

# Annual Report

## 2019–20



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# Letter to the Minister

The Hon Natalie Hutchins 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 on the performance and operations of the Adult Parole Board of Victoria for the 12 months from 1 July 2019 to 30 June 2020.

Yours sincerely

**His Honour Peter Couzens**  
Chairperson

**Anita Lis**  
Acting Chief Administrative Officer

01

CHAIR

14.56

HH PETER COUZENS

# Introduction



# Foreword from the Chairperson

The reporting year saw the Adult Parole Board of Victoria confront two major challenges, one of which was totally unforeseeable, the other of which, although foreseeable, was unexpected at the time of its occurrence.



## The unforeseeable – COVID-19

At the beginning of 2020, one could never have imagined that within three months the Board's premises at 50 Franklin Street would become largely empty with the vast bulk of the Board's work being undertaken remotely from the respective homes of members, management and staff, and yet that is precisely what happened.

Within days of the Victorian Government's directive to work from home, the Board's normally vibrant and busy workplace, usually occupied by over thirty people, was transformed to one with frequently less than a handful of people present.

Thanks to the magic of Zoom, PRISM (the Board's electronic case workflow system) and an outstanding team of hardworking and committed members, management and staff, the Board continued to operate without missing a beat, and this being despite a greater workload than the year before.

I wish to acknowledge, thank and congratulate the Board's Acting Chief Administrative Officer Anita Lis, the management team, the staff and members for adapting so seamlessly to the working from home environment.

## The foreseeable – membership

In my foreword to the Board's 2017–18 Annual Report, I opined as follows:

*"...sooner or later consideration will need to be given to broadening the base from which presiding members are drawn, for example, by extending the range of sitting or retired judicial officers to include experienced legal practitioners of, say, ten years or more standing..."*

Little did I know at the time that it would be "sooner" rather than "later" that the need for such a change would occur.

Thankfully, the Victorian Government reacted promptly and, with commendable foresight, introduced into Parliament the Justice Legislation Amendment (Serious Offenders & Other Matters) Bill 2019.

The Bill, inter alia, contained amendments to the *Corrections Act 1986* which thereafter enabled lawyers of at least 10 years' standing to be appointed to the positions of Chairperson, Deputy Chairperson or Divisional Chairperson.

The Bill commenced on Wednesday, 20 November 2019. Coincidentally, six days later I learned that due to the increasing demands of the Magistrates' Court, sitting magistrates would cease to be available to sit as members of the Board from 1 July 2020.

At the time, there were five sitting magistrates acting as sessional divisional chairpersons. Two were able to continue until the end of 2019 while the other three were able to continue until the end of the reporting year. Thus, by the end of the reporting year, the number of the Board's divisional chairpersons, previously known as judicial members, dropped from 12, excluding myself, to seven, too few to ensure ongoing sittings at the previous rate.

I'm pleased to report that by the end of the reporting year, the process of selecting suitably qualified senior and experienced lawyers to replace the five sitting magistrates was underway.

Since 1998, when Deputy Chief Magistrate Jelena Popovic joined the Board, sitting magistrates have provided great service to the Board. The Board's inability to call on them in the future is, of course, unfortunate but, in the context of the ever-increasing workload of the Magistrates' Court, both understandable and inevitable.

I take this opportunity to acknowledge the five sitting magistrates who retired from the Board during the last six months of the reporting year and thank them for their outstanding contribution to the work of the Board during their years of service. They are Magistrates Greg Connellan, David Fanning, Greg McNamara, Ron Saines and Franz Holzer. They are fine examples of Victoria's magistracy and will be sorely missed by the Board.

## Parole outcomes

The stability and success of Victoria's parole system is once again reflected in the outcomes of the reporting year.

Although there were some differences from the previous two years, they were relatively minor, and in no way inconsistent with a system which provides eligible prisoners with the opportunity of being released on parole provided the safety and protection of the community is not compromised.

- ▶ During the reporting year, the Board determined 1,400 applications, granting parole in 913 cases and denying parole in 487, a ratio of 65 per cent to 35 per cent in favour of grants.

It should be noted that:

- ▶ the denials exclude those cases where the applicant withdrew their application before they were determined
- ▶ in 63 per cent of those cases where parole was denied, the lack of suitable accommodation was one of the reasons.
- ▶ At the end of the reporting year, there were 898 prisoners on parole, seven per cent more than the previous year, and the highest number since 2015-16.

- ▶ The number of parolees arrested and detained by police for alleged breaches of parole was 49, the lowest on record.
- ▶ The number of persons convicted during the reporting year of serious violent offences or sex offences committed while on parole was four. This is the fourth consecutive year that the number was five or less, an incredible contrast to 2013-14 when the number was 60.
- ▶ The reporting year saw a 12 per cent increase in cancellations from the previous year, 171 compared to 153. This increase was largely attributed to an unusually high number of cancellations in January 2020.
- ▶ 715 prisoners completed their parole. This amounted to a successful completion rate of 78 per cent, an excellent result compared to the completion rate of 55 per cent in 2015-16 and 56 per cent in 2014-15.

## Deputy Chairpersons

Following the retirement of former County Court Judge Frank Shelton as Deputy Chairperson, the Victorian Government appointed two Deputy Chairpersons, one on a sessional basis and the other on a full-time basis.

Judge Susan Pullen served as a judicial member of the Board from 6 November 2013 until 19 December 2019 when she was appointed as a sessional Deputy Chairperson.

Her Honour has been the only sitting judge of one of Victoria's two superior courts to serve on the Board since 2013.

Her appointment as sessional Deputy Chairperson while continuing to serve as a County Court Judge was warmly welcomed.

Stephen Farrow joined the Board from 11 November 2013 as a full-time member after serving as Chief Executive Officer at the Sentencing Advisory Council.

His elevation to the role of full-time Deputy Chairperson is a testament to his service and commitment to the Board and is well deserved.

Stephen's appointment is, in fact, a historic one as he is the first non-judicial officer, sitting or retired, in the Board's 63-year history to have been appointed to such a senior position.

I look forward to serving with Judge Pullen and Stephen Farrow during my remaining time as Chairperson of the Board.

## Retirement of community members

Three of the Board's community members left the Board during the reporting year. They were Heidi Tucker, Peter Harvey and Geoff Wilkinson OAM.

Sadly, Geoff Wilkinson's retirement came about due to a decline in his health which he assessed as likely to impact on his capacity to maintain the high standards to which he always aspired.

Geoff is well-known as an award-winning journalist, author, founder of Crime Stoppers Australia, Churchill

Fellowship recipient, founding Media Director of Victoria Police and long serving member of the Sentencing Advisory Council.

In 2008, Geoff's service to the community was recognised with the award of OAM.

Geoff was a highly valued member of the Board for more than five years. In addition to regularly sitting on Board meetings, he was a member of the Board's Stakeholder Engagement Subcommittee and a much-valued advisor to myself and the Board's Executive on media matters.

He will be greatly missed as a member of the Board.

On behalf of the Board, I thank Heidi, Peter and Geoff for their individual contributions to the work of the Board during their respective years of service.

### Ongoing member education

The Board conducted three seminars during the first half of the reporting year as part of the Board's ongoing member education program.

The first featured eminent forensic psychologist Professor Jim Ogloff presenting on the subject "Deliberate fire setting: who, when and how?".

The second featured the General Manager of the Dame Phyllis Frost Centre, Tracey Jones, who spoke on the subject of "Female offenders: inside and outside of prison".

The third held at the end of 2019 was the Board's all-day seminar which featured a number of outstanding speakers including the Secretary to the Department of Justice and Community Safety, Rebecca Falkingham, Dr Diana Johns who presented "Making and unmaking monsters: the construction of the violent young offender" and Jan Shuard PSM, former Victorian Corrections Commissioner, who spoke about her latest role as Family Violence Implementation Monitor.

Regrettably, COVID-19 brought an end to our seminar program for the remainder of the reporting year.

Once life returns to normal, the Board will resume its seminar program for it has proven to be of great value to the members.

I wish to thank full-time members Dr David Curnow and Colleen Bell for all their work in bringing together the seminars.

### Community engagement

Just as it did with the Board's seminar program, COVID-19 brought an end to the Board's community engagement plan for the second half of the reporting year.

Thankfully, blissfully unaware of what was about to occur in the new year, the Board undertook a number of community engagements in the first half of the reporting year.

In November 2019, at the invitation of Deputy Dean of Deakin Law School Dr Marilyn McMahon, Chair of the Post Sentence Authority Michele Williams QC and I presented to a large audience of students and interested persons at Deakin University's conference

centre in Docklands during which we explained the roles and responsibilities of our respective organisations.

On the initiative of full-time member Dr David Curnow, visits were made to Community Correctional Service (CCS) locations at Broadmeadows, Ballarat and Melbourne by one or other of the Board's three full-time members in the company of representatives of the Secretariat's management team and staff.

The purpose of these visits was to engage with CCS staff to assist them gain a better understanding of the way in which the Board goes about its decision making and to provide staff with the opportunity of asking the Board's representatives questions on matters of interest to them.

The feedback from CCS staff was that the visits were useful and worth repeating at other CCS locations across metropolitan and regional Victoria.

### Conclusion

Although the end of the reporting year brought an end to a highly commendable and successful year for the Board, it sadly did not bring an end to COVID-19.

As at 30 June 2020, one can only speculate as to what 2020–21 will bring in terms of the pandemic and its ongoing impact on the operations of the Board, let alone the community as a whole.

What is not speculative, however, is the capacity of the Board's management, staff and members to meet whatever challenges that may lay ahead.

My confidence is based on the outstanding manner in which all concerned have responded to the Victorian Government's direction to work from home.

Full credit to the Acting Chief Administrative Officer Anita Lis and her management team for the decisive, thorough and expeditious way in which they went about planning and implementing this monumental change and for their ongoing support for the members and staff who have been working from home.

The staff have been outstanding in adapting to change and for continuing to work conscientiously and effectively from home.

Many staff members have not been seen at the Board's premises since the end of March 2020, but they continue to make their presence felt through their work.

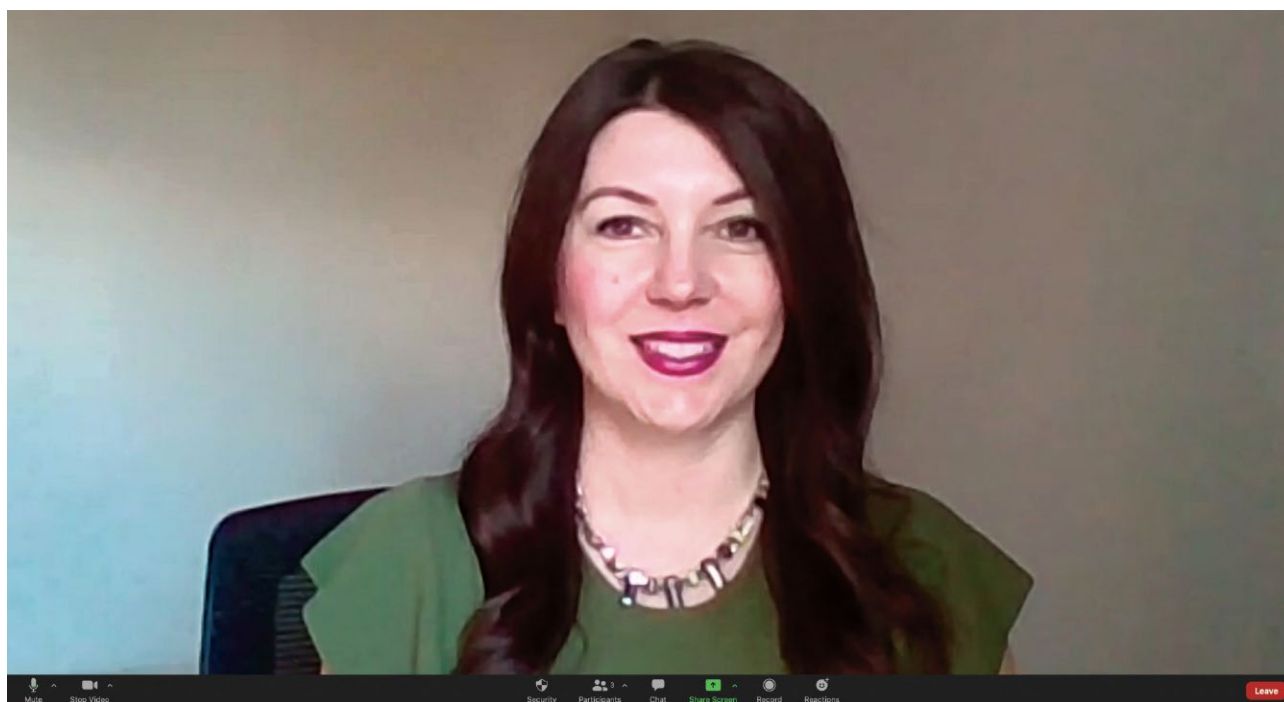
Finally, the members, whatever their category, have been remarkable in the way in which they have adapted to the changes that have occurred in the Board's work practices and are owed an enormous vote of thanks.

### His Honour Peter Couzens

Chairperson  
Adult Parole Board

# Foreword from the Acting Chief Administrative Officer

I have been undertaking the position of Acting Chief Administrative Officer for the duration of the 2019-20 reporting year. I commence my foreword in this position recognising the changes to Board operations in response to the COVID-19 pandemic.



## Changes to operations – working remotely

Undoubtedly the biggest challenge to face the Board this year was the COVID-19 pandemic and subsequent changes to our business operations – we had to shift our fully office-based operations to a remote model, and we had to do it quickly.

The Board's ongoing commitment to risk management and forward planning was crucial in our preparations. Through the activation of our Business Continuity Plan in early March and the implementation of an Emergency Management Plan, we were able to initially trial remote hearings, make any necessary adjustments to our approach, and then successfully transition members and Secretariat staff to work remotely.

We started working remotely from 31 March 2020. Most Board hearings – for the first time ever – were conducted by Zoom (video conferencing software) with members and Secretariat staff who were not in the same room as each other. Only a small core team of Secretariat staff continued to attend Board premises on a rotating roster to provide functional and administrative support to the Board.

Our transition to remote operations has been seamless and successful. I attribute this success to two key areas. Firstly, the resolve, flexibility and commitment of our people – Board members and Secretariat staff. Secondly to our technology – importantly, the Board's PRISM electronic case workflow system, and technology made available by the Department of Justice and Community Safety including Zoom licences, laptops and other relevant software enabling reliable remote connections and operations.

Our Secretariat staff adapted quickly to the changes in operations and that is a testament to their professionalism, hard work and resilience. Moving to remote operations has not affected the efficiency or workload of Board members and Secretariat alike. During 2019-20, a total of 8,741 matters were considered by the Board over 277 meeting days. This is a 10 per cent increase from 2018-19 where 7,927 matters were considered by the Board over 269 meetings days.

The Secretariat management team played an important role in supporting the Board during remote operations. I particularly acknowledge their mammoth efforts in moving our intricate and complex operations to essentially a remote model. The team demonstrated resilience, agility and an ability to quickly respond and adapt to new ways of working while identifying risk mitigation strategies and opportunities to strengthen operations. I express my sincere gratitude to Natasha Burhop, Fatima Ebrahim, David Klotz, Tania Tesich, Emma Hyde and Eloise Bellis.

I acknowledge and thank Chairperson His Honour Peter Couzens and the Board's Executive – Deputy Chairperson Her Honour Judge Susan Pullen SC, Deputy Chairperson Stephen Farrow and full-time members Dr David Curnow, Nafsika Sahinidis and Colleen Bell. Their unwavering trust and support of the Secretariat management team and I as we navigated Board operations through uncharted territory was pivotal to the Board's success in transitioning to remote working – thank you.

### Parole data

Despite these major changes to our operations, the parole data continued to be relatively stable in 2019–20. This is a result of the incredible work that the Board has invested into building its foundation and strengthening its practices over the past few years.

- ▶ The number of parole applications received this year is very similar to last year. Prisoners are continuing to apply for parole to seek the opportunities that parole provides.
- ▶ When determining whether to grant or deny parole, nearly two-thirds of the Board's decisions this year were to grant parole which is consistent with last year.
- ▶ Despite a 12 per cent increase in parole cancellations this year, the number of prisoners on parole arrested by Victoria Police for allegedly breaching their parole was the lowest on record.
- ▶ Four prisoners were convicted of committing serious offences on parole, the fourth year in a row where there have been five persons or less.
- ▶ Nearly 80 per cent of prisoners successfully completed their parole and transitioned back into the community, continuing the high trend of completions compared with previous years.

### Membership

I am pleased to report that Her Honour Judge Susan Pullen SC and Stephen Farrow were appointed as Deputy Chairpersons in November 2019. Her Honour Judge Susan Pullen SC, a sitting Judge of the County Court, was first appointed to the Board as a judicial member in November 2013. Stephen Farrow, an experienced lawyer and former Chief Executive Officer of the Sentencing Advisory Council, was first appointed to the Board as a full-time member in November 2013. The Board will greatly benefit from

their experience, leadership and commitment, and I am sure they will provide excellent support for His Honour Peter Couzens.

His Honour Frank Shelton resigned during the year. The terms for five divisional chairpersons, all sitting magistrates, ended including His Honour Magistrate Franz Holzer, His Honour Magistrate Ronald Saines, His Honour Magistrate David Fanning, His Honour Magistrate Gregory Connellan and His Honour Magistrate Gregory McNamara. Two community members resigned, including Geoff Wilkinson OAM and Heidi Tucker, and community member Peter Harvey's term ended. I express my gratitude to each for their contribution to the Board and wish them well for the future.

### Enhancements to PRISM, the Board's case workflow system

One of our major projects this year was to enhance PRISM's functions following its implementation the previous reporting year. The enhancements mainly benefited the Secretariat's administrative processes with improved workflows and automatic dissemination of templates and instruments to Community Correctional Services (CCS), Victoria Police and prisons.

The PRISM project, initiated in 2014 to deliver the case workflow system and enhancements, has been finalised and the Secretariat staff who worked on the project full-time have returned to their substantive positions. I would like to acknowledge and congratulate Natasha Burhop, General Manager Practice Development, and her team who have worked incredibly hard over the past few years on bringing to life our electronic case workflow system. PRISM has proved invaluable for enabling us to work remotely in response to COVID-19.

### Visits to CCS locations

The Board continues to enjoy a collaborative working relationship with Corrections Victoria. The Board relies on the information it receives from CCS to inform its decisions.

To strengthen the Board's relationship with CCS, we initiated a program of visits to CCS locations across Victoria this year including Ballarat CCS, Broadmeadows CCS and the Melbourne Justice Service Centre. A full-time member and several Secretariat staff attended each location to inform CCS staff about the Board's practices and procedures and answer their questions. I attended one of the visits and experienced first-hand the level of engagement from CCS who were very interested – it was well-attended, they listened attentively and asked lots of questions. Visits to other CCS locations were scheduled for later in the reporting year. However, due to the COVID-19 restrictions, these visits had to be put on hold. I anticipate that these visits will resume in some capacity – whether face-to-face when restrictions have eased or via other avenues such as Zoom.

## Acknowledgements

It has been an honour undertaking the position of Acting Chief Administrative Officer over the past 12 months. During this time, I have relied upon, welcomed and am grateful for the support provided by the Executive team, including His Honour Peter Couzens, and the broader membership.

I acknowledge and thank the entire Board membership for their unfaltering dedication and commitment to the Board and the parole system.

My management team – Natasha Burhop, Fatima Ebrahim, Emma Hyde, Tania Tesich, Vanessa Walker, Eloise Bellis and David Klotz – have provided strong leadership to the Secretariat throughout the year. I would also like to thank Barbara Hamston for her tireless work in supporting the Chairperson and the broader Board membership. The Secretariat is the Board's engine room and it is the staff who have continued to deliver work to a high standard – maintaining business as usual activity while moving to remote operations. They have impressed with their ongoing professionalism, resilience and commitment to maintain effective Board operations.

I would also like to acknowledge my colleagues in Corrections Victoria. Particularly, the Parole Central Unit for working collaboratively with the Board in support of a strengthened and effective parole system, CCS for their frontline and critical parole case management work and prison officers from the Melbourne Assessment Prison who, for the bulk of the year (pre COVID-19), provided exceptional and professional security services for the Board during interviews with prisoners on parole at the Board's premises.

I wish to also thank Larissa Strong, Deputy Commissioner, Community Operations and Offender Services Division and Jenny Roberts, Director, Community Operations for their continued support of the Board.

I am proud of what we have collectively been able to achieve this year and to be part of such a progressive and responsive workplace, particularly in exceptionally challenging times.

### Anita Lis

Acting Chief Administrative Officer  
Adult Parole Board

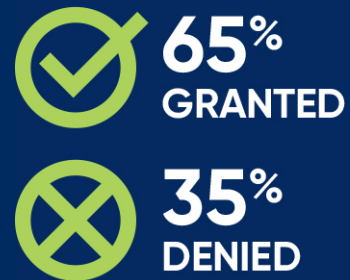


# Key highlights for 2019–20



## Appointments of two Deputy Chairpersons

including Her Honour Judge Susan Pullen SC  
and Stephen Farrow



of parole granted or denied  
decisions during 2019–20



## Developed an effective remote working model

in response to the COVID-19 pandemic



of prisoners successfully  
completed their parole



## Enhancements to PRISM

to primarily improve the Secretariat's  
administrative processes



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

# 02

## Members

*Colleen Bell, His Honour Peter Couzens and Dr David Curnow*

# Deputy Chairpersons appointed in 2019–20



## Her Honour Judge Susan Pullen SC

My involvement with the Adult Parole Board began 14 years ago when I was appointed a Judge of the County Court of Victoria. At that time, I took the opportunity to observe Board hearings to gain a better understanding of this key component of the justice system. That interest has continued. In 2013, I was appointed a member of the Board. In 2019, I was appointed Deputy Chairperson.

I bring to the Board over 35 years' experience in the criminal law as a County Court Judge, and prior to that as Counsel at the Victorian Bar, Crown Prosecutor and Senior Crown Prosecutor.

The Board's paramount consideration is always the safety and protection of the community. It is important to understand what led to a prisoner's offending and how this may be addressed through parole conditions to minimise their risk of re-offending. Through parole conditions and monitoring by Community Correctional Services, parole offers advantages for both the protection of the community and the rehabilitation of a prisoner. While the Board can never eliminate the risk that a prisoner may re-offend on parole, the Board ensures that its paramount consideration when making parole decisions is met.

The Board is conscious of the enormous distress that prisoners cause to victims and the importance of

reducing their risk of re-offending. The adverse effect of offending on victims is one with which I am very familiar from my years at the Victorian Bar and as a County Court Judge. It is pleasing that victims of crime and those who support victims are represented on the Board.

It is important that the work of the Board is understood by the community. I encourage community education about parole and the Board. The Board has presented at numerous events and conferences throughout Melbourne and regional Victoria, including mock hearings for Law Week which I have chaired several times. I fully support these engagements. Feedback from those who attended and with whom I have spoken has been positive about their improved understanding of parole and the Board as a result.

I acknowledge the hard work and support of the Board's members, Acting Chief Administrative Officer Anita Lis, the management team and staff.

I am honoured to be part of the Board. I hope my contribution further enhances the recognition and reputation of the Board and for it to be proactive and sensitive to community needs and expectations by applying best practice solutions to the challenges faced by victims, prisoners and the community.

*Her Honour Judge Susan Pullen SC was appointed Deputy Chairperson from 19 December 2019.*



### Stephen Farrow

I was appointed as a full-time member of the Adult Parole Board in 2013 and became a Deputy Chairperson in 2019.

I am a lawyer who has specialised in criminal law for the past 25 years. Before joining the Board, I was Chief Executive Officer of the Sentencing Advisory Council, where I developed a deep interest in parole, having conducted two reviews of aspects of the parole system. I was subsequently awarded a Churchill Fellowship to travel internationally to study parole systems.

I was appointed to the Board during a period of intense public debate about parole in Victoria, following a period during which a series of murders had been committed by prisoners on parole. The Callinan Review, which was the last in a series of reviews of the parole system, was published just three months before my appointment.

Those reviews produced the most extensive reforms in the 63-year history of the Board. I was privileged to have played a role in those reforms. The Board is now equipped with better policies, processes and resources to fulfil its functions. The statistics in this and other recent annual reports show some of the fruits of those reforms. It is particularly pleasing to see the dramatic fall in the number of persons convicted of a serious

violent or sexual offence committed while on parole, shown on p27 of this report. When I was appointed to the Board in 2013-14, the number was 60. For the past four years, it has been consistently five or less each year.

Behind the statistics are many complex human stories. I have made decisions in many thousands of parole cases. They contain moving submissions from victims about how the crime has affected them. They also contain detailed accounts of the prisoners and the backgrounds to their offending.

As members of the Board, it is not our role to judge the people who have committed those crimes: that is the role of the court. Almost all of them must at some point return to the community. Our task is to determine the nature of their transition from prison, within the framework of the sentence that the court has imposed and the laws that govern parole.

It is a challenging task. A strength of the Board is that we ordinarily consider each case as a division of three members. I greatly value the diversity of perspectives that my fellow members bring to our deliberations. I also acknowledge the excellent work of the Board's secretariat under the leadership of Anita Lis.

*Stephen Farrow was appointed Deputy Chairperson from 19 December 2019.*

# Members

The Adult Parole 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. Most 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.

*Her Honour Judge Susan Pullen SC, His Honour Peter Couzens and Stephen Farrow*



The Justice Legislation Amendment (Serious Offenders and Other Matters) Bill 2019 came into effect in November 2019. Lawyers of at least 10 years' experience, not just current or retired judicial officers, can now be appointed to the positions of chairperson, deputy chairperson or divisional chairperson.

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

The divisional chairpersons include current and retired judicial officers and can now include lawyers of at least 10 years' experience. Due to the increasing demands of the Magistrates' Court, sitting magistrates are no longer available to sit as divisional chairpersons from 1 July 2020.

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
- ▶ members of other decision-making Boards at tribunals, hospital administration, education and child protection.

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

## Appointments

The Victorian Government appointed two Deputy Chairpersons in 2019–20.

Her Honour Judge Susan Pullen SC, a sitting County Court Judge who served as a judicial member of the Board from 6 November 2013, was appointed as Deputy Chairperson, on a sessional basis, for two years from 19 December 2019.

Stephen Farrow, a senior lawyer and former Chief Executive Officer of the Sentencing Advisory Council who served as a full-time member of the Board from 11 November 2013, was appointed as a full-time Deputy Chairperson for six months from 19 December 2019 (he was then re-appointed as full-time Deputy Chairperson from 20 June 2020 until 10 November 2022).

His Honour Peter Couzens was re-appointed as Chairperson for a further two years from 1 January 2020. His Honour John Doherty, divisional chairperson, was re-appointed for a further two years from 14 June 2020. Community member Glenda Frost was re-appointed for a further three years from 17 December 2019.

His Honour Frank Shelton retired as Deputy Chairperson on 19 December 2019. The appointments for five divisional chairpersons, all sitting magistrates, ended in 2019–20 including His Honour Franz Holzer, His Honour Ronald Saines, His Honour David Fanning, His Honour Gregory Connellan and His Honour Gregory McNamara. Community members Geoff Wilkinson OAM and Heidi Tucker resigned in 2019–20, and Peter Harvey's term ended.

The Board acknowledges and thanks each member for their individual work and commitment to the Board.

## Member education

The Board has established a 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 regular seminars presented by experts and professionals who are leaders in their fields, and visits to prisons.

In the first half of 2019–20, the Board held three seminars for its members including:

- ▶ an evening seminar in August 2019 with Professor Jim Ogloff, a forensic psychologist, who presented on deliberate fire setting
- ▶ an evening seminar in October 2019 with Tracey Jones, General Manager of the Dame Phyllis Frost Centre, who presented on female prisoners
- ▶ an all-day seminar in December 2019 with several speakers including:
  - ▶ Rebecca Falkingham PSM, Secretary to the Department of Justice and Community Safety (DJCS), who presented to the members for the first time since her appointment
  - ▶ Jan Shuard PSM, the Family Violence Reform Implementation Monitor and former Commissioner of Corrections Victoria, who presented on the family violence reforms
  - ▶ George Savvides AM, Chairman of the Special Broadcasting Service and former Managing Director of Medibank Private Limited, who presented on transformational leadership
  - ▶ Dr Diana Johns, Senior Lecturer in Criminology at The University of Melbourne, who presented on violent young offenders
  - ▶ Dr Melanie Heenan, Executive Director of Victim Services, Support and Reform in DJCS, who presented on The Hon. Ben Carroll's listening tour to New York and London
  - ▶ Richard Baker, investigative journalist at The Age, who presented on his podcast about the Pong Su investigation.

The seminars scheduled for the second half of 2019–20, including a half-day seminar for March 2020 and all-day seminar for June 2020, were cancelled due to the restrictions for the COVID-19 pandemic.

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



# Adult Parole Board members 2019–20

## 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 Chairpersons

### **Her Honour Judge Susan Pullen SC**

Judge of the County Court  
Appointed to the Board as a judicial member (now called divisional chairperson) from 6 November 2013  
Appointed as Deputy Chairperson from 19 December 2019

### **Stephen Farrow**

Appointed to the Board as a full-time member from 11 November 2013  
Appointed as Deputy Chairperson from 19 December 2019

### **His Honour Frank Shelton**

Retired Judge of the County Court  
Appointed to the Board as Deputy Chairperson from 17 December 2013  
Retired from the Board on 19 December 2019

## Full-time members

### **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

## Divisional chairpersons

### **His Honour Gregory Connellan**

Magistrate  
Appointed to the Board from 10 December 2013  
Appointment ended on 30 June 2020

### **His Honour David Fanning**

Magistrate  
Appointed to the Board from 10 December 2013  
Appointment ended on 30 June 2020

### **His Honour Franz Holzer**

State Coordinating Magistrate  
Appointed to the Board from 10 December 2013  
Appointment ended on 9 December 2019

### **His Honour Gregory McNamara**

Magistrate  
Appointed to the Board from 10 December 2013  
Appointment ended on 30 June 2020

### **His Honour Ronald Saines**

Magistrate  
Appointed to the Board from 10 December 2013  
Appointment ended on 9 December 2019

### **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  
Appointment ended on 16 December 2019

### **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,  
Member of the Forensic Leave Panel  
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  
Resigned from the Board on 22 April 2020

**Nicole Burns**

Member of the Administrative Appeals Tribunal,  
Migration and Refugee Division, Deputy Chairperson  
of the Patient Review Panel  
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 Emeritus 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  
Resigned from the Board on 11 February 2020

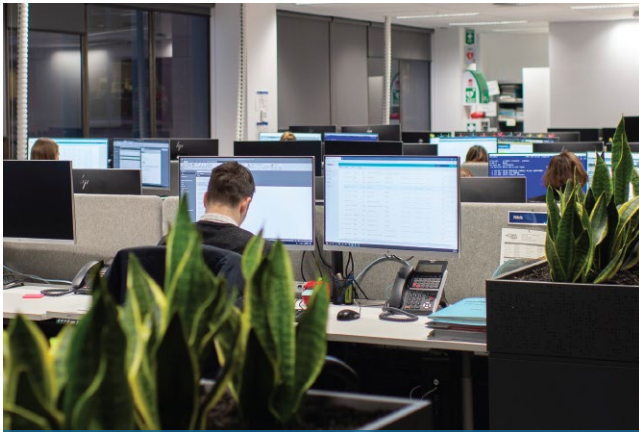
# 03

## Operations and decision-making

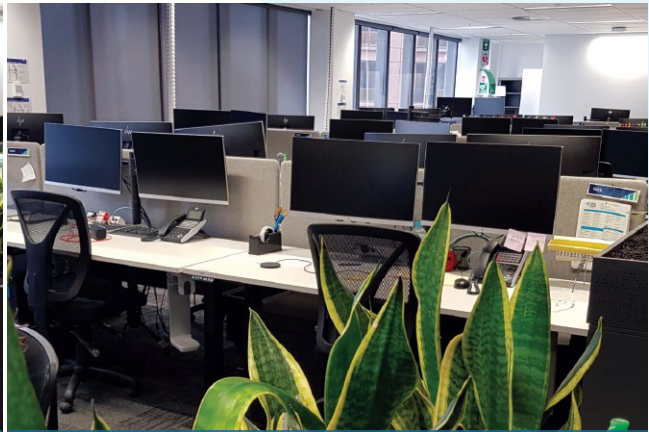
*Her Honour Judge Susan Pullen SC, Stephen Farrow and His Honour Peter Couzens*

# The Board's operations during the COVID-19 pandemic

The COVID-19 pandemic resulted in immense changes to the Adult Parole Board's operations during the second half of the reporting year.



The Secretariat workspace on 23 July 2019. Prior to the COVID-19 pandemic, members and staff worked from the Board's office at 50 Franklin Street.



The Secretariat workspace on 12 May 2020. During the COVID-19 pandemic, most members and staff worked remotely.

For the first time in the Board's history, hearings were conducted remotely with members who were not in the same room or building as each other.

The Board planned, developed and successfully implemented an effective remote working model from 31 March 2020, and members and staff quickly adapted to their new way of working.

## Business continuity planning – preparing to work remotely

The Victorian Government declared Victoria a State of Emergency from 16 March 2020 and imposed restrictions on people's movements to slow the spread of COVID-19 and directed that people should work from home where possible.

The management team, in close consultation with the Board's Executive Committee and Corrections Victoria, held daily meetings to expand on the Board's Business Continuity Plan to implement an Emergency Management Plan and a remote working model.

The comprehensive Emergency Management Plan detailed how the Board would continue to operate remotely. It included:

- ▶ how the Board would react in different scenarios, such as members and staff being directed to self-isolate for a prolonged period or the Board's office being locked down
- ▶ a communications plan for keeping internal and external stakeholders informed of changes to the Board's operations

- ▶ the information technology equipment, licences and training that members and staff would require to work remotely
- ▶ how hearings would be conducted, including how staff would prepare and run hearings
- ▶ how members and staff would remain connected, including channels and frequency
- ▶ how the Executive Committee and management team would support members and staff.

## Working remotely

The Board successfully conducted its first trial hearing via Zoom (video conferencing software) on 30 March 2020 – the same day that the Victorian Government imposed the more restrictive stage three restrictions to further limit people's movements to slow the spread of COVID-19.

From 31 March 2020, most hearings were conducted via Zoom and most members and staff worked remotely for the remainder of the reporting year. A small, core team of staff continued to attend the office on a rotating roster to support those members who attended 50 Franklin Street for their hearings.

The management team surveyed staff in June 2020 to learn about their remote working experience and to find out how the remote working model could be improved. The survey results were very positive with all staff optimistic about working remotely and satisfied with the technology provided to enable them to effectively work remotely. Most staff reported their productivity had increased by working remotely.

while others reported their productivity had stayed the same. No staff reported their productivity had decreased.

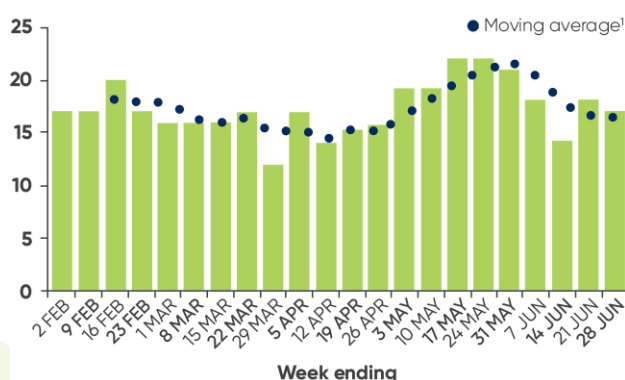
PRISM, the Board's comprehensive electronic case workflow system, was crucial as it enabled hearings to be run remotely. PRISM, which was implemented in October 2018, is the Board's central source of prisoner information for its decision-making processes. It receives information from various sources, 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.

Staff working remotely used PRISM to prepare for hearings by scheduling matters for consideration, record the Board's decisions and perform post-hearing tasks such as disseminating instruments and templates. Members sitting remotely used PRISM to access all relevant information about prisoners, including sentence details, victim submissions, previous Board decisions, Corrections Victoria reports, prison incidents and much more. Community Correctional Services (CCS) continued to provide comprehensive reports to inform the Board's decisions.

While the Board suspended all in-person interviews, a three-member panel and a staff member attended 50 Franklin Street one day per week to interview prisoners, prisoners on parole and CCS as required via the Department of Justice and Community Safety's on-site video conferencing unit.

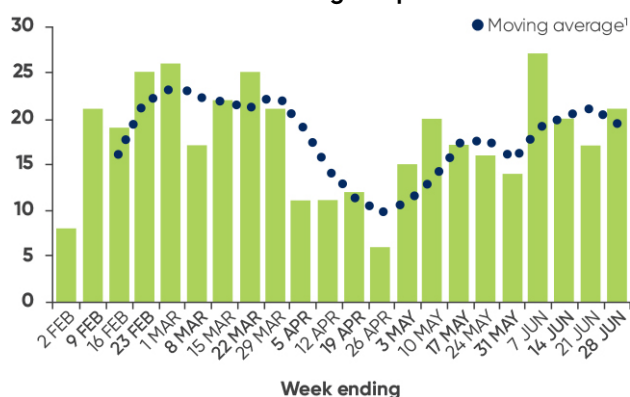
The Board continued to schedule hearings with the weekly average number of hearings (from the week ending 2 February 2020 to 28 June 2020) being 17, which is consistent with the average number of hearings prior to the pandemic (also 17 over the same timeframe).

#### Total number of hearings held

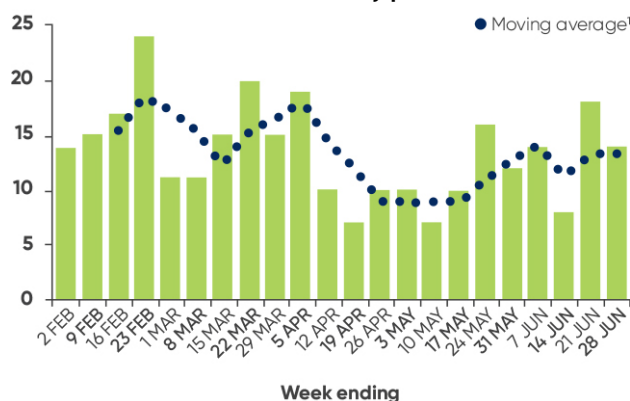


Despite a slight reduction in the number of decisions to grant or deny parole in April 2020 (which is consistent with the fluctuation in the number of parole granted or denied decisions around the same time the previous year), the Board continued to grant parole for prisoners who could be safely managed in the community. The Board's paramount consideration is always the safety and protection of the community.

#### Total number of decisions to grant parole

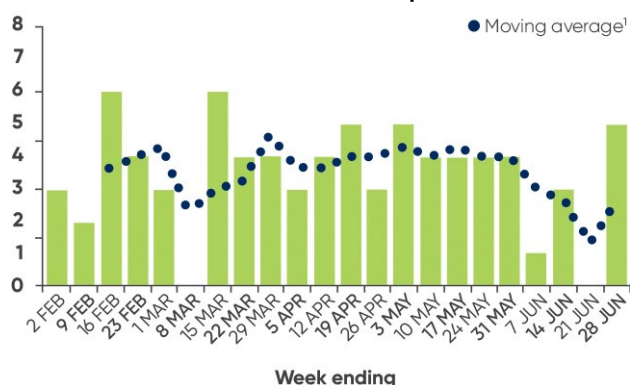


#### Total number of decisions to deny parole



From the weeks ending 2 February 2020 to 28 June 2020, the average number of decisions to cancel parole was consistent with the average number of decisions to cancel parole over the same period in 2019 (prior to the pandemic).

#### Total number of decisions to cancel parole



At 30 June 2020, the Victorian State of Emergency and Board's remote working model were still in effect.

<sup>1</sup> The moving average is calculated by determining the average number over the previous three-week period to show the overall data trend.

# Sentencing and parole

## 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

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.

### More than 24 months

The sentencing court must set a non-parole period, unless the nature of the offence or the offender's history would make parole inappropriate.

### Between 12 and 24 months

The sentencing court is not required to, but may decide to, fix a non-parole period.

### Less than 12 months

A non-parole period cannot be set by the sentencing court, and 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.
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 except with the written permission, granted either generally or in a particular case, of the Regional Manager/Adult Parole Board.
  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 include (for example):

- ▶ 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.

### 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.

# The parole process



# Parole

## Deciding to grant or deny parole

### Adult Parole Board

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.

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.

## Parole outcome

### Adult Parole Board

### Corrections Victoria

### Victoria Police

### Prisoner

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 2019–20

## 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 2019–20, the Board received 1,780 applications for parole, a slight increase from the previous year (in 2018–19, the Board received 1,746 applications).

Of the 1,780 applications for parole, 86 per cent (or 1,527) 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 253 applications were either deemed invalid, deferred, denied at the application stage, or had not been processed as at 30 June 2020.

The Board was notified by Corrections Victoria of 152 prisoners who were eligible for parole but chose not to apply at their earliest opportunity.

Parole applications	2019–20	%	2018–19	%	% change between 2018–19 and 2019–20
Total number of parole applications received	1,780	–	1,746	–	2%
Total number of parole applications still in progress	14	1%	11	1%	27%
<b>Outcomes</b>					
Progressed to Parole or Re-parole Suitability Assessment	1,527	86%	1,505	86%	1%
Denied	63	4%	39	2%	62%
Deferred	36	2%	56	3%	–36%
Invalid application	140	8%	135	8%	4%
Eligible prisoners who did not apply for parole	152	8%	156	8%	–3%

## 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 2019–20, the Board made 1,400 decisions to grant or deny parole (excluding the prisoners who withdrew their applications for parole). This is a slight increase from the previous year (in 2019–20, the Board made 1,305 decisions to grant or deny parole). Sixty-five per cent (or 913) of those decisions were to grant parole while 35 per cent (or 487) were to deny parole.

Having somewhere appropriate to live is a major factor in being able to safely complete parole. If a prisoner is suitable for parole but has been

unable to propose any accommodation or has proposed unsuitable accommodation, the Board will ordinarily request a further report to allow more time for the prisoner and CCS to continue to explore accommodation options. The Board will ordinarily not deny parole in such cases until there is insufficient time remaining on the sentence to continue to seek suitable accommodation. Absence of suitable accommodation was one of the factors in 63 per cent of cases in which the Board denied parole in 2019–20.

Less common factors in the Board deciding to deny parole were a failure to complete relevant programs in prison (19 per cent) and unacceptable behaviour in prison (17 per cent).

After applying for parole, a prisoner can choose to withdraw their application. In 2019–20, 212 prisoners withdrew their application. The most common reasons for a prisoner to withdraw their application were due to an absence of suitable accommodation or the prisoner not wanting to be subject to parole conditions.

Parole decisions	2019–20	%	2018–19	%	% change between 2018–19 and 2019–20
Decisions to grant parole	913	65%	803	62%	14%
Decisions to deny parole (excluding those that withdrew their application)	487	35%	502	38%	–3%
Number of prisoners who withdrew their application	212	13% <sup>2</sup>	205	14% <sup>2</sup>	3%

## 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 1,400 decisions to grant or deny parole in 2019–20, 106 were for re-parole (excluding the prisoners who withdrew their applications for re-parole). Of the 106 decisions, 49 (or 46 per cent) were to grant re-parole while 57 (or 54 per cent) were to deny re-parole. The ratio in 2019–20 was similar to the previous reporting year (with 47 per cent granted and 53 per cent denied).

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.

Re-parole decisions	2019–20	%	2018–19	%	% change between 2018–19 and 2019–20
Re-parole orders granted	49	46%	51	47%	–4%
Re-parole orders denied (excluding those that withdrew their application)	57	54%	58	53%	–2%
Number of prisoners who withdrew their application for re-parole	10	9% <sup>3</sup>	17	13% <sup>3</sup>	–41%

## 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 2020, there were 898 prisoners on parole (a slight increase from the previous reporting year, whereby 838 were on parole). The majority were male (89 per cent or 803) and most were between the ages of 40–49 (22 per cent or 201).

<sup>2</sup> This is the proportion of all granted, denied and withdrawn decisions.

<sup>3</sup> This is the proportion of all re-parole granted, denied and withdrawn decisions.

<b>Prisoners on parole (at 30 June)</b>	<b>2019–20</b>	<b>%</b>	<b>2018–19</b>	<b>%</b>	<b>% change between 2018–19 and 2019–20</b>
Number of prisoners on parole	898	–	838	–	7%
<b>Characteristics</b>					
SVOSO prisoners on parole	408	45%	370	44%	10%
Aboriginal prisoners on parole	39	4%	26	3%	50%
Male prisoners on parole	803	89%	743	89%	8%
Female prisoners on parole	95	11%	95	11%	0%
Prisoners on parole aged 17–24	29	3%	31	4%	–6%
Prisoners on parole aged 25–29	131	15%	112	13%	17%
Prisoners on parole aged 30–34	139	15%	128	15%	9%
Prisoners on parole aged 35–39	104	12%	97	12%	7%
Prisoners on parole aged 40–49	201	22%	174	21%	16%
Prisoners on parole aged 50–59	141	16%	135	16%	4%
Prisoners on parole aged 60 and over	153	17%	161	19%	–5%

## 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 2019–20, Victoria Police notified the Board of 49 prisoners who were arrested. This is similar to last year (52 notifications).

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 2019–20, the Board decided to cease detention for 12 of the 49 prisoners. Of the remaining 37 prisoners who were detained pending consideration by the Board, 24 were cancelled and 13 were not cancelled.

<b>Arrest and detention</b>	<b>2019–20</b>	<b>%</b>	<b>2018–19</b>	<b>%</b>	<b>% change between 2018–19 and 2019–20</b>
Total notifications received	49	–	52	–	–6%
Total detained	37	76%	30	58%	23%
Total cancelled	24	65%	24	80%	0%
Total not cancelled	13	35%	6	20%	117%
Total ceased to detain	12	24%	22	42%	–45%

## 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 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 2019–20, the Board cancelled parole for 171 prisoners, a 12 per cent increase from last year.

Drug use (particularly methylamphetamine or 'ice') was at least one of the factors in 65 per cent of all cancellations, while being charged with or found guilty of a further offence was a factor in 28 cancellations (or 16 per cent of all cancellations). Non compliance with parole conditions, including breaches of conditions, loss of contact with CCS or unacceptable absences for scheduled appointments, were a factor in 125 (or 73 per cent) of cancellations.

<b>Parole cancellations</b>	<b>2019–20</b>	<b>%</b>	<b>2018–19</b>	<b>%</b>	<b>% change between 2018–19 and 2019–20</b>
Number of prisoners who had parole cancelled	171	–	153	–	12%

## 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 2019–20, the Board considered 215 time to count matters (some of which may have related to cancellations that occurred in previous reporting years).

The Board decided not to grant any time to count for 54 per cent (or 117) of these matters. Most commonly, this was because the prisoner relapsed into drug use.

The Board granted at least some time to count in 75 cases (or 35 per cent). In the remaining 23 cases (or 11 per cent), the Board deferred its decision.

Time to count	2019–20	%	2018–19	%	% change between 2018–19 and 2019–20
Number of time to count cases considered	215	–	162	–	33%
Time to count granted	75	35%	57	35%	32%
Time to count not granted	117	54%	83	51%	41%
Time to count deferred	23	11%	22	14%	5%

## Order completions

During 2019–20, 911 prisoners had their orders discharged by Corrections Victoria. Of these, 715 prisoners were discharged as successfully completing their order, resulting in a successful completion rate of 78 per cent.

## Reviews

During 2019–20, the Board received 14 requests from prisoners or their supporters to review Board decisions.

The decisions reviewed were related to the length of time between the Board granting a prisoner parole and their actual release date, denials of parole, and whether additional time to count should be granted following parole cancellations.

The Board rejected eight review requests as there was no new information for the Board to vary its decision.

The Board accepted five requests for reviews based on additional information provided for the purpose of the review. In three cases, the Board had already granted the prisoner parole and, following the review, brought their release date forward. In one case, the Board granted the prisoner additional time to count. In another case, the Board revoked its parole denied decision and re-listed the matter for consideration.

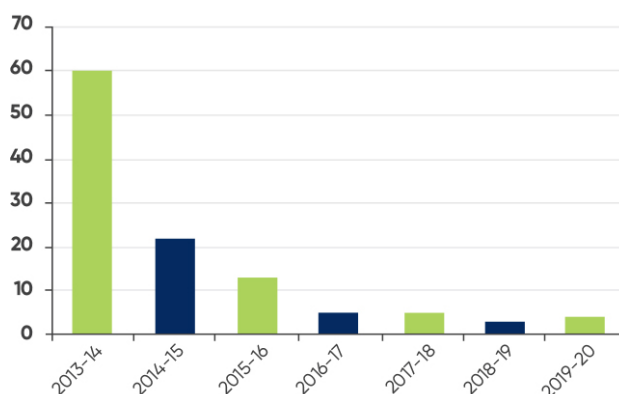
One request for review received in 2019–20 did not have an outcome at 30 June 2020.

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

## Convictions for serious offences committed on parole

In 2019–20, four persons were convicted of serious violent offences or sexual offences committed while on parole. This is a 93 per cent reduction 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 2019–20



# Projects

**The Adult Parole Board finalised several important projects this year and continued to work on others which will be delivered in 2020-21.**

## Enhancements to PRISM, the Adult Parole Board's case workflow system

The Adult Parole Board's PRISM project team worked closely with Corrections Victoria Information Technology business analysts and Wipro, the company responsible for the development and building of PRISM, to successfully implement a suite of enhancements on 3 September 2019.

While the enhancements provided some benefits for the members, such as improved communication between members and the Secretariat's meeting coordinators within the PRISM system and validations to ensure compliance with legislation, the enhancements primarily benefitted the Secretariat's administrative processes with improved workflows and automatic dissemination of templates and instruments to Community Correctional Services (CCS) and prisons.

The Board's PRISM project team developed informative documentation (called PRISM reference guides) and prepared and delivered training to members and staff on the enhancements.

The PRISM project, including the suite of enhancements, is now complete. The project staff have returned to their substantive positions in the Secretariat. Some former project staff gained new opportunities in more senior positions, both within the Secretariat and in different Department of Justice and Community Safety (DJCS) business units.

The Board and Corrections Victoria implemented PRISM, a Callinan Review recommendation, in October 2018. The comprehensive electronic case workflow system 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, and members can access PRISM to pre-read their cases remotely and better prepare for their hearings.

PRISM was integral to the Board's remote working model for the COVID-19 pandemic in 2019-20, because it enabled hearings to be conducted remotely.

## Information security project

In 2019-20, the Board established a new information security project through its Risk and Audit Subcommittee to ensure compliance with the Victorian Protective Data Security Framework and its associated standards, the Victorian Protective Data Security Standards, under the *Privacy and Data Protection Act 2014*.

The Board has developed an Information Asset Register with the different types of information that it generates, stores and disseminates. The Board held an internal workshop with key staff and members on 16 November 2019 to determine the security required to protect the information it generates.

In 2020-21, the information security project will continue to work towards compliance with the standards and will report this to the Office of the Victorian Information Commissioner on 31 August 2020 as required by legislation. Key focus areas include the application of protective markings (labels assigned to information to enable users to understand the sensitivity or security classification of the information) to documents generated and disseminated by the Board along with increasing staff and member awareness of information security requirements.

## Emergency and risk management

The Board's Business Continuity Plan and Risk Register are updated regularly and were endorsed at the Risk and Audit Subcommittee meeting on 10 December 2019. The management team then successfully completed an annual exercise, facilitated by members of the security management team in DJCS, on 3 March 2020 to test the effectiveness of the Business Continuity Plan (the mock scenario was an information technology outage).

The Board implemented a comprehensive Emergency Management Plan and remote working model for the COVID-19 pandemic on 31 March 2020. More information is available on pages 18 and 19 of this report.

The Board will update these key documents in 2020-21 when DJCS releases updated versions.

## Preparing for an independent audit

In 2019-20, the Board prepared for an external independent audit of the Secretariat's activities to support its compliance with legislative requirements. This is scheduled to take place during 2020-21.

# Litigation

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

### Suleiman Abdulrahim v Adult Parole Board and Anor [2019] VSC 570

On 23 August 2019, The Hon. Justice Paul Anthony Coghlan AO quashed the Board's decision to cancel Mr Suleiman Abdulrahim's parole on 12 June 2019. He ordered Mr Abdulrahim be released from custody to continue his parole.

While he noted that the situation faced by the Board in this case was unusual, he was not satisfied that the Board's general power to cancel parole, having regard to its paramount consideration being the safety and protection of the community, compels or authorises the Board to cancel parole as a result of actions taken by a third party or parties.

### Julian Knight and Adult Parole Board (S CI 2013 0204) and Julian Knight and Adult Parole Board (S CI 2013 06673)

On 5 June 2020, The Hon. Justice Anthony Lewis Cavanough dismissed two matters brought by Mr Julian Knight including:

- ▶ *Julian Knight and Adult Parole Board* (S CI 2013 0204) – an application for leave to commence judicial review proceedings regarding the Board's decision on 22 March 2013 to refuse to review its decision from 29 June 2012 to deny Mr Knight's request for a tentative parole release date
- ▶ *Julian Knight and Adult Parole Board* (S CI 2013 06673) – an application for leave to commence judicial review proceedings regarding the Board's decision on 9 December 2013 in relation to his parole.

### Coroners Court of Victoria

In March 2020, Deputy State Coroner Caitlin English determined not to conduct an inquest into the death of Ms Karen Chetcuti on 13 January 2016 by Mr Michael Cardamone, who was on parole at the time.

In her investigation into the death of Ms Chetcuti, Deputy State Coroner English noted that Mr Cardamone had been compliant with all of his parole conditions, he had not missed any supervision appointments with Community Correctional Services, his drug testing results were negative, and he had been attending his appointments with a psychologist and drug and alcohol counsellor.

Deputy State Coroner English concluded that if the current parole system had been in place at the time of Ms Chetcuti's death, it is unlikely that it would have altered the decision for Mr Cardamone to be released on parole.

Mr Cardamone is now serving a life sentence without parole.

The Coroners Court of Victoria will conduct an inquest into the death of Mr Kai Hao on 5 June 2017 by Mr Yacqub Khayre, who was on parole at the time. The inquest is likely to be heard in 2021.

### Civil claims in respect to murder by those released on parole

The Board is 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. In one matter, *Betts v State of Victoria*, the Board is named as a second defendant.

# 04

## Stakeholder collaboration and engagement

*His Honour Peter Couzens and Michele Williams QC present at "Did the crime, not quite done the time", facilitated by Dr Marilyn McMahon*

# Increasing the community's understanding of parole

## Did the crime, not quite done the time

The Adult Parole Board worked with the Post Sentence Authority and Deakin Law School to organise "Did the crime, not quite done the time" on 18 November 2019. The purpose of the event was to explain the differences between parole and post-sentence orders.

His Honour Peter Couzens and Michele Williams QC, Chair of the Post Sentence Authority, presented to a packed audience of around 75 people. It was facilitated by Dr Marilyn McMahon, Deputy Dean of Deakin Law School.

To help illustrate the differences between parole and post-sentence orders, the Board and Post Sentence Authority developed a mock scenario about a serious violent offender who is sentenced by a court to a non-parole period and later found suitable for a supervision order.

The Board thanks Deakin Law School which hosted "Did the crime, not quite done the time" at Deakin University's conference centre in Docklands.

## Adult Parole Board brochure

During the reporting year, the Board developed a brochure with high-level information about parole that directs the reader to the Board's website for more information. When the Board presents to stakeholders, this brochure will be distributed to participants.

## Presentations to stakeholders

During the reporting year, the Adult Parole Board presented at the International Criminal Justice Conference 2019. The Board also presented at a Corrections Victoria clinicians' conference, an Association of Threat Assessment Professionals event, a Post Sentence Authority conference, to psychology students at Federation and Swinburne universities, and to law students at Monash University.

## Website

The Board's website received 58,825 unique page views in 2019–20 which is consistent with the number of unique page views the previous year (59,068). The most popular pages were frequently asked questions, information about applying for parole, and information about the purpose and benefits of parole.

## Media

Dr David Curnow, full-time member, was interviewed by John Silvester, a Walkley-award winning crime writer and columnist for The Age. The article, published in The Age on 6 February 2020, focused on Dr Curnow's professional background as a forensic psychologist and his work as a full-time member of the Board. The article states that "the Parole Board, once the basket case of the criminal justice system, is now the jewel in the crown."<sup>4</sup>

# 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, which supports the Board and ensures that all matters are properly prepared and presented for Board consideration, is comprised 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. The Board's Acting Chief Administrative Officer meets regularly with the Corrections Victoria Director, Community Operations.

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 inform 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.

<sup>4</sup> Silvester, John. "The straight-talking black belt shrink of the Adult Parole Board." The Age, 6 February 2020, accessed 9 September 2020, <<https://www.theage.com.au/national/victoria/the-straight-talking-black-belt-shrink-of-the-adult-parole-board-20200205-p53xx5.html>>.

Corrections Victoria prison officers from the Melbourne Assessment Prison are present during the Board's in-person interviews with prisoners. 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.

To strengthen the Board's relationship with CCS, the Board launched a program of visits to CCS locations across Victoria in 2019–20 to engage with parole staff, inform them about Board practices and procedures and hear directly from them about the impact of the Board's practices and decisions. The full-time members (one full-time member for each visit) and several Secretariat staff visited Ballarat CCS on 4 December 2019, Melbourne Justice Service Centre on 4 February 2020 and Broadmeadows CCS on 21 February 2020. The Board's visits were a success – they received positive feedback from CCS – and will be continued when the COVID-19 restrictions ease.

The Acting Chief Administrative Officer and one of the full-time members visited the Dame Phyllis Frost Centre with Aunty Pam Pederson, a community member and Aboriginal Elder, on 12 February 2020 to speak with female Aboriginal prisoners and answer their questions about parole.

## Victims

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

## 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 2019–20, 119 prisoners with one or more registered victims were granted parole. For 146 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 2019–20, 126 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 officers from Melbourne East Police Station execute the warrant at the hearing and safely return the prisoner to custody.

## 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 Board worked with the Post Sentence Authority to organise an event called "Did the crime, not quite done the time", hosted by Deakin Law School, on 18 November 2019.

Members of the Post Sentence Authority, including the Chair and Deputy Chair, attended the Board's all-day seminar on 6 December 2019.

Dr David Curnow, full-time member, attended a Post Sentence Authority conference on 29 November 2019 to present on violent offenders.

## Visit by the Secretary of the Tasmanian Parole Board

On 19 September 2019, Ben Hancock, Secretary of the Tasmanian Parole Board, visited the Board to learn about parole in Victoria. He met with the Chairperson, Acting Chief Administrative Officer, full-time members and management team, and he observed a hearing. The Board also showed him PRISM, its case workflow system.

# Reflection from Geoff Wilkinson OAM, former community member



Picture courtesy Jay Town/Herald Sun

A deterioration in my health is all that prompted my decision to resign from the Adult Parole Board after more than five years' membership.

I was particularly proud to have played a part in the parole revolution that has achieved such positive results during the past five years. Apart from my role representing the community on parole panels, I was a member of the Board's Stakeholder Engagement Subcommittee to help identify opportunities to educate the community about parole. I believe I helped make the Board more transparent and media-friendly, which significantly boosted its public image.

It was a considerable honour to be the first journalist ever appointed as a member, and to be regularly entrusted with highly sensitive information which could not be made public.

In fact, much of my 43-year media career seems to have involved keeping confidences of one sort or another, from creating Crime Stoppers in Australia in 1987 to writing hundreds of "cops and robbers" and criminal justice stories for the Herald Sun over a long period.

Along the way I spent eight years as the founding Media Director of the Victoria Police, was awarded a Churchill Fellowship, an OAM for community service and, in 2010, a Lifetime Achievement Award by the Melbourne Press Club. I spent six years as a director of the Sentencing Advisory Council before retiring from daily journalism in 2012.

I have enjoyed the company of all members of the Board, and the Secretariat, and admired their professional qualities, their level of commitment and their achievements. The results speak for themselves.

*Geoff Wilkinson OAM was appointed as a community member of the Board from 16 September 2014 until he resigned on 22 April 2020.*

# 05

*Stephen Farrow*

## 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 Adult Parole Board is supported to undertake its functions by a Secretariat comprising of 28<sup>5</sup> Corrections Victoria staff from the Department of Justice and Community Safety (DJCS).

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

Anita Lis acted as Chief Administrative Officer in 2019–20 following the appointment of Stuart Ward, the former Chief Administrative Officer, to Deputy Chair of the Post Sentence Authority in June 2019.

In addition to working together to ensure that Board operations ran smoothly in 2019–20, the management team had oversight for the implementation of the PRISM enhancements project which is detailed on page 28 of this report. The suite of PRISM enhancements primarily benefitted the Secretariat's administrative processes with improved workflows and automatic dissemination of templates and instruments to Community Correctional Services (CCS) and prisons.

The PRISM project is now finalised. The positions created to work full-time on the project have been relinquished and project staff have returned to their substantive positions in the Secretariat. Some former project staff gained new opportunities in more senior positions, both within the Secretariat and in different DJCS business units.

<sup>5</sup> The total of 28 includes six vacancies at 30 June 2020. Of the 22 staff at 30 June 2020, 16 were female and six were male. The Secretariat is comprised of the following position levels: one EO3; two VPS6; four VPS5; four VPS4; nine VPS3; and eight VPS2.

The management team also had oversight for the preparation and implementation of the Board's remote working model for the COVID-19 pandemic which is detailed on pages 18 and 19 of this report. The committed and resilient staff responded positively to their new way of working remotely.

To acknowledge the importance of integrity, one of the DJCS values, the management team received a presentation by the DJCS Risk and Integrity Culture team on 24 June 2020. The topics included:

- ▶ ethical leadership
- ▶ the importance of declaring conflicts of interest
- ▶ reporting integrity concerns
- ▶ managing sensitive information.

## 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.

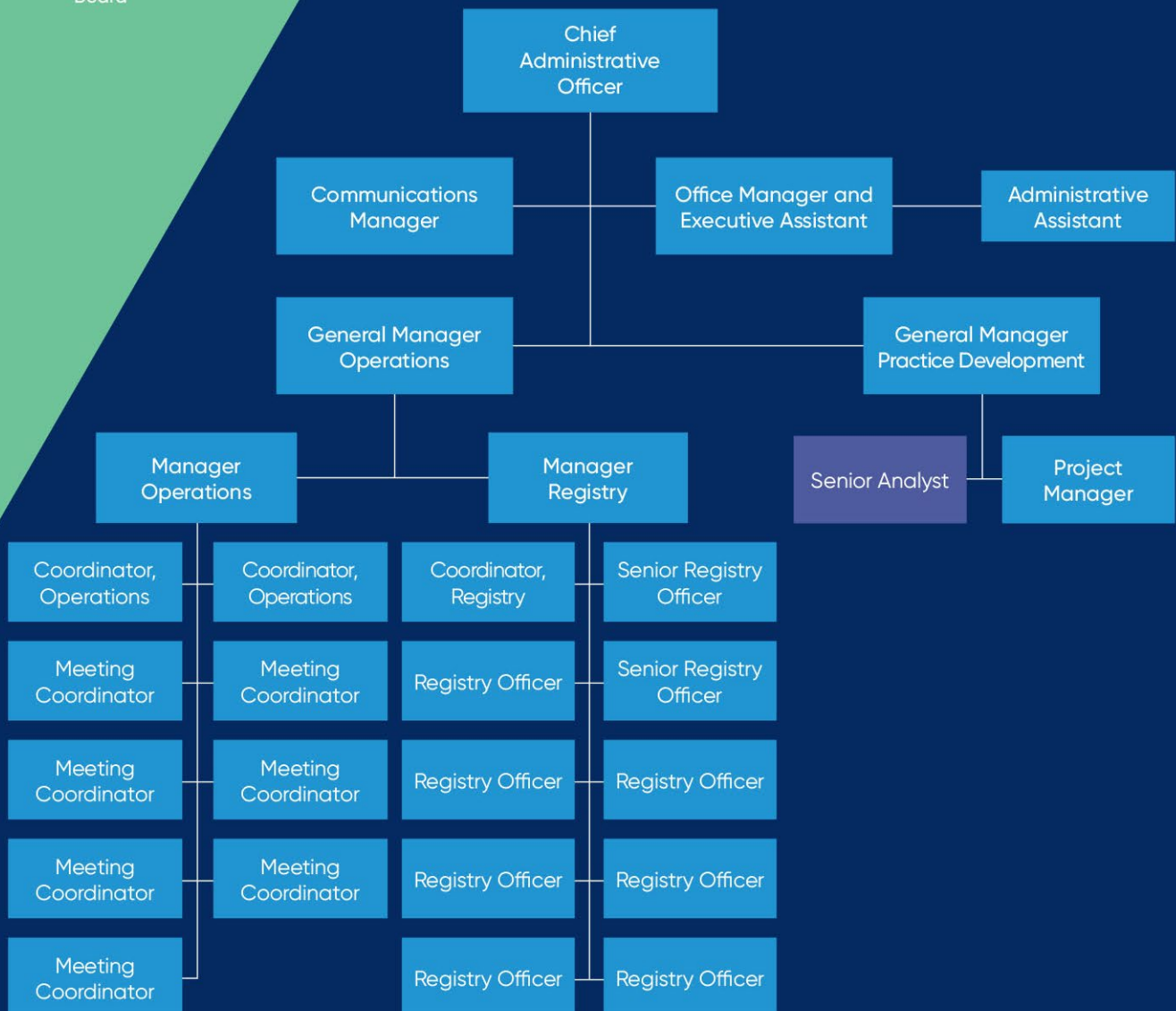
The Board attends a quarterly building management meeting for operational health and safety with the Post Sentence Authority and several DJCS business units located at 50 Franklin Street. The Board and Post Sentence Authority, which share the ground floor hearing room, also have a designated operational health and safety working group which meets quarterly.

## 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 gain the experience required to enhance their skills and abilities.



 Corrections Victoria Senior Analyst works part-time from the Board



# Profiles of Secretariat staff



## Natasha Burhop

### *General Manager, Practice Development*

I joined the Adult Parole Board in 2013 for a six-month role to assist with the implementation of the parole system reforms and, over six years later, I am still here because I am a firm advocate for the value of parole. Prior to the Board, I completed a Master of Commerce and then spent several years working in various organisations across the private and public sectors with a consistent focus on my two passions – innovation and helping people succeed.

As General Manager, Practice Development, I am privileged to have a multi-faceted and challenging role. I lead the Board's project work and, as a natural evolution, have developed a corporate governance portfolio to manage risk, business continuity, emergency management, information security and business planning.

I had the responsibility and pleasure of 'imagineering' PRISM, the Board's case workflow system, which integrates six different applications and presents the information from various sources in an easy-to-read digital format. Members can access their cases remotely and better prepare for their hearings. PRISM also has inbuilt workflows so staff can schedule hearings and record decisions. I led this major six-year project, including managing project staff, from beginning to end.

I also led the creation and implementation of the breach of parole model which enables the Board and Victoria Police to respond immediately to potential breaches of parole utilising a seamless IT solution.

It truly is a team effort – I work alongside exceptional people who are resilient and dedicated quiet achievers. I acknowledge my colleagues who understand that, while our operations are important, the time we dedicate to enhancing and innovating through projects and managing risk is also key.



## Fatima Ebrahim

### *Acting General Manager, Operations*

My journey to the Adult Parole Board commenced when I completed a Bachelor of Arts (Criminal Justice) and worked for Community Correctional Services where I had the opportunity, as part of my role, to learn about the Board and observe hearings.

Since then, I have held several managerial and leadership positions at Corrections Victoria, Court Services Victoria and the Victorian Civil and Administrative Tribunal, and I gained a wealth of knowledge, experience and expertise which I brought to the Board in late-2017. I recently furthered my education by completing an Executive Master of Business Administration.

In my role as Acting General Manager, Operations, I am responsible for managing the Secretariat's operations and registry teams and have helped steer change in processes and workplace culture. I work closely with, encourage and support the operations and registry managers; ensure staff are supported and have access to and comply with documented processes and procedures; ensure the Board can undertake its functions effectively and efficiently; and ensure that work is conducted to a high standard and meets agreed measures.

I have also been responsible for planning, problem-solving, leading and supporting the team through the significant changes for COVID-19 this year which resulted in the seamless operations of remote hearings. I am grateful for the opportunity to work with Anita Lis, Acting Chief Administrative Officer, and His Honour Peter Couzens, Chairperson, and I am very proud of what we have accomplished together during this challenging period.

I feel privileged to be part of a diverse and dynamic group, and I look forward to continuing to make a positive contribution to the Board and Victorian community.



**Daniel Izev**  
*Coordinator, Operations*

My role certainly is dynamic – no two days are the same. I play a part in ensuring the smooth running of the Board, assisting management and providing support to a team of meeting coordinators who all work tirelessly to assist the Board. Some of my other functions include facilitating quality assurance processes and audits, developing and implementing new work practices, engaging with several key stakeholders (including Corrections Victoria, Victims Register and Victoria Police) and managing the higher risk and complex cases that come before the Board. I am also involved in the Board's after-hours service where I respond to and coordinate breaches of parole and other urgent matters that arise.

Prior to my time at the Board, I completed a Bachelor of Legal Studies and was employed in operational roles within Community Correctional Services for a number of years, where I supervised offenders subject to various community-based dispositions including case management of prisoners on parole. I am passionate about community safety and have experienced the benefits of the parole system firsthand through my roles, supporting parolees to break the cycle of crime and maintain law-abiding lifestyles. Parole provides the supervision and support that these individuals would simply not have if released without it at the end of their sentence.

Working at the Board provides for many professional development opportunities. It is also a privilege to support the members of the Board and work collaboratively with a dedicated Secretariat who share a goal of contributing to public safety. This year has presented with some unique challenges; however, the Board and the Secretariat have swiftly adapted to alternative ways of working – it has been an honour to work alongside such resilient individuals.

# 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.

*Adult Parole Board Executive and Secretariat*



# 06

## Year at a glance

# Year at a glance

## Statistics

	2019-20	2018-19	2017-18	2016-17	2015-16	% change between 2018-19 and 2019-20
<b>Parole eligibility (at 30 June)</b>						
Prisoners in custody	7,151	8,102	7,668	7,151	6,519	-12%
Prisoners eligible for parole	3,844	4,067	3,846	3,727	3,463	-5%
Prisoners on parole	898	838	858	841	981	7%
<b>Parole applications</b>						
Total number received	1,780	1,746	1,680	1,689	1,841	2%
Total progressed to Parole or Re-parole Suitability Assessment	1,527	1,505	1,481	1,449	1,551	1%
Eligible prisoners who advised that they did not wish to apply for parole	152	156	114	91	142	-3%
<b>Parole decisions</b>						
Parole orders granted	913	803	803	757	883	14%
<i>% granted that were re-parole prisoners</i>	5%	6%	8%	-	-	N/A
Parole orders denied (including those that withdrew)	699	707	706	549	622	-1%
<i>% denied that were re-parole prisoners</i>	10%	11%	12%	-	-	N/A
Number of prisoners who withdrew their application	212	205	242	-	-	3%
<i>% that withdrew their application</i>	30%	29%	34%	-	-	N/A
Parole orders revoked	50	55	41	39	42	-9%
<i>% revoked that were re-parole prisoners</i>	6%	9%	7%	-	-	N/A
<b>Time to count</b>						
Time to count granted	75	57	54	-	-	32%
Time to count not granted	117	83	122	-	-	41%
Time to count deferred	23	22	23	-	-	5%
<b>Parole outcomes</b>						
<b>Breach of parole (arrest and detention)</b>						
Total notifications received	49	52	55	54	98	-6%
Total detained	37	30	42	42	80	23%
<i>Total cancelled</i>	24	24	26	38	61	0%
<i>Total not cancelled</i>	13	6	16	4	19	117%
Total ceased to detain	12	22	13	12	18	-45%
<b>Cancellation of orders</b>						
Parole orders cancelled	171	153	156	204	387	12%
<i>% cancelled that were re-parole prisoners</i>	7%	12%	6%	-	-	N/A
<b>Serious violent or sex offence (SVOSO) convictions</b>						
Total number persons convicted	4	3	5	5	13	33%
<i>% convicted that were re-parole prisoners</i>	0%	0%	40%	-	-	N/A
Total number of SVOSO offences	8	5	15	11	17	60%
<b>Completions</b>						
Parole order completions	715	664	574	644	733	8%
Successful completion rate	78%	81%	79%	76%	55%	N/A

## Activities

	2019–20	2018–19	2017–18	2016–17	2015–16	% change between 2018–19 and 2019–20
<b>Board activities</b>						
Number of Board meeting days	277	269	294	268	272	3%
Number of matters before the Board	8,741	7,927	8,880	8,457	9,892	10%
Average number of matters considered per meeting day	32	29	30	32	36	10%
Prisoners interviewed at prison	71	46	38	67	94	54%
<b>Serious Violent Offender or Sexual Offender (SVOSO) Division activities</b>						
Number of meeting days	108	105	82	113	120	3%
Number of matters considered	609	467	502	542	617	30%
<i>Total matters granted by the SVOSO Division</i>	365	277	318	321	383	32%
<i>Total matters denied by the SVOSO Division</i>	45 <sup>6</sup>	36	31	18	19	25%
<i>Total matters revoked by the SVOSO Division</i>	23 <sup>6</sup>	17	13	18	17	35%
<i>Other outcomes made by the SVOSO Division</i>	199	152	150	185	198	31%
<b>Victim submissions</b>						
Submission from victims	126	138	131	161	164	-9%
<b>Youth transfers</b>						
Transfers from prison to a youth justice centre	0	2	1	4	1	-100%
Transfers from a youth justice centre to prison	17	16	18	17	13	6%
<b>Interstate transfers</b>						
Parole orders transferred from Victoria	26	26	19	19	20	0%
Parole orders transferred to Victoria	34	24	33	34	32	42%
<b>Members of the Board (at 30 June)</b>						
Divisional chairpersons (previously called judicial members)	11	13	13	13	16	-15%
Full-time members	3	4	4	3	4	-25%
Community members	11	15	15	13	16	-27%
<b>Total members<sup>7</sup></b>	<b>25</b>	<b>33</b>	<b>33</b>	<b>30</b>	<b>37</b>	<b>-24%</b>
<b>Staff of the Board (at 30 June)</b>						
Total employees	28 <sup>8</sup>	30	30	30	30	-7%
<b>Financial management</b>						
Funding	5,233,700	5,078,300	5,547,700	5,356,300	5,294,500	3%
Expenditure	4,888,957	5,073,622	5,406,124	4,919,097	4,893,403	-4%

6 For 23 matters it considered, the SVOSO Division made two decisions – an order to revoke parole and an order to deny parole.

7 Following an amendment to the *Corrections Act 1986* in 2019–20, the Secretary to the Department of Justice and Community Safety is no longer a member of the Board. In previous years, the Secretary was a member but did not have an active role in hearings.

8 The total includes six vacancies at 30 June 2020.

# Financial report

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*.

## Operating statement and financial summary 2015-16 to 2019-20

### Funding and expenditure

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

	2019-20	2019-20 % of total expenditure	2018-19	2017-18	2016-17	2015-16
<b>Funding \$</b>						
	5,233,700		5,078,300	5,547,700	5,356,300	5,294,500
<b>Expenditure \$</b>						
Salaries to staff	3,084,312	63%	3,050,525	3,186,824	2,926,812	2,867,646
Sessional member fees	264,878	5%	327,355	309,824	311,657	378,689
Salary related on-costs	946,613	19%	958,815	998,640	911,200	894,675
Operating expenses	593,154	12%	736,927	910,836	769,428	752,391
Total expenditures	4,888,957		5,073,622	5,406,124	4,919,098	4,893,401

### 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 2019-20.

### 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. Divisional chairpersons are remunerated at the rate of \$658 per sitting day (divisional chairpersons who are sitting judicial officers are not remunerated for their work on the Board). Community members are remunerated at the rate of \$569 per sitting day. 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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For further information, contact:

Chief Administrative Officer  
Adult Parole Board of Victoria  
Level 14, 50 Franklin Street, Melbourne VIC 3000  
DX 211768 Melbourne

Telephone: 1300 766 946

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

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

Internet: [www.adultparoleboard.vic.gov.au](http://www.adultparoleboard.vic.gov.au)

The information contained in this report was accurate as of September 2020.

