks and needs in the community.

The prisoner is supervised on parole by Corrections Victoria parole officers.

Through Advice and Recommendation reports, Corrections Victoria parole officers keep the Board informed about the prisoner's progress on parole.

Through Risk and Compliance reports, Corrections Victoria parole officers may notify the Board about a prisoner's breach of conditions or escalation of risk.

If Victoria Police identify that a prisoner has breached certain parole conditions, they can arrest the prisoner and notify the Board through the 24-hour breach of parole model.

The Board's paramount consideration is always the safety and protection of the community. The Board considers all breaches of parole and risk escalation. The Board may interview the prisoner or Corrections Victoria parole officers and other staff.

The Board may cancel a prisoner's parole and issue a warrant for their arrest and return to prison, issue a warning to the prisoner or vary the prisoner's parole conditions.

The prisoner completes their parole.

If a prisoner's parole is cancelled, the prisoner may choose to apply for re-parole after they have been returned to custody.

The Board considers whether any time the prisoner spent on parole will be counted as time served under the sentence.

# Parole data 2018-19

## STAGE 1 The prisoner applies for parole

Prisoners who have been sentenced by a court to a non-parole period must apply to the Adult Parole Board if they want to be considered for release on parole.

During 2018-19, the Board received 1,746 applications for parole. This is consistent with the previous year (in 2017-18, the Board received 1,680 applications).

Of the 1,746 applications for parole, 86 per cent (or 1,505) proceeded to the preparation of a Parole Suitability Assessment.

Parole officers from Community Correctional Services prepare comprehensive Parole Suitability Assessment reports to inform the Board's decisions.

The remaining 241 applications were either deemed invalid, deferred, denied at the application stage, or had not been processed as at 30 June 2019.

The Board was notified by Corrections Victoria of 156 prisoners who were eligible for parole but who did not apply at their earliest opportunity.

Parole applications	2018-19	%	2017-18	%	% change between 2017-18 and 2018-19
Total number of parole applications received	1,746	-	1,680	-	4%
Total number of parole applications still in progress	11	1%	0	0%	N/A
<b>Outcomes</b>					
Progressed to Parole or Re-parole Suitability Assessment	1,505	86%	1,481	88%	2%
Denied	39	2%	43	3%	-9%
Deferred	56	3%	64	4%	-13%
Invalid application	135	8%	88	5%	53%
Eligible prisoners who did not apply for parole	156	8%	114	6%	37%

## STAGE 2 The Board decides to grant or deny parole

When a prisoner applies for parole, and the Board determines that the application will proceed, the Board will then receive a Parole Suitability Assessment from Community Correctional Services.

The report contains information that includes:

- ▶ the prisoner's background (including past offending and performance on previous supervised sentences in the community, including any previous parole orders or community correction orders)
- ▶ the current offences and the circumstances in which the prisoner committed them
- ▶ the prisoner's behaviour in prison
- ▶ any assessments or treatment conducted in prison
- ▶ their plans for release (such as accommodation and employment).

The report considers the prisoner's risk factors and the extent to which they could be mitigated by parole conditions.

The Board may also receive further information, including submissions from victims of the prisoner's offending, correspondence from the prisoner, their family or supports, and information from police (such as whether there are any current or expired intervention orders relating to the prisoner).

Once the Board has received all the necessary information, it will decide

whether to grant or deny parole. This decision will not necessarily be in the same reporting year that the prisoner's application was lodged.

In 2018–19, the Board made 1,305 decisions to grant or deny parole (excluding the prisoners who withdrew their applications for parole). Nearly two-thirds of those decisions, 803 (or 62 per cent), were to grant parole while 502 (or 38 per cent) were to deny parole.

The most prevalent factor for the Board to deny parole was that the prisoner's risk to the community was too great. Other prevalent factors included the prisoner having insufficient time remaining on their sentence for parole to be of benefit and an absence of suitable accommodation, as precarious or unsuitable accommodation can be a major risk factor for re-offending. The Board's requirement to treat the safety and protection of the community as its paramount consideration means that the Board cannot grant parole in such cases.

After applying for parole, a prisoner can choose to withdraw their application. In 2018–19, 205 prisoners withdrew their application (in previous years, this figure was incorporated into the total number of decisions to deny parole). The most common reasons for a prisoner to withdraw their application were due to an absence of suitable accommodation,

the prisoner not wanting to be subject to parole conditions, and insufficient time remaining on their sentence for parole to be of benefit.

### Re-parole

If a prisoner's parole is cancelled, they may apply to the Board to be released on re-parole.

In considering an application for re-parole, the Board will carefully examine the reasons why the previous parole was cancelled and what, if anything, the prisoner has done to address the reason for their parole being cancelled. For example, if a prisoner's parole was cancelled because they used illicit drugs, the Parole Suitability Assessment – Re-parole report may inform the Board whether the prisoner has completed a drug and alcohol program in prison or produced any positive tests for drugs.

Of the 1,305 decisions to grant or deny parole in 2018–19, 109 were for re-parole (excluding the prisoners who withdrew their applications for re-parole). Of the 109 decisions, 58 (or 53 per cent) were to deny re-parole while 51 (or 47 per cent) were to grant re-parole.

The Board is likely to deny re-parole if the prisoner performed very poorly on their initial period of parole (prior to their parole cancellation) and there is insufficient time remaining on the sentence for re-parole to be of benefit.

Parole decisions	2018–19	%	2017–18	%	% change between 2017–18 and 2018–19
Decisions to grant parole	803	62%	803	63%	0%
Decisions to deny parole (excluding those that withdrew their application)	502	38%	464	37%	8%
Number of prisoners who withdrew their application	205	14% <sup>1</sup>	242	16%	-15%

Re-parole decisions	2018–19	%	2017–18	%	% change between 2017–18 and 2018–19
Re-parole orders granted	51	47%	66	52%	-23%
Re-parole orders denied (excluding those that withdrew their application)	58	53%	61	48%	-5%
Number of prisoners who withdrew their application for re-parole	17	13% <sup>2</sup>	22	15%	-23%

1 This is the proportion of all granted, denied and withdrawn decisions.

2 This is the proportion of all granted, denied and withdrawn decisions.

## STAGE 3 Prisoners on parole and outcomes

### Prisoners on parole

Prisoners on parole are supervised by parole officers from Community Correctional Services. Prisoners are required to attend regular supervision meetings with their parole officer who will report any issues regarding the prisoner's compliance or risk to the Board.

At 30 June 2019, there were 838 prisoners on parole. The majority were male (89 per cent) and most were between the ages of 40–49 (21 per cent).

### Arrest and detention

If a prisoner on parole is arrested by Victoria Police (for example, for

suspected further offending or for breaching certain parole conditions), the Board is notified immediately. Board members and staff are available on call every day of the year to respond to such incidents.

During 2018–19, Victoria Police notified the Board of 52 prisoners who were arrested. This is similar to last year (55 notifications in 2017–18) but a 74 per cent decrease over five years from 198 notifications in 2014–15.

A full-time member must then determine whether the prisoner should be released from custody or continue to be detained while the Board awaits a full report from the prisoner's parole

officer to then determine whether to cancel their parole.

In 2018–19, the Board decided to cease detention for 22 of the 52 prisoners. Of the remaining 30 prisoners who were detained pending consideration by the Board, 24 were cancelled and six were not cancelled.

### Cancellations

Under the *Corrections Act 1986*, the Board's paramount consideration is the safety and protection of the community.

If a prisoner's risk of re-offending is increasing, their parole officer is obliged to notify the Board and the Board will

	2018–19	%	2017–18	%	% change between 2017–18 and 2018–19
<b>Prisoners on parole (at 30 June)</b>					
Number of prisoners on parole	838	–	858	–	–2%
<b>Characteristics</b>					
SVOSO prisoners on parole	370	44%	412	48%	–10%
Aboriginal prisoners on parole	26	3%	33	4%	–21%
Male prisoners on parole	743	89%	756	88%	–2%
Female prisoners on parole	95	11%	102	12%	–7%
Prisoners on parole aged 17–24	31	4%	30	3%	3%
Prisoners on parole aged 25–29	112	13%	94	11%	19%
Prisoners on parole aged 30–34	128	15%	133	16%	–4%
Prisoners on parole aged 35–39	97	12%	103	12%	–6%
Prisoners on parole aged 40–49	174	21%	195	23%	–11%
Prisoners on parole aged 50–59	135	16%	139	16%	–3%
Prisoners on parole aged 60 and over	161	19%	164	19%	–2%
<b>Arrest and detention</b>					
Total notifications received	52	–	55	–	–5%
Total detained	30	58%	42	76%	–29%
Total cancelled	24	80%	26	62%	–8%
Total not cancelled	6	20%	16	38%	–63%
Total ceased to detain	22	42%	13	24%	69%
<b>Parole cancellations</b>					
Number of prisoners who had parole cancelled	153	–	156	–	–2%
<b>Time to count</b>					
Number of time to count cases considered	162	–	199	–	–19%
Time to count granted	57	35%	54	27%	6%
Time to count not granted	83	51%	122	61%	–32%
Time to count deferred	22	14%	23	12%	–4%

decide whether to cancel parole and return the prisoner to custody.

The risk increase will normally be apparent from the prisoner breaching their conditions (for example, by positive drug tests or by avoiding drug testing). In a small number of cases, the risk increase may be apparent even if the prisoner is compliant with their conditions.

The Board will consider whether other actions may be appropriate (for example, by varying the prisoner's conditions or delivering a warning). However, if the Board concludes that the risk to the community posed by the prisoner has come to outweigh the benefits to the community of the prisoner remaining on parole, the Board will cancel their parole.

In 2018-19, the Board cancelled parole for 153 prisoners. The total number of parole cancellations is slightly lower than in 2017-18 (with three less cancellations) but 73 per cent lower than the 569 cancellations in 2014-15.

Drug use (particularly methylamphetamine or 'ice') was at least one of the factors in two-thirds (66 per cent) of all cancellations, while being charged with or found guilty of a further offence was a factor in 27 cancellations (or 18 per cent of all cancellations).

**Time to count**

If the Board cancels a prisoner's parole, none of the time that the prisoner spent on parole (commonly referred to as 'street time') is counted as part of their sentence unless the Board directs that some or all of it should be counted.

For every parole cancellation, the Board will consider whether to direct any time to count after the prisoner has returned to custody.

In making this decision, the Board will consider the prisoner's performance

over the whole time they were on parole. For example, a prisoner may have made progress while on parole, but then encountered a setback which triggered a relapse into drug use resulting in cancellation.

The prospect of time to count can motivate a prisoner to persevere with onerous parole conditions, knowing that the effort they have put in and the progress that they have made over an extended period will be recognised and will not be lost even if their parole is eventually cancelled.

Parole conditions are designed to promote positive behaviour (for example, engagement in counselling) and to detect and deter negative behaviour (for example, illicit drug use). A prisoner who makes little or no use of the support provided on parole, and demonstrates limited or no effort towards their rehabilitation, may not merit any time to count.

If the prisoner's parole is cancelled during the intensive parole period (generally the first three months of parole) or because of serious offending on parole, it is unlikely that they will receive any time to count.

The Board holds one hearing each week, presided by the Chairperson, to consider time to count matters.

In 2018-19, the Board considered 162 time to count matters (some of which may have related to cancellations that occurred in previous reporting years).

In just over half of these matters (83 or 51 per cent) the Board decided not to grant any time to count. Most commonly, this was because the prisoner relapsed into drug use.

The Board granted at least some time to count in 57 cases (35 per cent). In the remaining 22 cases (14 per cent), the Board deferred its decision.

**Order completions**

During 2018-19, 821 prisoners had their orders discharged by Corrections Victoria. Of these, 664 prisoners were discharged as successfully completing their order, resulting in a successful completion rate of 81 per cent. This is an increase from 56 per cent in 2014-15, and the highest rate since comparable records have been kept.

**Reviews**

During 2018-19, the Board received nine requests from prisoners or their supporters to review Board decisions.

The decisions reviewed were related to denials of parole, the length of time between the Board granting a prisoner parole and their actual release date, and whether time to count could be granted toward a prisoner's sentence following cancellation of parole.

Each request for review is considered by a panel including the Board's Chairperson and a full-time member.

Of the nine requests for reviews received, the Board rejected five. In each case, there was no new information for the Board to vary its decision.

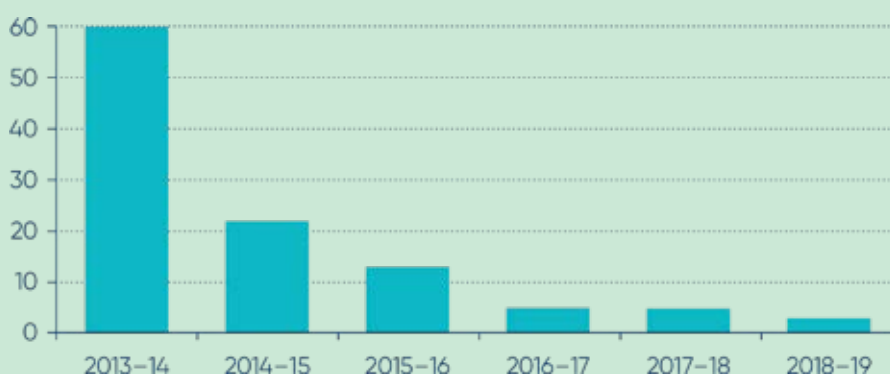
The Board accepted four requests for reviews based on additional information provided for the purpose of the review. In each case, the Board had already granted the prisoner parole and, following the review, brought their release date forward.

During the year, the Board also considered three requests for reviews that were received in 2017-18 and did not have an outcome by 30 June 2018. The Board rejected two because there was no new information for the Board to vary its decision. The Board accepted one by reactivating the prisoner's application, following a parole denied decision, and requesting a further report from Community Correctional Services.

**Convictions for serious offences committed on parole**

In 2018-19, three persons were convicted of serious violent offences or sexual offences committed while on parole. This is slightly less than the previous year (five) and continues the substantial reduction of 95 per cent from the first reporting year (60 in 2013-14).

**Number of persons convicted of a serious violent offence or sexual offence committed while on parole, from 2013-14 to 2018-19**



## Litigation

The Board's Risk and Audit Subcommittee is responsible for overseeing the risks associated with litigation.

In 2018-19, the Board was involved in one matter before the High Court of Australia which challenged the validity of legislative provisions regarding the eligibility for parole of prisoner Craig Minogue. The defence of this matter is conducted by the State of Victoria and the Board has provided information as requested by the Victorian Government Solicitor's Office.

Section 74AAA of the *Corrections Act 1986* sets out the requirements for parole for prisoners sentenced to a term of imprisonment with a non-parole period for the murder of a police officer.

Craig Minogue has previously challenged the validity of section 74AAA. On 20 June 2018, the High Court held that section 74AAA did not apply to Craig Minogue because he was not sentenced on the basis that

he knew that, or was reckless as to whether, the person he murdered was a police officer.

The *Corrections Act 1986* was amended in August 2018 to include section 74AB which specifically applies to Craig Minogue.

On 23 October 2018, Craig Minogue filed proceedings in the High Court challenging sections 74AAA and 74AB of the *Corrections Act 1986* on several bases, including that the provisions attempt to 'replace or override' the court order under which he was sentenced with a minimum term and 'legislatively re-sentence to imprisonment for life without any minimum term or non-parole period'. This matter is currently before the High Court.

The Board appears in, and gives evidence in, coronial inquiries and inquests. In 2018-19, the Board produced evidence in relation to its involvement with the initial stages of coronial investigation into the death

of Michael Bekhazi on 1 December 2014. On 10 January 2019, Acting State Coroner Iain West determined to not hold an inquest into the death of Michael Bekhazi. He determined that the relevant public health and safety issues arising from Michael Bekhazi's death have been adequately dealt with by the significant reforms to the parole system introduced by the Victorian Government.

The Board was a defendant in a civil proceeding for damages in respect to a claim of false imprisonment when a prisoner's parole was cancelled, and they were extradited to Victoria to serve the balance of their Victorian sentence. The proceeding was settled at mediation on 21 September 2018, the terms of which are confidential.

The Board is also involved in several proceedings being brought against the State of Victoria by families of victims who have been murdered by people on, or recently having completed, parole.

## Legislation

The *Corrections Amendment (Parole) Act 2018*, which commenced on 1 August 2018, clarified the application of parole laws for prisoners who murder police officers, under section 74AAA of the *Corrections Act 1986*, and introduced a new provision, section 74AB, specifically for prisoner Craig Minogue.

Prisoners subject to these provisions will be denied parole unless the Adult Parole Board is satisfied that the prisoner is in imminent danger of dying, or is seriously incapacitated, and as a result, poses no physical threat to any person and no risk to the community.

The *Justice Legislation Amendment (Terrorism) Act 2018*, which commenced on 30 November 2018, amended the *Corrections Act 1986* to:

- ▶ introduce a presumption against the granting of parole, and presumptions in favour of the cancellation of parole, for prisoners who pose a terrorism risk
- ▶ require the Serious Violent Offender or Sexual Offender division of the Board to make parole decisions about such prisoners as part of its existing two-tier process.

In 2018-19, the Board considered two parole applications under these new provisions.

In December 2016, the *Corrections Act 1986* was amended to include section 74AABA which provides that the Board must not grant parole to a prisoner serving a sentence of imprisonment for murder, conspiracy to murder, accessory to murder or

manslaughter unless the Board is satisfied, based on a report from Victoria Police, that the prisoner has satisfactorily cooperated to identify the location of the body or remains of the victim, or the place where the body or remains may be found.

In 2018-19, the Board considered the first parole application under this provision.

The *Corrections Regulations 2019* replaced the *Corrections Regulations 2009* on 28 April 2019. They include new parole conditions in relation to providing information about the prisoner's financial affairs, and auditing of data held in any computer or other devices (such as a mobile phone) in the possession or under the control of the prisoner as directed by the Board. These new conditions will take effect on 1 November 2019.

Section

4

STAKEHOLDER  
COLLABORATION AND  
ENGAGEMENT



His Honour Peter Couzens  
presents at Deakin Law School's  
'Crime Busters' in Shepparton for  
Law Week 2019



## Increasing the community's understanding of parole

### Law Week 2019

The Adult Parole Board participated in Law Week 2019 with its mock parole hearing, 'Parole, you decide', at the County Court of Victoria. The Board also presented in Ballarat, Shepparton and Geelong for Deakin Law School's 'Crime Busters'.

### 'Crime Busters'

The Board presented on parole at 'Crime Busters' in Ballarat (14 May 2019), Shepparton (15 May 2019) and Geelong (16 May 2019) to educate local communities in regional Victoria about parole. 'Crime Busters' was organised by Deakin Law School and included presentations by the Board, Victoria Police, Sentencing Advisory Council and local legal practitioners on a range of interesting and current issues.

The Board's Chairperson, His Honour Peter Couzens, presented in Ballarat and Shepparton, and full-time member Stephen Farrow presented in Geelong. The audiences of mostly students, legal practitioners and local community members were engaged and interested to learn about parole, and the feedback was very positive.

The Board thanks Deakin Law School for the opportunity to present in 'Crime Busters'.

### 'Parole, you decide'

The Board ran a mock parole hearing at the County Court of Victoria on 18 May 2019. 'Parole, you decide' followed the story of a young prisoner who was sentenced by a court for two armed robberies and drug possession, had served his non-parole period, and was now eligible to apply for parole.

The Chairperson facilitated the event. The panel included Her Honour Judge Susan Pullen, judicial member and sitting County Court Judge, Heidi Tucker, community member, and Colleen Bell, full-time member. Caitlin Ring, a Secretariat staff member, read the sentencing remarks and Dylan Reynolds, Principal Practitioner at Reservoir Community Correctional Services (CCS), informed the panel about the Parole Suitability Assessment, and later the Risk and Compliance report.

The panel deliberated whether parole should be granted following an application by the prisoner, and the panel later deliberated whether parole should be cancelled following notification by Victoria Police of a parole breach. The audience were given the option to indicate what they would decide if they were on the panel.

Most respondents to a feedback form agreed that they did not know much about parole or the Board before the event, and the event has increased their knowledge.

The Board thanks the County Court of Victoria for hosting 'Parole, you decide', as well as the Board members, Secretariat staff and stakeholders who contributed to the event.

### External presentations to stakeholders

The Board presented to numerous groups in 2018-19 including the Royal Victorian Association of Honorary Justices, the Brighton Rotary Club, students from Swinburne, La Trobe and Monash universities, and prison chaplains. The Board also presented at events including the Leo Cussen Criminal Law Conference, the Corrections Victoria Clinicians Conference, the County Court Associates' annual training day and Victoria Law Foundation Law Week 2019.

### 'Gertie's Law' podcast

On 16 April 2019, His Honour Peter Couzens was interviewed about parole and the Board for a Supreme Court podcast series called 'Gertie's Law'



His Honour Peter Couzens presents at 'Parole, you decide' for Law Week 2019

which is available to listen to via any podcast app.

The Supreme Court developed the 'Gertie's Law' podcast to educate the community about various aspects of the justice system, including parole.

### Victoria Law Foundation interview

On 28 June 2019, the Victoria Law Foundation interviewed His Honour Peter Couzens about parole and the Board for an educational video to help the public better understand the justice system.

The Victoria Law Foundation plan to publish the video to their website and social media channels (including Facebook and Twitter) in late-2019. The video will also be included in their e-newsletter to legal studies secondary school teachers.

### Website

In 2018-19, the Board's website received 74,762 page views (an increase from 44,764 page views in 2017-18).

In 2018-19, the five most popular pages, besides the homepage, were frequently asked questions, applying for parole, the purpose and benefits of parole, information which explains how the courts (not the Board) are responsible for imposing the non-parole period, and information about the types of reports prepared by Corrections Victoria for the Board.

### Research – public opinion and parole

In 2018-19, the Board participated in research being undertaken by a group of academics across Australia

into public opinion and parole – the way that parole boards might be influenced by public opinion, and how parole boards may influence public opinion.

In Victoria, the research is being led by Emeritus Professor Arie Frieberg AM (Chairperson of the Sentencing Advisory Council and former Dean of Monash Law School). Professor Frieberg interviewed the Chairperson, a full-time member, a judicial member, two community members, the Chief Administrative Officer and the Communications Manager.

The Board has been advised by the research team that the findings will be released in 2020.



Michele Williams QC, Chair of the Post Sentence Authority, The Hon. Ben Carroll MP, Minister for Corrections, Emma Cassar, Commissioner of Corrections Victoria, and His Honour Peter Couzens

Melbourne Justice Service Centre  
was officially opened by  
**The Hon Ben Carroll MP**  
Minister for Corrections  
12 April 2019

## Working collaboratively with stakeholders

### Corrections Victoria

The Board continues to foster a close, working relationship with Corrections Victoria that is collaborative, respectful and effective. The Secretariat, who support the Board on a daily basis and ensure that all matters are properly prepared and presented for Board consideration, comprise of Corrections Victoria staff.

Senior managers from Corrections Victoria are included as members on the Board's key governance committees. The Board's Chairperson regularly communicates with the Commissioner of Corrections Victoria, and the Commissioner presented to the members at the Board's all-day member seminar in December 2018.

The Board's Chief Administrative Officer meets on a regular basis with the Corrections Victoria Deputy Commissioner, Offender Management.

The Board relies on the information it receives from Corrections Victoria's Community Correctional Services (CCS), including Parole Suitability Assessments and risk evaluation reports, to make its decisions. The Board is regularly assisted by the attendance of parole officers at Board hearings to provide information and answer questions, including when the Board interviews a prisoner on parole.

On 19 February 2019, a principal practitioner and parole officer from CCS presented to members



at the bimonthly seminar to inform the Board about parole from CCS' perspective.

In 2018–19, the Board worked with Corrections Victoria's Parole Central Unit (PCU) and CCS to develop a program of visits by the Board's full-time members and management team to CCS locations across Victoria. These visits will provide opportunities for the Board's representatives to inform CCS staff of issues that have been identified and hear directly from CCS about the impacts of Board practices and decisions. These visits will commence in 2019–20.

From 1 January 2019, Corrections Victoria prison officers from the Melbourne Assessment Prison have been present during the Board's in-person interviews. The prison officers have legislative powers to search and seize, give directions and use reasonable force to ensure compliance, use instruments of restraint, and arrest and detain.

### Victims

The Board has been represented on the Victims of Crime Consultative Committee (VOCCC) since its inception in 2012.

On 16 April 2019, the Board invited the six VOCCC victim representatives to meet with the Board to learn more about parole. The meeting was attended by the Board's Chairperson, the Chief Administrative Officer, two full-time members, a community member, the six

victim representatives, the VOCCC Chairperson, and representatives of the Department of Justice and Community Safety's Victims Support Agency.

The Board explained the parole process, the role of the Board, the factors that the Board takes into consideration when determining whether to grant or deny parole (and how the Board must take victim submissions into consideration), the victim-related parole conditions that the Board can impose, and much more. The victim representatives also had the opportunity to ask questions.

Following the meeting, the Board will work with the Victims Support Agency to identify opportunities to improve processes and the quality of information provided to victims.

### Victims Register

The Victims Register is managed by the Victims Support Agency. It is responsible for maintaining contact with victims of violent crime who have registered to receive information about an adult prisoner.

The Board and the Victims Register work closely in relation to operational and policy issues. The Board provides information each day to the Victims Register about the management of prisoners (where appropriate) and victim-related conditions. The Victims Register is then able to provide victims of crime with timely, relevant and accurate information about the release of a prisoner on parole.

In 2018–19, 74 prisoners with one or more registered victims were granted parole. For 90 registered victims, the Board informed the Victims Register of the date of release of the prisoner on parole. This enables compliance with the legislative requirement for the

Victims Register to give the registered victims at least 14 days' notice of the release date unless the Board waives the notice period.

### Victim submissions

Individuals included on the Victims 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. Each submission is treated with strict confidence.

In 2018–19, 138 submissions were provided for the Board's consideration.

### Victoria Police

The Board and Victoria Police have a memorandum of understanding (MOU) for the exchange of information and cooperation. The Board also has an MOU with the Fugitive Task Force which is responsible for the timely and safe arrest of prisoners who have had their parole cancelled and a warrant issued for their arrest.

When the Board cancels a prisoner's parole during an in-person interview, Victoria Police execute the warrant at the hearing and safely return the prisoner to custody. Since the Board relocated to 50 Franklin Street, police officers from Melbourne East execute the warrant.

### Post Sentence Authority

The Board and Post Sentence Authority have an MOU for the shared ground floor hearing room and security arrangements at 50 Franklin Street.

The Authority presented at the Board's all-day seminar on 14 June 2019. The Authority's Chair, Michele Williams QC, and members Peter Rose QC, Carmel Arthur and Angela Moran presented about the post-sentence scheme and role of the Authority.



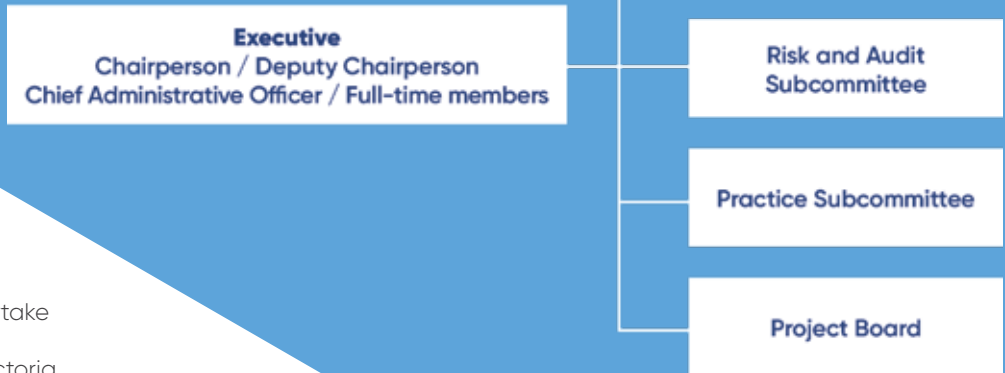
Section

5

**ORGANISATION AND  
GOVERNANCE**

# Governance

The Board's governance structure oversees the efficient and effective administration of the Board's 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.



## Secretariat

The Board is supported to undertake its functions by a Secretariat comprising of 30<sup>3</sup> Corrections Victoria staff (from the Department of Justice and Community Safety).

The Secretariat is led by the Chief Administrative Officer with the support of the senior management team, the General Manager Operations and the General Manager Practice Development. The management team, which meets fortnightly, also comprises the Operations Manager, Registry Manager, Communications Manager, Project Manager and Senior IT Project Officer.

In addition to working together to ensure that Board operations ran smoothly in 2018-19, the management team had oversight for two major projects – the implementation of the Board's new case workflow system (PRISM) and the Board's move to its new premises at 50 Franklin Street.

Stuart Ward, Chief Administrative Officer, resigned from the Board in June 2019 following his appointment as Deputy Chair of the Post Sentence Authority. Stuart joined the Board in September 2014 and was instrumental in guiding the parole reforms and transforming the Board into a modern and effective decision-making authority. The Board is much better positioned now than it was five years ago and has become recognised, both nationally and internationally, as a leader of best practice. The Board acknowledges everything Stuart has done for the Board and Secretariat over the past five years.

Emma Francis, Senior IT Project Officer, also resigned from the Board in June 2019 to take up a role as Senior Business Analyst with Corrections Victoria

Information Technology (CVIT). Emma joined the Board after graduating from university six years ago and progressed to become a lead business analyst in the Case Workflow System Program. Emma's commitment and professionalism were key for the successful launch of PRISM in October 2018.

The staff structure remained the same in 2018-19, including the number of staff dedicated to the Case Workflow System Program with five working exclusively on the priority project. Other senior staff, including all members of the management team, are also heavily involved. PRISM has resulted in improvements to the Board's processes, and the staff – who all completed a comprehensive training program in September 2018 – have adapted well to the changes. Project 2, the final stage of the Case Workflow System Program, will enhance PRISM's features. Staff will continue to work on the project to ensure the final stage is delivered in 2019-20.

On 18 February 2019, the Board moved to its new premises at 50 Franklin Street Melbourne which provides staff and members with a modern and professional working environment. More information is available on pages 36 and 37 of this report.

The Board is an information sharing entity under the Family Violence Information Sharing Scheme. In 2018-19, staff completed family violence information training sessions to

learn how to identify and respond to family violence and increase their awareness of workforce family violence supports and leave entitlements.

### Operational health and safety

The Board is committed to providing a safe and healthy workplace that is free from discrimination, harassment, bullying and workplace violence.

The Board's health and safety representative monitors the occupational health and safety of staff and members. Any concern can be placed on the agenda of regular management team meetings, and a standing item is maintained on the agenda for this purpose.

### Equal employment opportunity employer

The Board is an equal employment opportunity employer. Appointments and promotions are based on merit, and staff receive the training and experience required to enhance their skills and abilities.

<sup>3</sup> The total of 30 includes six vacancies at 30 June 2019. The total does not include four additional fixed term positions for the case workflow system project. In addition to the four fixed term positions, one position from the Board's Secretariat was dedicated full time to the case workflow system project. Of the 24 staff at 30 June 2019, 19 were female and five were male. Three of the additional four fixed term project positions were female, and one was male. The Secretariat is comprised of the following position levels: one STS7; two VPS6; four VPS5; four VPS4; nine VPS3; and ten VPS2.



## The Board's new premises at 50 Franklin Street Melbourne

The Adult Parole Board moved to its new premises at 50 Franklin Street Melbourne on 18 February 2019.

Since the Board's first hearing at the Old Treasury Building in Spring Street on 3 July 1957, the Board has been based at nine other locations in Melbourne, North Melbourne, South Melbourne, Footscray and Carlton. The Board worked at 444 Swanston Street Carlton from 2007 until it moved to 50 Franklin Street.

The 50 Franklin Street building has 17 levels and, in addition to the Board, accommodates the Melbourne Justice Service Centre and several Corrections Victoria business units.

The Board has a dedicated hearing room where most Board hearings are held. The Board also uses a secure hearing room to conduct in-person interviews with prisoners on parole.

The Board has a file storage area. There are also shared facilities for member seminars, staff meetings, training sessions, and other functions.

The Board's new premises at 50 Franklin Street provides a professional working environment for members and staff. The facilities and technology are modern and reflect the Board as a modern authority.

### Improved security

The Board's move to 50 Franklin Street has improved its physical security. There is a separate building entrance for members and staff with a security desk, security access control throughout the building, improved duress and CCTV capacity, and the secure hearing room on the ground floor means that prisoners attending the Board for in-person interviews are not on the same floor as most Secretariat staff.

From 1 January 2019, Corrections Victoria prison officers from the Melbourne Assessment Prison have been present during the Board's in-person interviews.

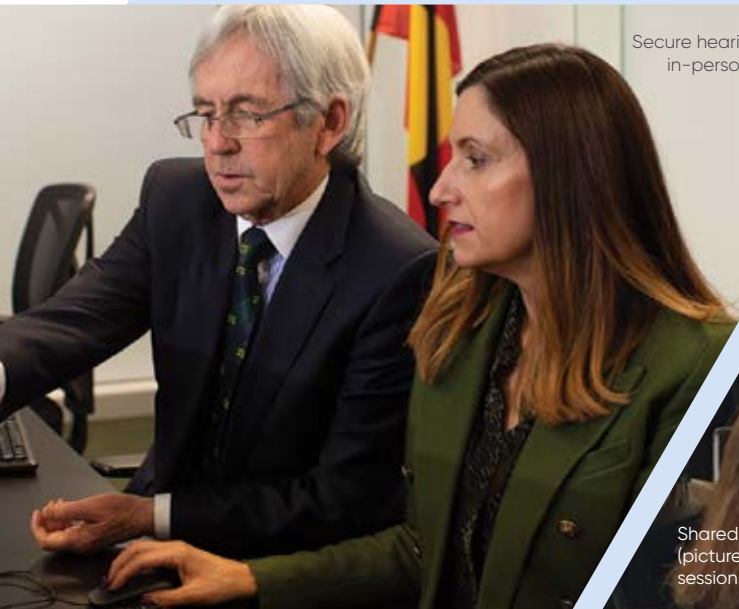
The prison officers have legislative powers to search and seize, give directions and use reasonable force to ensure compliance, use instruments of restraint, and arrest and detain.



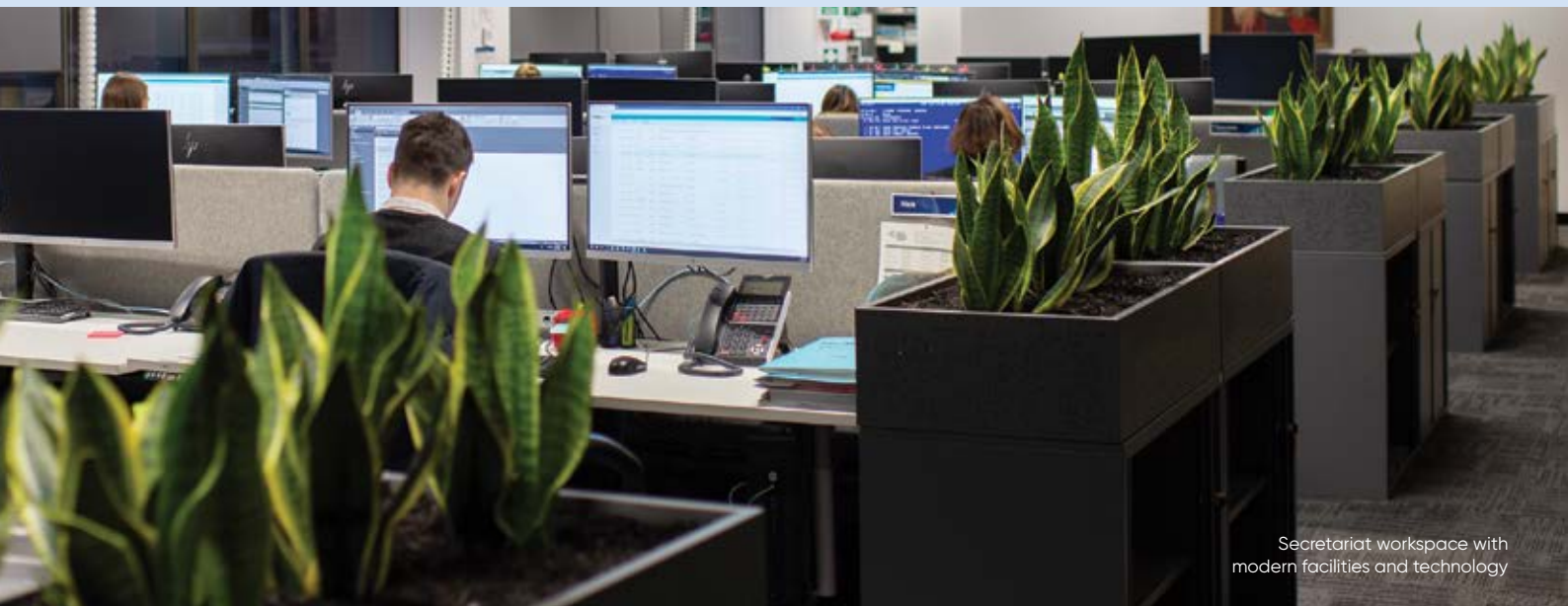
Dedicated hearing room where most Board hearings are held



Secure hearing room for in-person interviews



Shared facilities for member seminars (pictured), staff meetings, training sessions, and other functions



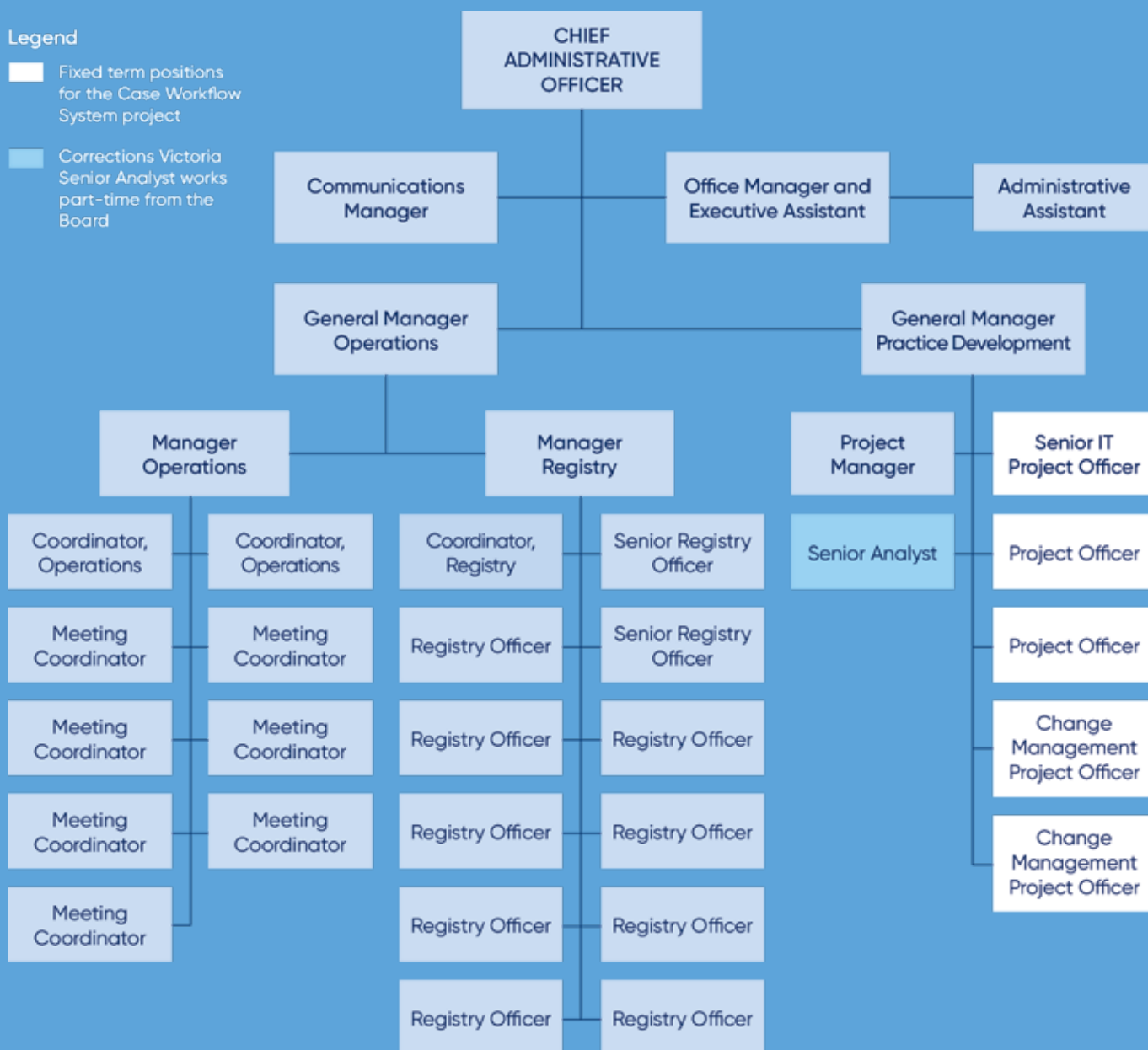
Secretariat workspace with modern facilities and technology

# Organisational chart

## Legend

Fixed term positions for the Case Workflow System project

Corrections Victoria Senior Analyst works part-time from the Board



Adult Parole Board Executive and Secretariat

## Profiles of Secretariat staff

### Emma Hyde Coordinator, Operations

I have worked at the Adult Parole Board for over 10 years in several operational roles since graduating from RMIT University with a Bachelor of Arts (Criminal Justice Administration) and, as part of my studies, completing a three-month internship with the Board in 2008.

My current role is Coordinator, Operations, and my main tasks are quality checking Board decisions (to confirm the right decisions are entered into PRISM), providing advice

and support to Meeting Coordinators in preparation for Board hearings, coordinating Board hearings for high profile or complex cases, assisting the members, and responding to enquiries from stakeholders. I am also on the Secretariat's on-call roster to help coordinate when the Board receives breach of parole notifications from Victoria Police.

I really admire the work of the Board. It is not an easy task to balance community safety with prisoner reintegration. Most prisoners on parole have disadvantaged backgrounds, so it is satisfying to see when prisoners succeed by gaining employment, abstaining from drug use, re-engaging their community supports (including their family), and completing their parole. I believe that, for most prisoners, some supervision and support on parole, even if just for a short period, is more beneficial than a prisoner being released with no supervision and limited support at the end of their sentence.

Working for the Board has its challenges – for example, being exposed daily to the details of very violent offending and learning how the crime has affected the victims and the apprehension they may feel regarding a prisoner's release on parole.

However, the best part about working for the Board is the collaboration and team work, as well as the knowledge gained by working with such experienced members.



### Claire Chapman Coordinator, Registry

I have worked for the Adult Parole Board for over five years, commencing shortly after the Callinan Review was tabled in Parliament and the parole system was undergoing major reforms. I have witnessed the Board transform into the modern decision-making body it is today.

I greatly admire the integrity of the Board – it works tirelessly to balance the safety of the community and the reintegration of offenders – and I appreciate its many challenges, including how every decision impacts the offender, the victim and the community.

Prior to the Board, I completed my Bachelor of Social Science (majoring in Criminal Justice) at the Australian Institute of Public Safety. I then completed my postgraduate degree in Psychological Studies at Deakin University.

Since early-2014, I have worked a variety of roles in the Board's Registry team. My current role is Coordinator, Registry, and my main tasks are to manage the parole applications portfolio and support the Registry team. I work closely with the members, as well as external stakeholders including Community Correctional Services, prisons, Victoria Police and several business units within Corrections Victoria.

The most challenging aspect of working for the Board is seeing offenders being released from prison with such promise only to breach their parole and return to custody,

predominately due to a resumption of drug use. It is also a challenge being exposed to intimate details of very serious offending on a daily basis and its impact on the victims and the community.

The best thing about working for the Board is seeing offenders from such disadvantaged backgrounds being released from custody and, against all odds, successfully completing their parole to live a law-abiding life. It is a privilege working collaboratively with diligent and committed Board members and Secretariat staff, all working towards the shared goal of community safety.



# Privacy and information

## Privacy and information

There are strict rules governing the release of information by the Adult Parole Board. The disclosure of 'personal and confidential information' is governed by Part 9E of the *Corrections Act 1986* and the *Privacy and Data Protection Act 2014*. The Board is not subject to the *Freedom of Information Act 1982*.

It is an offence for Board members or staff to use or disclose personal or confidential information unless the disclosure is authorised: s.104ZZA of the *Corrections Act 1986*.

Information contained in an offender's file is treated as confidential and ensures that information can be provided to the Board with complete frankness by clinicians and intelligence. It also ensures that prisoners can speak to the Board without reservation.

Under the *Corrections Act 1986*:

- ▶ registered victims may be informed of an offender's release date and certain victim-related conditions, but otherwise registered victims

are not privy to information on an offender's file (registered victim submissions are treated with strict confidentiality)

- ▶ there are limited circumstances, listed in s.104ZZ, where information given to the Board may be disclosed
- ▶ the disclosure of other 'personal or confidential information' is governed by s.104ZY which authorises disclosure of personal or confidential information for 'official duties' (defined under s.104ZX of the Act to include preparation for, conduct of or participation in, proceedings in any court or tribunal), law enforcement or in the specific circumstances stipulated under ss.104ZY(2).

## Safety and protection of the community

Disclosure of personal and confidential information is authorised if a relevant person believes on reasonable grounds that the use or disclosure is necessary:

- ▶ to reduce the risk of a person committing a violent offence; or
- ▶ to lessen or prevent a threat to the life, health, safety or welfare of any person.



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YEAR AT A GLANCE

# Year at a glance

## Statistics

	2018-19	2017-18	2016-17	2015-16	2014-15	% change between 2017-18 and 2018-19
<b>Parole eligibility (at 30 June)</b>						
Prisoners in custody	8,102	7,668	7,151	6,519	6,219	6%
Prisoners eligible for parole	4,067	3,846	3,727	3,463	3,765	6%
Prisoners on parole	838	858	841	981	1,138	-2%
<b>Parole applications</b>						
Total number received	1,746	1,680	1,689	1,841	743	4%
Total progressed to Parole or Re-parole Suitability Assessment	1,505	1,481	1,449	1,551	620	2%
Eligible prisoners who advised that they did not wish to apply for parole	156	114	91	142	-	37%
<b>Parole decisions</b>						
Parole orders granted	803	803	757	883	1,341	0%
% granted that were re-parole prisoners	6%	8%	-	-	-	N/A
Parole orders denied (including those that withdrew)	707	706	549	622	841	0%
% denied that were re-parole prisoners	11%	12%	-	-	-	N/A
Number of prisoners who withdrew their application	205	242	-	-	-	-15%
% that withdrew their application	29%	34%	-	-	-	N/A
Parole orders revoked	55	41	39	42	70	34%
% revoked that were re-parole prisoners	9%	7%	-	-	-	N/A
<b>Time to count</b>						
Time to count granted	57	54	-	-	-	6%
Time to count not granted	83	122	-	-	-	-32%
Time to count deferred	22	23	-	-	-	-4%
<b>Parole outcomes</b>						
<b>Breach of parole (arrest and detention)</b>						
Total notifications received	52	55	54	98	198	-5%
Total detained	30	42	42	80	152	-29%
Total cancelled	24	26	38	61	119	-8%
Total not cancelled	6	16	4	19	33	-63%
Total ceased to detain	22	13	12	18	46	69%
<b>Cancellation of orders</b>						
Parole orders cancelled	153	156	204	387	569	-2%
% cancelled that were re-parole prisoners	12%	6%	-	-	-	N/A
<b>Serious violent offence or sexual offence (SVOSO) convictions</b>						
Total number persons convicted	3	5 <sup>4</sup>	5	13	22	-40%
% convicted that were re-parole prisoners	0%	40%	-	-	-	N/A
Total number of SVOSO offences	5	15 <sup>5</sup>	11	17	38	-67%
<b>Completions</b>						
Parole order completions	664	574	644	733	856	16%
Successful completion rate	81%	79%	76%	55%	56%	N/A

4 Updated figure of five from the reported four in the Board's Annual Report 2017-18.

5 Updated figure of 15 from the reported 13 in the Board's Annual Report 2017-18.

## Activities

	2018–19	2017–18	2016–17	2015–16	2014–15	% change between 2017–18 and 2018–19
<b>Board activities</b>						
Number of Board meeting days	269	294	268	272	295	-9%
Number of matters before the Board	7,927	8,880	8,457	9,892	–	-11%
Average number of matters considered per meeting day	29	30	32	36	33	-3%
Prisoners interviewed at prison	46	38	67	94	179	21%
<b>Serious Violent Offender or Sexual Offender (SVOSO) Division activities</b>						
Number of meeting days	105	82	113	120	107	28%
Number of matters considered	467 <sup>6</sup>	502 <sup>7</sup>	542	617	750	-7%
<i>Total matters granted by the SVOSO Division</i>	277	318	321	383	598	-13%
<i>Total matters denied by the SVOSO Division</i>	36	31	18	19	9	16%
<i>Total matters revoked by the SVOSO Division</i>	17	13	18	17	12	31%
<i>Other outcomes</i>	152	150	185	198	131	1%
<b>Victim submissions</b>						
Submission from victims	138	131	161	164	124	5%
<b>Youth transfers</b>						
Transfers from prison to a youth justice centre	2	1	4	1	2	100%
Transfers from a youth justice centre to prison	16	18	17	13	15	-11%
<b>Interstate transfers</b>						
Parole orders transferred from Victoria	26	19	19	20	24	37%
Parole orders transferred to Victoria	24	33	34	32	39	-27%
<b>Members of the Board (at 30 June)</b>						
Judicial members	13	13	13	16	17	0%
Full-time members	4	4	3	4	4	0%
Community members	15	15	13	16	17	0%
Departmental representatives	1	1	1	1	1	0%
<b>Total members</b>	<b>33</b>	<b>33</b>	<b>30</b>	<b>37</b>	<b>39</b>	<b>0%</b>
<b>Staff of the Board (at 30 June)</b>						
Total employees	30 <sup>8</sup>	30	30	30	31	0%
<b>Financial management</b>						
Funding	5,078,300	5,547,700	5,356,300	5,294,500	5,550,800	-8%
Expenditure	5,073,622	5,406,124	4,919,098	4,893,401	5,129,911	-6%

6 For 15 matters it considered, the SVOSO Division made two decisions – an order to revoke parole and an order to deny parole.

7 For ten matters it considered, the SVOSO Division made two decisions – an order to revoke parole and an order to deny parole.

8 The total includes six vacancies at 30 June 2019. The total does not include four additional fixed term positions for the case workflow system project.

## Financial report

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Operating statement and financial summary 2014–15 to 2018–19

### Funding and expenditure

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

	2018-19	2018-19 % of total expenditure	2017-18	2016-17	2015-16	2014-15
<b>Funding \$</b>						
	5,078,300		5,547,700	5,356,300	5,294,500	5,550,800
<b>Expenditure \$</b>						
Salaries to staff	3,050,525	60%	3,186,824	2,926,812	2,867,646	2,765,123
Sessional member fees	327,355	6%	309,824	311,657	378,689	445,829
Salary related on-costs	958,815	19%	998,640	911,200	894,675	904,796
Operating expenses	736,927	15%	910,836	769,428	752,391	1,014,163
Total expenditures	5,073,622		5,406,124	4,919,098	4,893,401	5,129,911

### Audited accounts

The Board's accounts are included in the accounts of Corrections Victoria, Department of Justice and Community Safety. The audited accounts are published in the Department of Justice and Community Safety Annual Report 2018–19.

### 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. Sitting judicial members are not remunerated for their work on the Board. Community members are remunerated at the rate of \$558 per sitting day. Retired judicial members are remunerated at the rate of \$645 per sitting day when acting as Chairperson of a division. These rates are set out in the Department of Premier and Cabinet's Guidelines for the Appointment and Remuneration of Part-Time Non-Executive Directors of State Government Boards and Members of Statutory Bodies and Advisory Committees.

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This document is available in multiple formats on the internet at [www.adultparoleboard.vic.gov.au](http://www.adultparoleboard.vic.gov.au)

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The information contained in this report was accurate as of September 2019.

