

**Adult
Parole
Board**
Victoria

**Annual
Report**
2022-23

Contents

Letter to the Minister	3
1 Introduction	4
Foreword from the Chairperson	5
Foreword from the Acting Chief Administrative Officer	9
2 Members.....	11
Members	12
Members at 30 June 2023.....	14
3 Operations and decision making	21
Sentencing and parole	22
Parole data 2022-23.....	24
Projects and risk management	28
Litigation	29
Privacy and information.....	29
4 Stakeholder collaboration and engagement.....	30
Stakeholder collaboration	31
Presentations to stakeholders.....	33
The Board's website	34
5 Organisation and governance	35
Governance	36
Secretariat	36
Secretariat organisational chart	37
6 Year at a glance.....	38
Financial report	39
Year at a glance.....	40



Letter to the Minister

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

Dear Minister

In accordance with the requirements of section 72(1) of the *Corrections Act 1986*, we are pleased to present this Annual Report of the performance and operations of the Adult Parole Board of Victoria for the 12-month period from 1 July 2022 to 30 June 2023.

Yours sincerely

His Honour David Fanning
Chairperson

Fatima Ebrahim
Acting Chief Administrative Officer



01

Introduction

Foreword from the Chairperson

I was fortunate upon being appointed from 31 October 2022 to be well-versed with the Adult Parole Board, having previously been a judicial member and presided over hearings on a sessional basis for over six years until 2020.

My commitment to enhancing community safety, my continued interest in the Board's work as well as my belief that the Board plays an important role in assisting prisoners to transition into the community and go on to lead law-abiding lives, motivated me to re-join the Board as Chairperson.

My professional career has been diverse, including eight years as a trained social worker, working closely with victims, followed by over 30 years in the law. I was appointed as a magistrate in 2006 and I was the founding magistrate of the Neighbourhood Justice Centre in Collingwood, Australia's first multi-jurisdictional court.

During my time as a magistrate, I was a sessional member of the Board from 2013 until mid-2020 when I left as I was no longer available to sit on the Board. Following my retirement from the bench last year, I feel privileged to have re-joined the Board.

Acknowledgement to her Honour Susan Pullen KC

The Board that I took over last year was one that is modern and effective. This was thanks in no small part to the stewardship of former Deputy Chairperson her Honour Susan Pullen KC who acted as chairperson for

10 months following the retirement of his Honour Peter Couzens in December 2021.

Her Honour completed her nine-year term on 19 December 2022. Throughout the nine years that she was a member, she always demonstrated her absolute professionalism and commitment to the Board. Her Honour's personal and professional traits will be greatly missed.

Membership

Longstanding members who left the Board during the reporting year

Two other members completed their nine-year terms this reporting year. Those were divisional chairperson his Honour Alan Spillane and community member Glenda Frost.

Divisional chairperson his Honour John Doherty and community members Rosi Lever and Dr Chris Trotter resigned from the Board after many years of service.

Alan sat frequently and often at short notice. He and John were on the Board's rotating on call roster and were available to sit on evenings, weekends and public holidays to consider urgent matters.

Glenda, Rosi and Chris each brought their unique professional experiences to panel discussions, which the Board greatly benefitted from.

I acknowledge and thank each of the members who left during the reporting year for their commitment and service to the Board.



Member re-appointed

Full-time member Colleen Bell was re-appointed for a further four years which will take her through to the maximum term of nine years that a member can be appointed.

Colleen's re-appointment is well-deserved and a recognition of her skills and dedication. She chairs the Board's Stakeholder Engagement Subcommittee and has presented to stakeholders on numerous occasions, including several times this year, to enhance their knowledge and understanding of parole. She is the Board's nominated representative on the Victims of Crime Consultative Committee. She also organises the member professional development seminars, which are of great benefit to the members.

The Board is fortunate to count Colleen as one of its four full-time members.

Stable parole data during the reporting year

The parole data this year has been consistent with previous reporting years and reflects a Board and parole system that are working well.

Seventy-seven per cent of prisoners successfully completed their parole, the seventh consecutive year where more than 75 per cent of prisoners have completed parole.

In 2022-23, no persons were convicted of committing serious offences while on parole. By contrast, in 2013-14 (when this was first reported on), 60 persons were convicted of committing serious offences while on parole. It was also the seventh consecutive year where five persons or less have been convicted of committing any serious offence while on parole.

Member education

The Board was fortunate to receive presentations from many expert speakers on a range of different and relevant topics as part of its member professional development program. These presentations are listed on page 13.

At the Board's all-day seminar on 23 June 2023, I moderated a panel discussion with three community members, Pam White PSM, Nicole Burns and Claude Minisini. Pam, Nicole and Claude will reach their nine-year maximum terms as members in the first half of 2023-24. I asked them about their collective 27 years on the Board, including: what advice they would give themselves when they started; how they consume and distil large volumes of material; and what strategies they use for their mental health and wellbeing when reading confronting material. This was the first time that the Board had facilitated a session like this. Their thoughtful answers were a valuable learning opportunity for the broader membership.

Victims of crime

Throughout my professional life, I have engaged closely with victims – adult victims of family violence, children subjected to abuse and neglect, and other victims of violence – and I am very conscious of the impact of crime.

Victims of crime can write to the Board through the Victims Register or directly (if they are not registered) to explain the impact of the crime on them and suggest conditions for the Board to consider imposing, on any parole order. A challenging aspect of my role is to strike the balance between meeting victims' expectations and successfully transitioning prisoners into the community on parole.



His Honour David Fanning presenting to County Court judges at the Court of Appeal workshop on 10 March 2023

In light of the media and public's interest this reporting year, I wish to clarify the Board's role in the registered victim notification process. When a prisoner is granted or denied parole, the Board must inform the Department of Justice and Community Safety's Victims Register who notify the registered victims within 14 days of the prisoner's release date or the Board's decision to deny parole. This is expressly stated in s30A of the *Corrections Act 1986*.

Courts sentence the offender and, where applicable, impose the non-parole period. Corrections Victoria staff assist prisoners to apply and prepare for parole, when they become eligible. Community Correctional

Services prepare the Parole Suitability Assessment for the Board to consider. The Board, as the decision-making authority, considers all available information to determine whether to grant or deny parole, with its paramount consideration the safety and protection of the community. The Victims Register assist registered victims to make a written submission to the Board and, when the Board has granted or denied parole, notifies the registered victims of the Board's decision.

To assist readers with visualising the parole application process, including who is involved and their role, we have included an infographic on page 8.

Clarifying the purpose of parole

It is not always well understood that prisoners on parole continue to serve their sentences in the community.

Almost all prisoners who are not on parole are serving sentences that will expire one day. They will eventually return to the community.

The purpose of parole is to provide eligible prisoners with a supervised, structured and supported release from prison. Prisoners who are denied parole or do not apply for parole are released at the end of their sentence and will return to the community without the supervision or structure of parole.

The Board may impose parole conditions such as directing the prisoner to undergo regular testing for illicit drugs or be prohibited from contacting certain people, such as victims of crime or those who are negative influences and may lead them to return to crime. Prisoners on parole are required and supported to spend their time in a meaningful way – for example, paid or voluntary work or study and treatment programs.

Parole may be the best opportunity for prisoners, and particularly prisoners who have served lengthy sentences, to successfully transition into the community, which will in turn benefit the community as they are far less likely to re-offend in the future.

I have interviewed prisoners on parole towards the end of their sentence who view the impending successful completion of their parole as one of their greatest achievements in life, to transform into a functioning member of society – someone who abstains from drug use, engages positively with the community and supports their family.

The Board often imposes electronic monitoring so a prisoner on parole's movements can be tracked via GPS by the Electronic Monitoring Service which operates 24 hours a day, seven days a week. If the prisoner on parole breaches a geographical exclusion zone (in other words, areas such as suburbs or localities that they are prohibited from entering), breaches their curfew or attempts to tamper or remove the electronic monitoring device, then the Electronic Monitoring Service will immediately notify CCS who will notify Victoria Police. Victoria Police has the power to arrest a prisoner on parole who they suspect has breached their parole conditions.

The Board's response to risk is immediate. CCS will advise the Board if there are matters that the Board needs to consider, including any escalations in risk, that may require the prisoner's parole order to be varied or cancelled.

Conclusion

The reduction in persons convicted of committing serious offences on parole juxtaposed with the continued high rate of prisoners who successfully complete their parole is due, in my view, to a combination of the successful implementation of the Callinan Review (2013) parole reforms and dedicated people who work hard and believe in the value and benefits of parole by collaborating and sharing information.

But I am conscious, as are all who are involved in the parole process, that there will always be an inherent risk with releasing a prisoner into the community on parole. Whilst this year's parole data is positive, there is no room for complacency with such an important part of Victoria's justice system.

There are several people I would like to thank for easing my return to the Board including the Executive Committee Board members – Peter Rose KC, Deputy Chairperson, and full-time members Nafsika Sahinidis, Colleen Bell, Michael Hoyle and Raeleene Maxwell – who strive tirelessly every day, from preparing for their hearings to conducting crucial work on their allocated portfolios outside of hearings. I admire their commitment and professionalism.

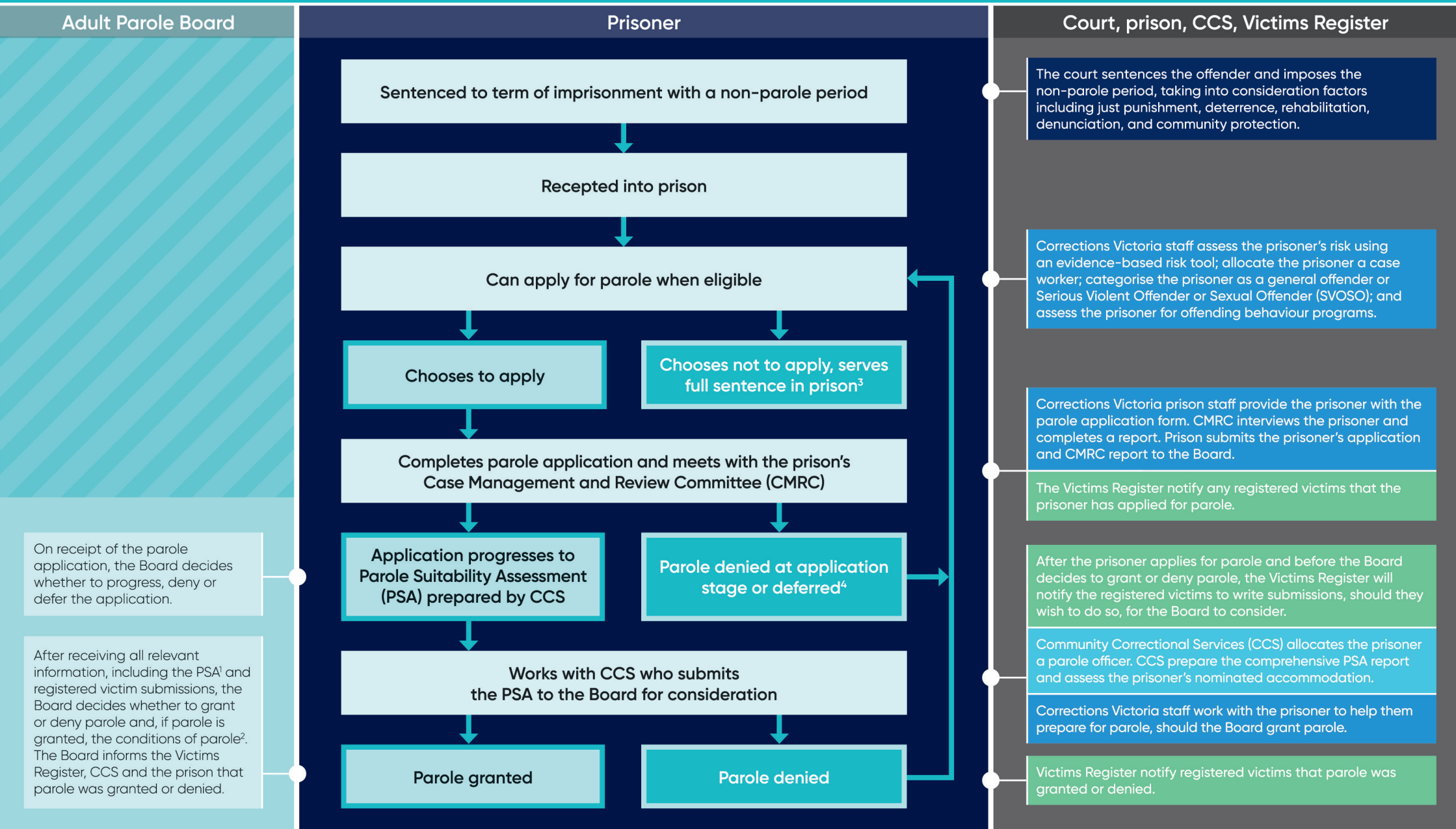
I would also like to thank Fatima Ebrahim, Acting Chief Administrative Officer (CAO), and Rachael Bolton, the former CAO who resigned from the Secretariat in December 2022. It was regrettable that Corrections and Justice Services had not recruited for a substantive CAO by the end of the reporting year which resulted in a flow-on effect with several staff members continuing to act in higher duties beyond 30 June. Despite this, Fatima stepped up from her substantive role as General Manager Operations to perform a commendable job as Acting CAO and become a valued member of the Executive Committee and leader of the Secretariat.

I would like to acknowledge the senior departmental executives who have supported me upon my appointment and continue to support the Board.

Finally, I extend my thanks to the sessional members, management and staff for their ongoing commitment to the Board and support.

His Honour David Fanning
Chairperson

Parole application process and the Adult Parole Board's role (as at 30 June 2023)



1. The Board may seek further information from CCS before making its final decision to grant or deny parole.
 2. For prisoners classified as a SVOSO, a general division of the Board can make a recommendation to the Board's SVOSO Division. The SVOSO Division will then meet to decide whether to grant or deny parole. The Chairperson presides over the SVOSO Division. The two-tier process provides a higher level of scrutiny before parole is granted to serious offenders.
 3. The prisoner can choose to apply for parole at any time before their sentence ends. If the prisoner chooses not to apply, they will be released from prison without the supervision and structure of parole when their sentence ends.
 4. The Board may defer, which means the prisoner's parole application will not progress to the preparation of a PSA by CCS, and the Board will direct that the prisoner is not permitted to re-apply for a period of time.

Foreword from the Acting Chief Administrative Officer

I have acted as the Chief Administrative Officer (CAO) since January 2023. Before I commence my foreword, I would like to acknowledge former CAO Rachael Bolton who resigned from the Secretariat in December 2022 to take up an executive role in the Victorian Ombudsman's office. Rachael's leadership and stakeholder engagement skills are exceptional, and she was greatly valued by members and staff alike. We sorely miss Rachael and I wish her well in her future beyond the Board and Secretariat.

I joined the Secretariat in 2017 and my substantive role is General Manager Operations. It has been a great honour to lead the staff over the past six months, all of whom are committed to their role in supporting the Board to perform its function.

Continuous improvement to preparing for and coordinating hearings

This year, the Board considered 7,161 matters over 269 hearing days. The Board normally operates several hearings per day (at least two and sometimes three or four) to consider different types of matters. For example, the Board may operate a hearing during the day to interview prisoners on parole in person at the Board's office followed by a hearing

that afternoon via Zoom to consider urgent matters such as recommendations by Community Correctional Services (CCS) to vary a prisoner's parole order or cancel parole.

On average, staff supported the Board to consider hundreds of documents for 135 matters across 14 hearings each week in 2022-23. This is an enormous amount of work for the Secretariat's operations team. The Secretariat prepares for each hearing by creating the agenda, listing matters and allocating documents, then coordinating the hearing and recording the Board's decisions, and then disseminating all decision documents such as letters and warrants.

The end-to-end process is layered with extensive quality assurance checks by senior staff to ensure accurate recording and dissemination of the Board's decisions.

We continued this year to investigate ways to optimise our operations. For example, I worked closely with his Honour David Fanning, and in consultation with the other Executive Committee members, to review how and when we list matters to evolve our practices for our changing environment and to optimise hearings. These changes received positive feedback from the Board's members and external stakeholders such as CCS.



Corporate governance, IT and projects

The Board is an independent statutory authority, supported by the Secretariat, and so we initiate and lead work for the Board that specialised business units within the Department of Justice and Community Safety (DJCS) initiate and lead for DJCS.

For example, in addition to preparing for and coordinating hearings, we operate a corporate governance portfolio to manage risk, business continuity, emergency management and business planning. We also manage the Board's media and a significant amount of correspondence, coordinate stakeholder events, work closely with DJCS Technology Solutions to resolve issues and enhance the Board's IT systems and applications, and many other activities.

We reviewed, updated and tested the effectiveness of the Board's business continuity plan this year to capture new information and reflect our current hybrid working model, and the updated plan was endorsed by the Board's Risk and Audit Subcommittee in March 2023.

A key project for us this year, one we worked on in close collaboration with the Parole Central Unit, was preparing for the wording change to a residential parole condition following the approval on 26 April 2023 by Governor in Council of the *Corrections Amendment (Parole) Regulations 2023* which will commence from 1 July 2023. It will require 319 parole orders to be varied from 1 July 2023 and changes to IT systems that need to be thoroughly tested before they

are implemented. More information is on page 28.

The Board's IT landscape is intricate. The Board greatly relies on its IT systems and applications, particularly PRISM, the Board's electronic case workflow system. DJCS Technology Solutions is leading a project to upgrade Kofax, the application that enables the PRISM workflow. The project steering committee, of which I am a member, convened for the first time in April 2023. The project will require our focus and staff resources in 2023-24 to ensure its successful delivery.

Staff professional development

We provided staff with several professional development opportunities this year, including encouraging staff to complete training courses, such as courses to develop their leadership skills, and attend prison visits.

On 23 June 2023, we organised for Keith Morris, CEO of The Torch, and Flick Chafer-Smith, Ngarrindjeri artist and Torch staff member, to present to staff on indigenous culture and artwork. Their presentation received positive feedback from staff.

During October 2022, we ran our annual National Safe Work Month which included a presentation by a senior psychologist on optimising staff wellbeing in a hybrid work environment.

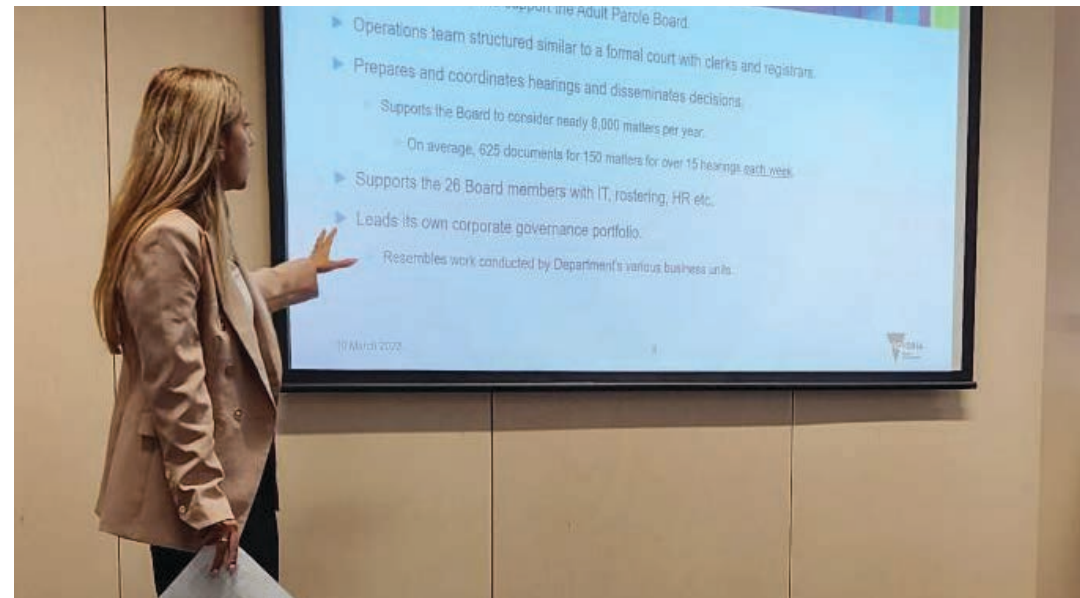
And during September 2022, we ran our annual Risk Awareness Month which included a Secretariat-led workshop to educate staff about risk and how we should always maintain a risk lens in our work.

Further acknowledgements

It has been another busy year for the Secretariat, and I would like to acknowledge and thank the following people.

- ▶ The Chairperson his Honour David Fanning who was appointed last year and has been a great support to me, along with the other Executive Committee members including Deputy Chairperson Peter Rose KC and full-time members Nafsika Sahinidis, Colleen Bell, Michael Hoyle and Raeleene Maxwell.
- ▶ Former Deputy Chairperson her Honour Susan Pullen KC who acted as Chairperson prior to his Honour's appointment. I hold her Honour in the highest esteem and acknowledge everything she did for the Board during her nine years as a member.
- ▶ My management team and staff who are so committed and resilient and work hard to support the Board (even carrying over 20 per cent of vacancies at 30 June 2023) and demonstrating daily the values of the Victorian Public Sector. I am also grateful to my Acting General Managers David Klotz and Tania Tesich for their ongoing support and leadership.
- ▶ Our many stakeholders across DJCS who we collaborate with, including the Parole Central Unit, Victim Services, Support and Reform, Community Correctional Services, and prison staff. I would also like to acknowledge and thank Jenny Roberts PSM, the Executive Director of Community Operations and Parole, for her ongoing support.

Fatima Ebrahim
Acting Chief Administrative Officer



Fatima Ebrahim presenting to delegates from the Philippines' correctional system on 10 March 2023



02

Members

Adult Parole Board member professional development seminar held on 23 June 2023

Members

The Adult Parole Board has members from many different professional backgrounds, each with relevant professional and life experience that they 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, demanding careers in a range of different fields.

At 30 June 2023, of the 26 members, 62 per cent were female (16 members) and 38 per cent were male (10 members).

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

In 2022-23, the divisional chairpersons included reserve or retired judicial officers and senior lawyers. Five of the Board's

10 divisional chairpersons at 30 June 2023 were King's Counsel or Senior Counsel, including Peter Rose KC, Claire Harris SC, Ray Elston KC, Georgina Coghlan KC and Sally Flynn KC. Her Honour Susan Pullen KC, whose nine-year term on the Board ended on 19 December 2022, is also King's Counsel.

In 2022-23, the community members included:

- ▶ a victim of crime and people who have supported victims of crime
- ▶ a former police officer
- ▶ leaders in education
- ▶ a registered Aboriginal health practitioner, nurse and paramedic
- ▶ experienced psychology practitioners

- ▶ a retired senior crime journalist
- ▶ members with extensive experience in mental health service provision, alcohol and drug treatment, public administration and not-for-profits
- ▶ members of other decision-making boards.

In 2022-23, the full-time members included four senior lawyers.

Appointments

Appointment of new Chairperson

His Honour David Fanning was appointed by Governor in Council as Chairperson for two and a half years from 31 October 2022, which will take him through to his nine-year maximum term as he was a sessional member from 2013 to 2020.

Member re-appointed

Full-time member Colleen Bell was re-appointed for four years, which will take her through to her nine-year maximum term.

Members who left the Board in 2022-23

In 2022-23, three members completed their nine-year terms on the Board. Those were:

- ▶ Her Honour Susan Pullen KC, Deputy Chairperson – appointment ended on 19 December 2022
- ▶ His Honour Alan Spillane, divisional chairperson – appointment ended on 25 November 2022
- ▶ Glenda Frost, community member – appointment ended on 17 December 2022.



Adult Parole Board member professional development seminar held on 23 June 2023

Three members resigned after many years of service to the Board. Those were:

- ▶ His Honour John Doherty, divisional chairperson – resigned with his last sitting on 8 December 2022
- ▶ Rosi Lever, community member – resigned with her last sitting on 21 September 2022
- ▶ Dr Chris Trotter, community member – resigned with his last sitting on 11 November 2022.

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

Member education

Professional development seminars

The Board holds regular educational seminars as part of its professional development program to enhance the knowledge of its members.

During the reporting year, the Board held three evening seminars via Zoom and two all-day seminars in person.

In 2022–23, the evening seminars included presentations on:

- ▶ how Corrections Victoria intelligence reports can assist Board decision making, presented by intelligence managers from Corrections Victoria, on 25 August 2022
- ▶ risk assessment tools including Static-99R and STABLE-2007, presented by Alfie Oliva from Forensic Intervention Services (FIS) on 23 February 2023
- ▶ psychological and social influences on ethical decision making in the boardroom, presented by Dr Sarah Ogilvie from Ernst & Young, on 20 April 2023.

The Board held an all-day seminar on 10 November 2022 with presentations on:

- ▶ FIS programs, presented by Alfie Oliva and Charleen Maretti from FIS
- ▶ sentence management, presented by Rosheen Nikakis and Vicki Ryan from Corrections Victoria
- ▶ alcohol and other drug treatment and recovery, presented by Jacinta Pollard from Caraniche
- ▶ the role of Community Correctional Services (CCS) in managing prisoners on parole, presented by Dylan Reynolds and Mary Berberi from CCS
- ▶ electronic monitoring of prisoners on parole, presented by Brett Greene and Alexandra Heath from Electronic Monitoring Services
- ▶ the pathways to intimate partner homicide, presented by Dr Siobhan Lawler from the Violence against Women and Children Research Program at the Australian Institute of Criminology.

The Board also held an all-day seminar on 23 June 2023 with presentations on:

- ▶ accommodation options for offenders, presented by Samantha Ryan and Karlie McDermott from Corrections Victoria's Transition and Reintegration Unit
- ▶ assessing and managing risk for sex offenders, presented by Dr Simone Shaw from FIS
- ▶ outlaw motorcycle gangs, presented by Detective Senior Sergeant Alan Rumble and Detective Senior Constable Gary Measham from the Victoria Police ECHO Taskforce

- ▶ drug testing of offenders, including how offenders attempt to avoid urine testing, presented by Lawrence Vanvitelli from Corrections Victoria and Amir Naimi from Dorevitch Pathology.

At the seminar on 23 June 2023, a panel discussion was held with three community members whose nine-year terms will end later in 2023. Pam White PSM, Nicole Burns and Claude Minisini shared their knowledge and experience gained from their collective 27 years on the Board with the other members.

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 people who come into contact with the criminal justice system.

Professional Practice Seminar Series

The Board operates a Professional Practice Seminar Series as required via Zoom to enhance members' knowledge of practice and promote consistency in decision making.

On 20 April 2023, Colleen Bell presented to the members on the Board's updated and endorsed information sharing protocol with the Victims Register. More information about the protocol is on page 32.

Cultural awareness training in relation to First Nations people

On 14 March 2023, five Adult Parole Board members attended a cultural awareness training session in relation to First Nations people. The training was organised and hosted by the Post Sentence Authority as a professional development opportunity

for its members. The Post Sentence Authority extended an invitation for five Adult Parole Board members to attend its session.

The training was delivered by Josh Wanganeen who founded Dungala Dreaming, a business that informs practical solutions that can impact Aboriginal people in Victoria. The members learnt about the role of Aboriginal Elders, communities where some Aboriginal people may reside and the conditions in those communities, and how to break down barriers for Aboriginal offenders on post sentence orders and parole. The members also learnt about particular strategies that could be used when interviewing Aboriginal offenders.

The session was informative and of great benefit. The Board is planning for Josh Wanganeen to deliver a half-day session to all Board members in October 2023.

Prison visits

The Board organised four prison visits in 2022–23 to enhance members' knowledge about prison operations and how prison staff work to assist prisoners to apply and prepare for parole. The members received a tour of each prison as well as presentations by senior prison staff and prisoners. The prison visits included:

- ▶ Port Phillip Prison on 17 October 2022
- ▶ Dame Phyllis Frost Centre on 25 October 2022
- ▶ Ravenhall Correctional Centre on 25 October 2022
- ▶ Judy Lazarus Transition Centre on 19 May 2023.

Members at 30 June 2023

Chairperson



His Honour David Fanning

His Honour David Fanning is a retired magistrate whose legal career has spanned more than 30 years. Following his appointment to the bench in 2006, he was the founding magistrate of the Neighbourhood Justice Centre from 2007 to 2021, Australia's first multi-jurisdictional court. From 2013 to 2020, he was a judicial member (now called divisional chairperson) of the Board and presided over hearings on a sessional basis. He retired from the bench in 2022, shortly prior to his appointment as Chairperson of the Board. He was Tasmania's Commissioner for Children from 2004 to 2006 and a member of the Victorian Bar for 16 years, having signed the Victorian Bar Roll in 1989. Prior to entering the law, he had an eight-year career as a social worker in family support, mental health and child protection, working directly with children and vulnerable individuals. He also served as a member of the Faculty Board of the Law School, Monash University for almost 10 years.

Appointed from 31 October 2022.

Deputy Chairperson



Peter Rose KC

Peter Rose KC signed the Victorian Bar Roll in 1977 and was appointed Senior Counsel (Queen's Counsel, now King's Counsel) in 2001. As a barrister, Peter has appeared and advised in the areas of criminal, civil, aviation and administrative law. In 2007, he was appointed a Senior Crown Prosecutor and conducted numerous murder trials and other high-profile criminal matters, including major occupational health and safety prosecutions. He was also highly regarded as an expert in detention and supervision order matters. After serving for 10 years as a Senior Crown Prosecutor, Peter was appointed as a sessional member of the Post Sentence Authority upon its establishment in 2018 until his term ended in February 2021, prior to his appointment to the Adult Parole Board.

Appointed as divisional chairperson from 30 March 2021 and then as Deputy Chairperson from 14 December 2021.

Full-time members



Nafsika Sahinidis

Nafsika Sahinidis is a senior lawyer and highly experienced litigator whose legal career has spanned nearly 40 years. During her career, she has held several senior legal roles across government. Prior to her appointment to the Board in 2017, she was the Principal Solicitor at Greyhound Racing for one year and General Counsel of the Victorian Building Authority for nearly three years. She was Manager of Legal Services at Corrections Victoria for 10 years (from 2002 to 2012) where she provided authoritative legal advice to the Minister for Corrections and executive departmental staff, managed litigation and contributed to the development of the corrections legislative program, including managing legal aspects of the implementation of Victoria's post sentence scheme. Prior to Corrections Victoria, she was the Principal Solicitor at the Victorian Government Solicitor's Office for 12 years (from 1990 to 2002). She was admitted to practice in 1984 and commenced her legal career as a solicitor.

Appointed from 31 January 2017.



Colleen Bell

Prior to the Board, Colleen Bell worked as a senior lawyer at the Office of Public Prosecutions (OPP) for 13 years in a variety of roles. For four years at the OPP, she prepared and ran complex criminal proceedings in the General Prosecutions section and Organised Crime Unit. She was a team leader in the OPP's Policy and Specialised Legal Division, managing a team of lawyers specialising in the post-sentence jurisdiction and administrative law. She advised, prepared and instructed in detention order applications and prepared and appeared in breach of supervision order prosecutions. She also represented the Director of Public Prosecutions on the inter-agency Detention and Supervision Order Review Board (DSORB). She commenced her legal career as an associate to two justices of the Supreme Court of Victoria.

Appointed from 19 December 2017.



Michael Hoyle

Michael Hoyle came to the Board with the goal of contributing to community safety, and to the sustainable rehabilitation and reintegration of people returning to the community after time in custody. Prior to his appointment to the Board, Michael served as Deputy Solicitor for Public Prosecutions at the Office of Public Prosecutions, Victoria (OPP). In that role, he had responsibility for a number of the OPP's Trial Divisions and specialist practice groups, including Advocacy and Proceeds of Crime. He was also involved in initiatives to improve support and services for victims of crime. Earlier, Michael had been a Principal Solicitor at the OPP, conducting trial prosecutions and proceeds of crime litigation. Before joining the OPP, Michael was a commercial lawyer and partner of Phillips Fox (now DLA Piper), practising predominantly in the area of corporate dispute resolution and litigation.

Appointed from 24 November 2020.



Raeleene Maxwell

Raeleene Maxwell has over 30 years' legal experience and has practised in family law, child protection, family violence and criminal law. After commencing her career as a solicitor in private practice, she worked as a criminal defence solicitor and duty lawyer at Victoria Legal Aid. Following several more years in private practice, she returned to Victoria Legal Aid to work as a child representative, making submissions to courts as to the best interests of children who were subject to family law disputes. Prior to her appointment as a full-time member in 2022, she worked at the Office of Public Prosecutions (OPP) for 19 years, most recently as Principal Solicitor at the OPP's Geelong office. At the OPP, she engaged significantly with victims of crime. One of her roles was as an early resolution advocate which was introduced because the prosecution, defence and judiciary saw the need to focus on early resolution of criminal charges to reduce court delays and spare victims of crime the need to give evidence.

Appointed from 27 April 2022.

Divisional chairpersons



Her Honour Catherine Lamble

Her Honour Catherine Lamble has over 45 years' experience of working in the law. She was appointed as a Magistrate in 1995 and is currently a Reserve Magistrate. Her extensive judicial experience includes sitting in the Magistrates' Court of Victoria (across metropolitan and regional courts), the Children's Court of Victoria (primarily in the Family Division), and on the Victims of Crime Assistance Tribunal (VOCAT). She held leadership positions in the family violence jurisdiction and VOCAT. Prior to her judicial appointment, she practised as a solicitor for nearly 20 years across private practice, Victoria Legal Aid, and the Victorian Aboriginal Legal Service. She has also been a member of several boards and tribunals including the Crimes Compensation Tribunal and the Mental Health Review Board.

Appointed from 17 April 2018.



Claire Harris SC

Claire Harris SC has practised public and commercial law as a barrister since 2003 and was appointed Queen's Counsel in 2017. Her public law practice has included human rights and discrimination matters, Royal Commissions, inquiries, and inquests, and she has significant experience in advising and appearing in corrections-related matters. Prior to joining the Bar, Claire worked for the United Nations International Criminal Tribunal for the Former Yugoslavia. She has also worked as a lawyer in public international law in London, and as an associate in the Federal Court of Australia.

Appointed from 29 September 2020.



The Honourable Paul Cronin

The Honourable Paul Cronin joined the Board in 2020, after serving as a judge of the Family Court of Australia from 2006 to 2019. Prior to his appointment as a judge, his Honour practised as a barrister, signing the Victorian Bar Roll in 1999 and representing the Victorian Bar on the Family Law section of the Law Council of Australia. Before that, his Honour had practised as a solicitor in Shepparton for 19 years. During that time, he was appointed by the Law Institute of Victoria to be Chair of the Specialisation Committee for family law accreditation, and later examiner of specialisation candidates.

Appointed from 29 September 2020.



His Honour John Lesser

Currently a Reserve Magistrate, His Honour John Lesser sat full-time between December 2009 and December 2019 in all the Magistrates' Court's major jurisdictions (primarily crime, Children's Court, Family Violence). Between 2010 and 2013, he supervised the Melbourne Assessment and Referral Court (ARC) List, a specialist mental health court. Previously, he was the President of the Mental Health Review Board, the predecessor of the current Mental Health Tribunal, from September 2000 to December 2009. He was a Legal Member from 1993 to 2000, and had developed a strong interest in, and knowledge of, the Victorian mental health system. He was awarded a Churchill Fellowship in 2006. He has also taught at a TAFE College, run a part-time general legal practice, and sat on a number of Victorian and Commonwealth tribunals, often chairing multi-disciplinary panels similar to the Board.

Appointed from 10 May 2022.

Divisional chairpersons



Ray Elston KC

Ray Elston KC was admitted to practise in 1973 and signed the Victorian Bar Roll in 1976. He had a diverse practice at the Bar before specialising in criminal law from 1987. Ray was appointed as a Crown Prosecutor in 1995 and Senior Counsel (Queen's Counsel, now King's Counsel) in 2004. He was then, in 2005, appointed a Senior Crown Prosecutor for a term of 10 years. He has conducted more than 500 trials, including numerous murder trials. He has also appeared in appellate matters, in the Victorian Court of Appeal and the High Court of Australia, and as an expert witness overseas, in respect of the extradition of persons charged with murder to Australia.

Appointed from 29 September 2020.



His Honour Gregory McNamara

His Honour Gregory McNamara re-joined the Adult Parole Board in 2022, having been a member from 2013 to 2020. Currently a Reserve Magistrate, His Honour was appointed as a Magistrate in 2003 and retired in October 2021. As a Magistrate, he sat in the Melbourne Magistrates' Court, as well as suburban and regional courts, and is trained and experienced in the Koori Court. He was also seconded to the Coroner's Court of Victoria as Coroner for six months in 2017. Prior to his appointment as a Magistrate, His Honour signed the Victorian Bar Roll in 1980 and practised as a barrister in criminal and civil law until 2003.

Appointed from 10 May 2022.



Georgina Coghlan KC

Georgina Coghlan KC is a barrister who signed the Victorian Bar Roll in May 2006 and was appointed Queen's Counsel (now King's Counsel) in October 2020. With a background in criminal law, as well as running criminal trials, Georgina works in the appellate jurisdiction, inquests, inquiries, tribunals and commissions, and regulatory proceedings. Her work also includes matters in the post sentence regime in both state and federal contexts. Georgina acts on behalf of the State of Victoria in the Yoorook Justice Commission. She was previously counsel assisting in the Royal Commission into Victoria's Mental Health System. She also has extensive trial experience in State and Commonwealth matters, having appeared in cases in the Supreme and County Courts, particularly involving sexual offences, homicide and mental impairment.

Appointed from 10 May 2022.



Sally Flynn KC

Sally Flynn KC is a barrister who signed the Victorian Bar Roll in November 2004 and was appointed Queen's Counsel (now King's Counsel) in November 2017. Sally has extensive experience in all aspects of criminal law. Sally is a highly experienced trial advocate in the County and Supreme Courts, appearing for both the prosecution and defence. She also appears for and provides advice to government departments in relation to criminal and regulatory matters including in investigations by Victoria Police, the Environment Protection Authority, WorkSafe and other regulatory bodies. She is the Vice Chair of the Criminal Bar Association. She has frequently appeared on behalf of the Secretary to the Department of Justice and Community Safety in Supervision Order proceedings in relation to serious violent and sexual offenders.

Appointed from 10 May 2022.

Community members



Pam White PSM

Pam White PSM has had extensive experience in senior management and leadership positions in the Victorian Public Service. Over her 30-year history in the Victorian Public Sector she has managed child protection, disability, housing, youth justice and emergency management. During that time, she has developed a deep understanding of social policy and the administration of legislation and regulations. Pam is a graduate of the Institute of Company Directors and a non-Executive Director of the homelessness agency, Launch Housing, and the Country Fire Authority. She is also the Chair of the Victorian Registration and Qualifications Authority. In 2012 Pam was awarded the Public Service Medal for her work in improving services for vulnerable children and for services to emergency management recovery services.

Appointed from 29 April 2014.



Claude Minisini

Claude Minisini currently serves as the Chief Executive of the FBIS International Group, a consortium of companies specialising in the comprehensive management and investigation of various challenges and incidents faced by businesses. Before that, Claude held the position of Detective Inspector (Brevet) with the Victoria Police, which he joined in 1982. Over his 12 years with Victoria Police, Claude was actively involved in investigations encompassing drug-related offences, fraud, sexual assault, theft, and personal threats. He has provided advice to support major crime cases across Australia, Canada, England, Germany, and the United States, involving crimes such as abductions, murder, and rape. Notably, Claude played a significant role in the Victoria Police Rape Squad and spearheaded initiatives like "Pegasus," aimed at gauging the prevalence of unreported sexual assault within the community. Claude has conducted extensive research interviews with serial offenders, including individuals involved in serial killings, rape, child molestation, and arson.

Appointed from 16 September 2014.



Nicole Burns

Over the past 16 years Nicole Burns has developed extensive experience as a decision maker in diverse statutory contexts. At the national level, she has sat as a Member of the Migration and Refugee Division at the Administrative Appeals Tribunal, reviewing government decisions to refuse and cancel protection and other visas. At the state level she has sat as a community member of the Adult Parole Board since 2014 and is a Deputy Chair of the Patient Review Panel since 2020 (and prior a member, since 2018), determining applications for assisted reproductive treatment in certain circumstances in Victoria. She also sits on the complaints committee for Pathways Victoria, assessing and responding to disclosures of Catholic church abuse in Victoria. Before this, Nicole obtained a master's degree in international law, and worked in international development for the Australian government, the United Nations and non-government organisations including for eight years in Asia (Indonesia and Sri Lanka).

Appointed from 23 September 2014.



Dr Clare Farmer

Dr Clare Farmer is an Associate Professor of Criminology at Deakin University. Her research primarily explores criminal justice policy and processes, with a particular focus on policing, procedural justice, trauma-informed decision making, and individual rights within and across criminal justice practice. Associate Professor Farmer is the Chair of the Faculty Human Research Advisory Group, and Deputy Chair of the Deakin University Appeals Committee. In 2021 she was awarded a Senior Fellowship of the Higher Education Academy. As well as her doctoral degree, Associate Professor Farmer holds a Master of Science degree in Criminological and Legal Psychology, as well as Bachelor (Hons) and Master of Arts degrees in Modern History from the University of Oxford. Prior to emigrating to Australia in 2009, Associate Professor Farmer served as a Magistrate within the Chester Petty Sessional Division in England, sitting in both adult and youth courts.

Appointed from 30 March 2021.

Community members



Amanda Warrick

Prior to joining the Board, Amanda Warrick was the Executive Director of Many Rooms. Through this appointment she was actively involved in working with and advocating on behalf of those experiencing homelessness and the disadvantaged in Melbourne. Over the last 30 years she has been committed to working in the not-for-profit sector in a variety of state-based, national and international organisations. Working predominantly through marketing, education and advocacy, Amanda is passionate about creating campaigns and services that build community understanding, compassion and empathy for those experiencing homelessness and disadvantage in our community.

Appointed from 30 March 2021.



Elisa Buggy

Elisa Buggy is a Social Worker from Tasmania who started her career in the not-for-profit sector at the Link Youth Health Service in Hobart. Elisa then helped develop the State's Drug Court before moving to Victoria to manage the Drug Court and build the Family Drug Treatment Court here. She has also been Research and Policy Officer at the Alcohol Tobacco and Other Drugs Council (Tasmania peak body) and Principal Practitioner at the Australian Community Support Organisation (ACSO) and is presently CEO at the Western Region Centre Against Sexual Assault (WestCASA). Elisa sits on both the Sexual Assault Services Victoria (SASVic) and Victorian Alcohol and Drug Association (VAADA) Boards as well as the Committee of Management of Australians for Native Title and Reconciliation (ANTaR) Victoria. She is also very familiar with best practice in governance having obtained her MBA in 2011 and applied her learnings ever since. Elisa is an alumni of the Williamson Community Leadership Program with Leadership Victoria and the UNSW's Social Impact Leadership Australia Vic-Tas cohort of 2022-23.

Appointed from 30 March 2021.



Skye Staude

Skye Staude is Co-Principal at MacKillop Education in Geelong; a school that caters for young people that are at risk of disengaging or have disengaged from education in the Barwon region. Prior to this appointment, she was the Campus Principal of a re-engagement program in Colac and was responsible for designing and overseeing programs for students at risk in the Corangamite region. Skye became interested in the field of trauma-informed education over a decade ago whilst working at a Berry Street School, in the south-east of Victoria. During this time, she gained a Diploma of Community Services Work to gain more insight into the community services sector and began her career trajectory into school leadership. Skye has completed a Master of Instructional Leadership at University of Melbourne and is an advocate for system thinking for educational equity.

Appointed from 30 March 2021.

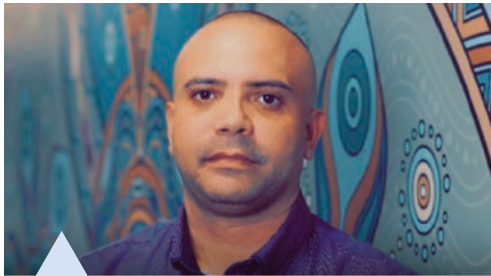


Keith Moor

Keith Moor is an award-winning journalist of 40 years' standing, commencing with the Perth Daily News in 1979 and then joining The Herald in Melbourne in 1983. In 1986, he won Australia's top journalism award, the Walkley Award, for his coverage of the kidnap of two Victorian aid workers in Pakistan. He won the Melbourne Press Club Quill Award for the Best Feature in Print in 2000, was highly commended at the 1997, 1998 and 2001 Quill Awards and in 2007 won the Quill Award for the Best Deadline Report in Any Medium and the News Ltd Specialist Writer of the Year Award. Keith was The Herald's Chief Police Reporter and later covered federal politics for The Herald from its bureau in Canberra's Parliament House. He was The Herald's Chief of Staff when the newspaper merged with The Sun in 1990 and became the newly-formed Herald Sun's first Chief of Staff - and later News Editor and Managing Editor (News) - before heading up the paper's investigative unit. Keith has written six true crime books.

Appointed from 30 March 2021.

Community members



Kenton Winsley

Kenton Winsley is a highly accomplished leader with extensive experience in government departments and health services across Victoria and Northern Territory. He holds key positions as the Regional Director of Public Health and Emergency Management at the Department of Health and works as a paramedic for Ambulance Victoria. Kenton has held senior leadership roles within the Northern Territory Government, including Director of Aboriginal Health and Area Service Manager. He has actively served on ministerial boards such as the Northern Territory Liquor Commission, Royal Darwin Hospital Board, Northern Territory Legal Aid Commission, and Mental Health Tribunal. Kenton's commitment to place-based approaches is evident through his appointment as a Member of the Adult Parole Board. With his expertise in healthcare, emergency management, and public health, Kenton consistently strives to improve health outcomes and contribute to a fair and just society.

Appointed from 10 May 2022.



Dr Alice Parkhill

Dr Alice Parkhill holds a Doctorate of Psychology (Clinical & Forensic). She currently holds a regional executive position with a not-for-profit health care organisation, with over 30 sites across Victoria. She also works as a psychologist with those who have experienced trauma, including sexual abuse. Alice has previously worked with offenders in both assessment and treatment in the children's, youth and adult court systems. Additionally, Alice has experience in acute and community mental health across the lifespan. Her doctoral research focused on the psychological characteristics of those who perpetrate stalking behaviour, including recommendations for management, theory development and future research.

Appointed from 10 May 2022.



Dr Melanie Simmons

Dr Melanie Simmons is a clinical and forensic psychologist who is currently the Chief Psychology Officer at the Department of Justice and Community Safety, overseeing staff wellbeing strategy and initiative implementation. Melanie is also an Adjunct Researcher with the Centre of Forensic Behavioural Science at Swinburne University of Technology and Forensicare where she has contributed to several research projects regarding the assessment, treatment and intervention approaches for serious violent and sexual offenders. She worked at Forensicare in a variety of positions, including as a psychologist at Thomas Embling Hospital, and intake clinician at the Problem Behaviour Program, and a senior psychologist delivering suicide and self-harm preventive training to prison and Community Correctional Services staff across Victoria. Melanie has supported staff from Corrections Victoria, Youth Justice, Victoria Police and other services to develop their understanding of assessing and managing offending behaviour.

Appointed from 10 May 2022.



Danielle Le Brocq

Over the past 18 years, Danielle Le Brocq has gained extensive experience across the government and community sectors including working with people with multiple and complex needs in the mental health, housing and homelessness and criminal justice systems. She also sits as a community member of the Mental Health Tribunal, a role she has held for the past ten years.

Appointed from 10 May 2022.



03

Operations and decision making

Full-time member Colleen Bell, Chairperson his Honour David Fanning and community member Amanda Warrick

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.

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.

The Board's role is to consider the risk of the prisoner's transition back into the community where a non-parole period has been included as part of the 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.

Less than 12 months

A non-parole period cannot be set by the sentencing court, and therefore parole is not possible.

Between 12 and 24 months

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

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.

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 Community Correctional Services (CCS), to make decisions in accordance with its statutory authority.

Board decisions

The main decisions made by the Board are to:

- ▶ at the parole application stage:
 - 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 CCS that provides information upon which it can decide whether to grant or deny parole)
 - deny at the application stage
 - defer (this means that the application will not progress, and the Board will direct that the prisoner is not permitted to re-apply for a period of time).
- ▶ on receipt of all relevant information including the PSA from CCS:
 - grant parole and impose discretionary conditions, as required
 - deny parole
- ▶ if parole is granted:
 - 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)
 - vary parole conditions (either prior to release or during the prisoner's parole)
 - 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 (more information about time to count on page 27).

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 by Community Correctional Services and intelligence held by Corrections Victoria and Victoria Police.

Parole conditions

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

Core conditions

The 10 core conditions are:

1. You must not break any law.
2. You must report to the community corrections centre specified in this Order within two clear working days after this Order comes into force.
3. You must notify a community corrections officer of any change of address at least two clear working days before the change of address.
4. You must notify a community corrections officer of any change of employment within at least two clear working days of the change of employment.
5. You are under the supervision of a community corrections officer.
6. You must report to, and receive visits from, a community corrections officer as and when directed by the community corrections officer.
7. You must be available for an interview by 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:

- ▶ 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 to monitor any alcohol consumption.

Varying and revoking conditions

The Board can vary the conditions of a prisoner's parole prior to their release or 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 data 2022–23

STAGE 1

The prisoner applies for parole

The courts are responsible for sentencing and imposing the non-parole period. The Adult Parole Board is not responsible for sentencing.

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

In 2022–23 there were 1,312 parole applications received by the Board, an increase of eight per cent from the 1,220 received in 2021–22.

Prisoners eligible for parole at 30 June 2023 also increased by two per cent to 3,206 from 3,157 on 30 June 2022.

Seven per cent of prisoners who were eligible for parole advised the Board that they did not wish to apply for parole in 2022–23, the same proportion as in 2021–22.

Of the 1,312 applications received for parole in 2022–23, 88 per cent (or 1,152) proceeded to the preparation of a Parole Suitability Assessment (PSA) by Community Correctional Services (CCS), an increase of seven per cent from 2021–22.

The remaining 160 applications were either deemed as an invalid application (for example, submitted applications that were incorrect or incomplete), deferred, denied at the application stage, or had not been processed as at 30 June 2023.

If the Board denies parole at the application stage, the *Corrections Act*

1986 does not preclude the prisoner from re-applying for parole at any time until their sentence ends.

If a prisoner makes another application for parole, the Board will consider the reasons why their parole application was previously denied in light of any new information that substantially reduces the prisoner's risk to the community.

In some circumstances, such as where there has been no reduction in risk to the community and this is unlikely to change in the foreseeable future, the Board may also direct that the prisoner is not permitted to re-apply for a period (this decision is called defer). In 2022–23, the Board deferred 11 applications, a 54 per cent reduction than the 24 deferred applications in 2021–22.

Parole applications	2022–23	%	2021–22	%	% change between 2021–22 and 2022–23
Total number of parole applications received	1,312	–	1,220	–	8%
Parole applications still in progress	9	1%	6	0%	50%
Eligible prisoners who did not apply for parole	100	7%	93	7%	8%
Outcomes					
Progressed to Parole or Re-parole Suitability Assessment	1,152	88%	1,074	88%	7%
Denied at application	62	5%	57	5%	9%
Deferred	11	1%	24	2%	–54%
Invalid application	78	6%	59	5%	32%

STAGE 2

The Board decides to grant or deny parole

When a prisoner has applied for parole and the Board has determined that the application will proceed, the Board will await to receive a comprehensive PSA prepared by CCS to inform its decisions.

The report contains information about:

- ▶ 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 the prisoner has undertaken in prison
- ▶ the prisoner's 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, and any protective factors (for example, a supportive family) that could mitigate their risk to the community.

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 family violence safety notices or 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 2022–23, the Board made 1,017 decisions to grant or deny parole (excluding the prisoners who withdrew their applications for parole). This is fewer than the previous year where 1,036 decisions were made to grant or deny parole.

Sixty-one per cent (or 619) of those decisions in 2022–23 were to grant parole with 39 per cent (or 398) to deny parole. This is a slight decrease in decisions to grant parole from 2021–22 whereby 65 per cent (or 673) decisions were made to grant parole and 35 per cent (or 363) decisions made to deny parole.

One of the most common reasons for parole to be denied in 2022–23 was insufficient time remaining on the prisoner’s sentence. Insufficient time was at least one of the reasons used in 83 per cent of parole denied decisions and has been used in 83 per cent of parole denied decisions for three consecutive years (2020–21 to 2022–23).

If there is only a short time remaining on the prisoner’s sentence, the Board may determine that there is insufficient time for a meaningful period of parole. There is no set period for what constitutes a meaningful period of parole – each case is considered on its merits. Insufficient time

was the sole reason in 15 per cent (or 60) of all 398 decisions to deny parole (excluding those who withdrew their application). It is normally used in conjunction with other reasons, such as an absence of suitable accommodation, poor prison behaviour or non-completion of treatment programs.

If, for example, a prisoner has demonstrated poor behaviour in prison, the Board may request a report from Community Correctional Services (CCS) in three months with an update on the prisoner’s behaviour. However, if there are only eight weeks remaining on the prisoner’s sentence and they continue to demonstrate poor behaviour, the Board may deny them parole for the reasons of poor behaviour and insufficient time remaining on their sentence to change their behaviour.

Having an appropriate place to live is a major factor in being able to successfully 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 normally request a further report from CCS to allow more time for the prisoner to continue to explore accommodation options with the support of CCS. The Board will ordinarily not deny parole in such cases until there is insufficient time remaining on the sentence.

An absence of suitable accommodation plus insufficient time remaining on the prisoner’s sentence to find suitable accommodation were the two reasons for the Board to deny parole in 27 per cent of cases in 2022–23. This means that for 106 parole denied decisions, an absence of suitable accommodation leading to insufficient time remaining on their sentence to obtain this accommodation were the combined reasons preventing the prisoner from being granted parole. An absence of suitable accommodation was at least one of the reasons in 59 per cent (or 235) of all parole denials in 2022–23, a 20 per cent increase from 196 in 2021–22.

Other reasons for the Board to deny parole were a failure to complete relevant programs in prison (29 per cent of denied decisions) and unacceptable behaviour in prison or prison incidents (13 per cent of denied decisions).

Of the 173 prisoners who withdrew their application in 2022–23, some of the self-reported reasons were an absence of suitable accommodation (27 per cent) or no longer wishing to be subject to parole (27 per cent). All other self-reported reasons were used in less than 15 per cent of withdrawals.

Re-parole

If a prisoner’s parole is cancelled, they may make an application 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 those reasons. For example, if a prisoner’s parole was cancelled because they used illicit drugs, the Re-parole Suitability Assessment report (prepared by CCS) may inform the Board whether the prisoner has since completed a drug and alcohol program in prison or produced any positive tests for drugs.

Of the 1,017 decisions to grant or deny parole in 2022–23, 72 were for re-parole (excluding the three prisoners who withdrew their application for re-parole). Of the 72 decisions, 30 (or 42 per cent) were granted re-parole while 42 (or 58 per cent) were denied re-parole.

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

Parole decisions	2022–23	%	2021–22	%	% change between 2021–22 and 2022–23
Decisions to grant parole	619	61%	673	65%	-8%
Decisions to deny parole (excluding those who withdrew their application)	398	39%	363	35%	10%
Number of prisoners who withdrew their application	173	15%	181	15%	-4%

STAGE 3

Prisoners on parole and outcomes

Prisoners on parole

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

At the end of the reporting year, there were 706 prisoners on parole¹.

Breach of parole (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.

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 2022-23, Victoria Police notified the Board of 66 prisoners who were arrested under suspicion of breaching their parole conditions or alleged further offending, a 27 per cent increase from the previous year.

Prisoners on parole (at 30 June)	2022-23	%	2021-22 ²	%	% change between 2021-22 and 2022-23
Number of prisoners on parole	706	-	694	-	2%
Characteristics					
<i>SVOSO³ prisoners on parole</i>	371	53%	371	53%	0%
<i>Aboriginal prisoners on parole</i>	38	5%	35	5%	9%
<i>Male prisoners on parole</i>	651	92%	637	92%	2%
<i>Female prisoners on parole</i>	55	8%	57	8%	-4%
<i>Prisoners on parole aged 17-24</i>	16	2%	19	3%	-16%
<i>Prisoners on parole aged 25-29</i>	76	11%	76	11%	0%
<i>Prisoners on parole aged 30-34</i>	128	18%	129	19%	-1%
<i>Prisoners on parole aged 35-39</i>	104	15%	117	17%	-11%
<i>Prisoners on parole aged 40-49</i>	161	23%	127	18%	27%
<i>Prisoners on parole aged 50-59</i>	84	12%	100	14%	-16%
<i>Prisoners on parole aged 60 and over</i>	137	19%	126	18%	9%

The Board decided to cease detention for 32 of the 66 prisoners, meaning the Board determined that the prisoner be released from Victoria Police custody. An example of when the Board may decide to cease detention is if the prisoner was arrested but Victoria Police was not intending to charge the prisoner at that time due to further investigations.

Even though the Board decides to cease detention, the Board may request a report from CCS for further information about the incident and an update on the prisoner's parole compliance to consider whether further action is required, such as varying the parole conditions or issuing a verbal warning to the prisoner.

Of the remaining 34 prisoners who were detained pending consideration by the Board, 26 prisoners had their parole order cancelled, whilst seven prisoners did not. There was one prisoner who was detained however, was sentenced to a further term of imprisonment, resulting in an automatic cancellation of their parole under section 77 (7A) of the *Corrections Act 1986*.

Breach of parole (arrest and detention)	2022-23	%	2021-22	%	% change between 2021-22 and 2022-23
Total notifications received	66	-	52	-	27%
Total detained	34	52%	28	54%	21%
<i>Total cancelled</i>	26 ⁴	76%	21	75%	24%
<i>Total not cancelled</i>	7	21%	7	25%	0%
Total ceased to detain	32	48%	24	46%	33%

1 Prisoner on parole data includes prisoners who were on state parole orders, interstate parole orders or state and commonwealth parole orders at 30 June of each reporting year. It does not include prisoners who were solely on commonwealth parole orders.

2 End of reporting year data is reported at 29 June 2022, data is not available for 30 June 2022 due to technical issues impacting on receipt of data into corrections reporting databases.

3 Serious Violent Offenders or Sexual Offenders.

4 There was one notification that was received and the prisoner on parole was detained, however the subsequent parole cancellation occurred under section 77 (7A) of the *Corrections Act 1986*, therefore it has not been counted in the total cancelled figure.

Cancellations

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

If a prisoner’s risk to the community is increasing, their parole officer will notify the Board. The Board will then decide whether to cancel the prisoner’s parole and return them back to custody.

An increase in risk can be apparent from the prisoner on parole breaching their conditions (for example, by testing positive to drugs 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. For example, a prisoner may not have a condition that prohibits them for drinking alcohol, but the prisoner may be consuming excessive amounts of alcohol that could potentially increase their risk of re-offending.

The Board can also consider whether other actions may be appropriate (for example, by varying the prisoner’s conditions or delivering a warning).

However, if the Board determines that the risk to the community posed by the prisoner outweighs the benefits to the community of the prisoner remaining on parole, the Board will cancel their parole.

In 2022–23, the Board cancelled parole for 132 prisoners on parole, a six per cent increase from the previous year (125 cancellations in 2021–22).

Drug use was at least one of the factors in 45 per cent of all cancellations with methylamphetamine or ‘ice’ being at least one of the drugs detected in 98 per cent of those. Being charged with or found guilty of a further offence was at least one of the factors in 22 per cent of all cancellations.

Time to count

When a prisoner’s parole is cancelled, the time that the prisoner spent in the community on parole is not counted towards 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 relapsed into drug use, resulting in cancellation.

The prospect of time to count may motivate the prisoner to comply with parole conditions, knowing that the effort

they have put in and the progress that they have made over an extended period could be recognised and might not be lost even if their parole is 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 does not engage with the support provided while 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 while 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 2022–23, the Board considered 171 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 in 59 matters (or 35 per cent). The Board granted at least some time to count in 76 matters (or 44 per cent). The Board deferred the decision for the remaining 36 matters.

Order completions

In 2022–23, 573 prisoners on parole had their orders discharged by Community Correctional Services (CCS). Of these, 443 orders were successfully discharged, resulting in a successful completion rate of 77 per cent.

This is the seventh consecutive reporting year that the successful completion rate has been above 75 per cent.

Reviews

A prisoner or people providing support to them can request a review of a Board decision at any time by contacting the Board. Each request for review is considered by a panel inclusive of the Board’s Chairperson and a full-time member.

In 2022–23, the Board received 11 requests to review Board decisions, with the Board considering a total of 13 requests for review inclusive of two received in 2021–22.

The Board rejected eight reviews as, after considering the new information provided, the Board was satisfied with its previous decision in each case.

The Board accepted four reviews and, in each case, varied its parole denied decision. Therefore, the prisoner’s parole application could continue to progress.

One review received during the reporting year did not have an outcome at 30 June 2023, with the Board deferring the matter to seek further information from CCS.

Convictions for serious offences committed on parole

No persons were convicted in 2022–23 of committing a serious violent offence or sexual offence while on parole, the seventh consecutive year where five persons or less have been convicted of committing serious offences on parole.

Time to count	2022–23	%	2021–22	%	% change between 2021–22 and 2022–23
Number of time to count cases considered	171	-	163	-	5%
Time to count granted	76	44%	58	36%	31%
Time to count not granted	59	35%	71	44%	-17%
Time to count deferred	36	21%	34	21%	6%

Projects and risk management

IT upgrade project

PRISM is the Board’s electronic case workflow system and the Kofax application enables the workflow by processing electronic documents into and from PRISM.

The Department of Justice and Community Safety’s Technology Solutions is leading a project to upgrade Kofax. The project steering committee convened for the first time on 20 April 2023. The Secretariat’s Chief Administrative Officer and General Manager Practice Development are members of the steering committee. Fuji has been engaged to perform the Kofax upgrade, with work scheduled to commence and be completed in 2023–24.

Wording change for condition 24

On 26 April 2023, Governor in Council approved the *Corrections Amendment (Parole) Regulations 2023*, with the regulations to commence from 1 July 2023.

When the *Corrections Regulations 2019* replaced the *Corrections Regulations 2009*, the words “each night” were omitted from condition 24 to state “You must reside at [SPECIFY PLACE OF REQUIRED RESIDENCE AND TIME OF DAY] unless otherwise approved in writing by the [*REGIONAL MANAGER/ADULT PAROLE BOARD].”

The words “each night” were purposefully omitted for prisoners on parole who worked night shifts. However, the omission created uncertainty – an unintended consequence – about whether prisoners on parole and subject to condition 24 needed to seek permission from the Community Correctional Services (CCS) Regional Manager or the Board to reside at another residence not listed on their parole order.

The *Corrections Amendment (Parole) Regulations 2023* amended the condition 24 wording to state “You must reside at [SPECIFY PLACE OF REQUIRED RESIDENCE], and must not temporarily reside at another address, unless otherwise approved in writing by the [*REGIONAL MANAGER/ADULT PAROLE BOARD].”

The words “...and must not temporarily reside at another address...” were added to clarify the intent of condition 24.

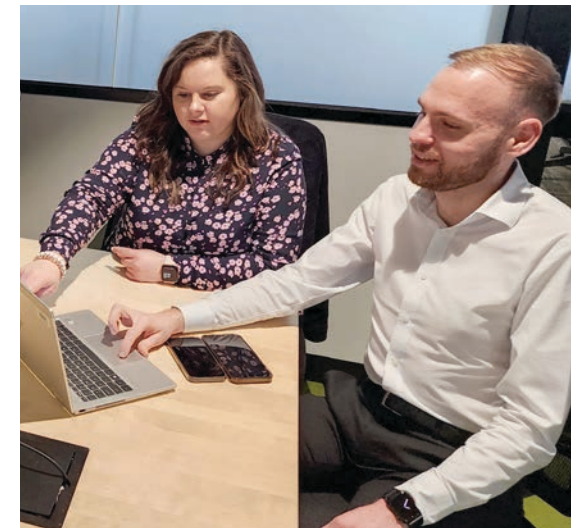
From April to June 2023, the Board’s Secretariat met weekly with the Department of Justice and Community Safety’s Parole Central Unit (PCU) to plan for the Board to vary the 319 parole orders with condition 24 from 1 July 2023 and for PCU to inform CCS staff and prisoners subject to condition 24 of the change.

Risk management

The Secretariat reviews the Board’s risk register regularly to determine whether the Board’s risk profile has changed and ensure the risk mitigation treatments in the register are progressing. In June 2023, the Secretariat’s senior management team reviewed the register and identified nine new risk treatments which will be proposed to the Board’s Risk and Audit Subcommittee for endorsement in 2023–24.

The Secretariat also updated the Board’s business continuity plan through an internal workshop with managers and coordinators. Following this, an exercise was conducted to test the effectiveness of the plan, with a staff member from the Post Sentence Authority as the evaluator. The Secretariat completed and passed the exercise and, on 22 March 2023, the Board’s Risk and Audit Subcommittee endorsed the updated plan as final.

September 2022 was Risk Awareness Month. The Secretariat led an initiative to enhance staff and members’ knowledge about risk and risk mitigation including reporting potential conflicts of interest, handling confidential information, and always maintaining a risk lens. Secretariat staff and members received emails with tips and reminders. The General Manager Practice Development facilitated a staff workshop on the Board’s risk register.



Secretariat staff

Litigation

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

Coroners Court of Victoria

Inquests into the deaths of Kai Hao and Yacqub Khayre who died in the Brighton Siege incident on 5 June 2017

On 15 March 2021, Coroner Audrey Jamieson commenced two inquests into the death of Mr Kai Hao on 5 June 2017 by Mr Yacqub Khayre, who was on parole at the time, as well as the death of Mr Khayre on 5 June 2017. The inquests concluded on 19 March 2021. Coroner Jamieson had not handed down her findings as at 30 June 2023.

Inquest into the death of Heather Calgaret who died at Sunshine Hospital on 27 November 2021

On 19 April 2023, the Board received notice from the Coroner's Court of Victoria requesting material considered by the Board when considering Heather Calgaret's application for parole. The Board is legally represented. It is not known whether the Coroner intends to conduct a formal inquest.

Inquest into the death of Clinton Austin who died at Loddon Prison on 11 September 2022

On 19 May 2023, the Board received notice from the Coroner's Court of Victoria requesting the Board provide material and a statement in relation to

Clinton Austin's parole application. As the Board did not receive a Parole Suitability Assessment, the evidence before the Coroner will be provided by Community Correctional Services which is responsible for preparing and submitting the Parole Suitability Assessment. The Board is legally represented. It is not known whether the Coroner intends to conduct a formal inquest.

Civil proceedings before the Supreme Court

Suleiman v Department of Justice and Community Safety (DJCS) and the Adult Parole Board

The plaintiff sued DJCS and the Board for the Tort of False Imprisonment, following the Supreme Court's decision to quash the Board's order to cancel the plaintiff's parole.

The matter was heard by the Hon Justice John Dixon on 15 May 2023 and concluded on 17 May 2023. The Hon Justice John Dixon had not handed down his decision as at 30 June 2023.

Andre McKechnie v Adult Parole Board

The Board received proceedings issued in the Supreme Court seeking orders of Mandamus and a Declaration in respect to an alleged refusal by the Board in relation to the plaintiff's release on parole. The matter remained pending before the Supreme Court as at 30 June 2023.

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 s.104ZY(1).

Safety and protection of the community

Under s.104ZY(2), 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.



04

Stakeholder collaboration and engagement

Full-time member Colleen Bell presenting at the Assessment and Transition Coordinator Network Meeting on 28 February 2023

Stakeholder collaboration

Victim services and support

Victims of Crime Consultative Committee

The Adult Parole Board has been represented on the Victims of Crime Consultative Committee (VOCCC) since its inception in 2012. The committee provides a forum for victims of crime, justice agencies and victims of crime services to discuss improvements to policies, practices and service delivery in respect of victims of crime issues and victims of crime support services. Full-time member Colleen Bell is the Board's nominated VOCCC representative and attends committee meetings on behalf of the Board.

On 21 October 2022, the Board initiated and hosted a visit by the VOCCC, for the victim representatives to learn more about parole and the Board. Her Honour Susan Pullen KC, who was Acting Chairperson at the time, presented an overview of the Board and the parole process. Colleen Bell presented on parole conditions and how prisoners are managed by Community Correctional Services (CCS) on parole. Community member Amanda Warrick, who is a victim of crime, presented her story, including the crime and what motivated her to join the Board. Following the session, the victim representatives expressed how Amanda's story had resonated with them.



Erika Owens, Director, Victim Support, Victim Services, Support and Reform at the Department of Justice and Community Safety, the Hon. Jennifer Coate AO, Chairperson of the VOCCC, two former VOCCC victim representatives, her Honour Susan Pullen KC, Colleen Bell and a former VOCCC victim representative

Victim Services, Support and Reform

The Board and the Department of Justice and Community Safety's Victim Services, Support and Reform (VSSR) adhere to an information-sharing protocol that outlines agreed processes to receive information from and disseminate parole information to registered victims. The Board's Secretariat and VSSR meet quarterly to review the arrangements and discuss any issues that need to be addressed. The information-sharing protocol is formally reviewed by the Secretariat and VSSR biannually.

In 2022–23, the Board and VSSR worked together to update the information sharing protocol to clearly outline victim-related conditions to be shared with victims via the Victims Register.

Victims Register

The Victims Register is managed by VSSR. 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 notifies the Victims Register when parole is granted (including any victim-related conditions), denied, varied, revoked or cancelled. 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 2022–23, 112 prisoners with one or more registered victims were granted parole. For 127 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.

Registered victim submissions

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

Under section 74B of the *Corrections Act 1986*, the Board must consider any submissions from registered victims. The issues and concerns raised in submissions are carefully considered as part of the Board's decision-making process. Each submission is treated with strict confidence.

In 2022–23, 173 submissions were provided for the Board's consideration.

Corrections and Justice Services

The Board's Secretariat is part of Community Operations and Parole, Justice Services, Corrections and Justice Services within the Department of Justice and Community Safety.

Senior managers from Justice Services are included as members on the Board's key governance committees. The Board's Chief Administrative Officer meets regularly with the Executive Director of Community Operations and Parole.

Prison officers from the Melbourne Assessment Prison (MAP) are present outside the Board's hearing room when the Board interviews prisoners on parole in person. The prison officers provide security for the hearing.

The Board relies on the information it receives from CCS, including Parole Suitability Assessments and other relevant 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.

Victoria Police

The Board and Victoria Police work together as required. The Board has an effective working relationship 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.

Victoria Police officers from Melbourne East Police Station assist the Board during in-person interviews.

Post Sentence Authority

The Board works with the Post Sentence Authority. The Board and the Post Sentence Authority share the ground floor hearing room at 50 Franklin Street.

The Board accepted the Post Sentence Authority's invitation to join its cultural awareness training for members in relation to First Nations people on 14 March 2023. More information on page 13.

On 20 April 2023, the Board and the Post Sentence Authority attended a presentation by Dr Sarah Ogilvie from Ernst & Young on psychological and social influences on ethical decision making in the boardroom. This was for members' professional development.

Presentations to stakeholders

Community Correctional Services

The Board continued in 2022-23 to conduct information sessions via Zoom for Community Correctional Services (CCS) staff to strengthen the relationship between the Board and CCS, demystify the Board's decision-making processes, and provide CCS with the opportunity to ask questions.

The Board held the following information sessions via Zoom:

- ▶ North East region on 4 July 2022, presented by full-time member Michael Hoyle
- ▶ South region on 15 July 2022, presented by full-time member Colleen Bell
- ▶ Bayside and East regions on 18 July 2022, presented by Michael Hoyle
- ▶ new CCS staff across all regions on 12 May 2023, presented by Colleen Bell.

Forensic Intervention Services

On 28 July 2022 and then again on 3 May 2023, Michael Hoyle presented (via Microsoft Teams) an overview of the Board and parole process to staff at Forensic Intervention Services (FIS) as part of the FIS staff induction program.

Victorian Custody Reference Group

The Victorian Custody Reference Group (VCRG) invited the Board to attend its monthly meeting on 9 August 2022 to explain the impact of programs,

accommodation and prison behaviour on a prisoner's parole, how the Board considers Aboriginality when making parole decisions and whether the Board is supportive of prisoners having legal representation during the parole application process. Her Honour Susan Pullen KC, who was Acting Chairperson at the time, attended the virtual meeting to present to the VCRG members and answer their questions.

New Zealand Parole Board

On 22 September 2022, senior Secretariat staff demonstrated PRISM, the Board's electronic case workflow system, via Zoom to the New Zealand Parole Board at New Zealand's request.

Monash University law students

On 18 January 2023, Chairperson his Honour David Fanning presented on parole and the Board to Monash University law students at the university's Clayton campus. His Honour was invited by Arie Freiberg AM, Emeritus Professor at Monash University and former inaugural Chair of the Sentencing Advisory Council.

Assessment and Transition Coordinators

On 28 February 2023, Colleen Bell presented to Assessment and Transition Coordinators (ATC) at the ATC Network Meeting. ATCs play a crucial role in the parole application process by

assisting prisoners to apply and prepare for parole. Colleen presented on the Board's decision-making processes and how ATCs can assist by ensuring CCS has all relevant information about the prisoner. CCS will then provide that information to the Board to inform the Board's decisions.

County Court judges

On 10 March 2023, his Honour David Fanning presented to County Court judges in person at the County Court. His Honour presented on the Board's role in the parole

application process and the factors it considers when determining whether to grant parole.

Supreme Court associates and tipstaves

On 3 May 2023, Colleen Bell, with the support of Acting Chief Administrative Officer Fatima Ebrahim, presented on parole and the Board to Supreme Court associates and tipstaves at the court's annual professional development day. The presentation was held in person at the Supreme Court.



Colleen Bell presenting to Supreme Court associates and tipstaves at the Supreme Court's annual professional development day on 3 May 2023, with the support of Fatima Ebrahim

Delegates from the Philippines

On 10 March 2023, Fatima Ebrahim, Acting Chief Administrative Officer, presented an overview of the Board and its role in the parole process to delegates from the Philippines' correctional system who visited Australia to learn about Victoria's justice system. Their visit was sponsored by the United Nations Office on Drugs and Crime (UNODC). The UNODC has a mandate to assist United Nations member states with combating transnational crime, including terrorism. On 22 June 2023, Fatima delivered the same presentation to delegates from Philippines' courts, including judges and court staff. Fatima presented alongside other Corrections and Justice Services (CJS) staff at both events which

were organised by CJS and held in person at 50 Franklin Street Melbourne.

Charity Crime and Justice Forum

On 21 June 2023, his Honour David Fanning participated in a panel for the Charity Crime and Justice Forum, a Victoria Police Blue Ribbon charity event to raise money for vital equipment for Williamstown Hospital. The event was organised by Charlie Bezzina, retired Victoria Police homicide detective. The panel was moderated by radio host Dee Dee Dunleavy and included his Honour Judge John Smallwood, a sitting County Court judge, Nick Pappas KC, former Chief Magistrate, Philip Dunne KC, senior member of the Victorian Bar, and Charlie Bezzina.



His Honour David Fanning and Dee Dee Dunleavy at the Charity Crime and Justice Forum on 21 June 2023

The Board's website

The Board's website received 54,096 unique page views in 2022-23 which is consistent with the number of unique page views in 2021-22 (53,392). The most popular pages contained information about the purpose and benefits of parole and frequently asked questions.

The Board's website survey received 3,831 responses in 2022-23. Users were asked how they would categorise themselves. Of those users who responded to the survey, more than half categorised themselves as either a family member/friend of the prisoner or a student (31 per cent were family members/friends and 23 per cent were students).

Category of website user	Number	%
Family member or friend of a prisoner	1,201	31%
Student	867	23%
For personal interest	748	20%
Government worker or police officer	377	10%
Victim of crime	289	8%
Other	189	5%
Legal representative of a prisoner	94	3%
Media	66	2%



05

Organisation and governance

Adult Parole Board Risk and Audit Subcommittee

Michael L Hoyle (DJCS)

Tania Tesich (DJCS)

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.

- EXECUTIVE**
- Chairperson
- Deputy Chairperson
- Chief Administrative Officer
- Full-time members



Secretariat

The Adult Parole Board is supported to undertake its function by a Secretariat comprising 22⁵ Justice Services staff from the Department of Justice and Community Safety.

The Secretariat is led by the Chief Administrative Officer with the support of the senior management team including the General Manager Operations, General Manager Practice Development and Communications Manager.

Rachael Bolton resigned as Chief Administrative Officer on 30 December 2022. Fatima Ebrahim, General Manager Operations, acted as Chief Administrative Officer from 31 December 2022 (and was still acting at 30 June 2023).

The Secretariat management team meets fortnightly and comprises the senior management team as well as the Operations Manager, Registry Manager and Corporate Support Specialist.

The Secretariat has operational staff who prepare for hearings, coordinate hearings, and perform post-hearing activities including disseminating all decision-related documents. The Secretariat also has a corporate governance portfolio to manage risk, business continuity, emergency management, information security and business planning, as well as IT.

In 2022-23, the Secretariat continued to progress tasks in its work plan with the four key focus areas of:

- ▶ improving processes and procedures
- ▶ building IT knowledge, providing support and delivering enhancements
- ▶ building and strengthening stakeholder relationships
- ▶ proactively identifying and managing risks.

In April 2023, in light of reduced staff resources, the senior management team revised the Secretariat’s work plan to focus on priority tasks that had either been committed to (for example, presentations to stakeholders – more information on pages 33 and 34) or must be delivered under legislation (for example, the wording change for condition 24 – more information on page 28).

Staff received several professional development opportunities in 2022-23 as part of Risk Awareness Month (more information on page 28) and National Safe Work Month (including a presentation by a senior psychologist on optimising staff wellbeing) as well as presentations by the Victims Register, Community Correctional Services and the Electronic Monitoring Service. Staff also received a presentation from Keith Morris, CEO of The Torch, and Flick Chafer-Smith, Ngarrindjeri artist and Torch staff member, who presented on indigenous culture and artwork.

The Board operates a hybrid working model and staff work from the Board’s premises at 50 Franklin Street Melbourne in line with the Victorian Government’s Flexible Working Policy.

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. These concerns are then escalated through the appropriate channels to be investigated and resolved.

Equal employment opportunity employer

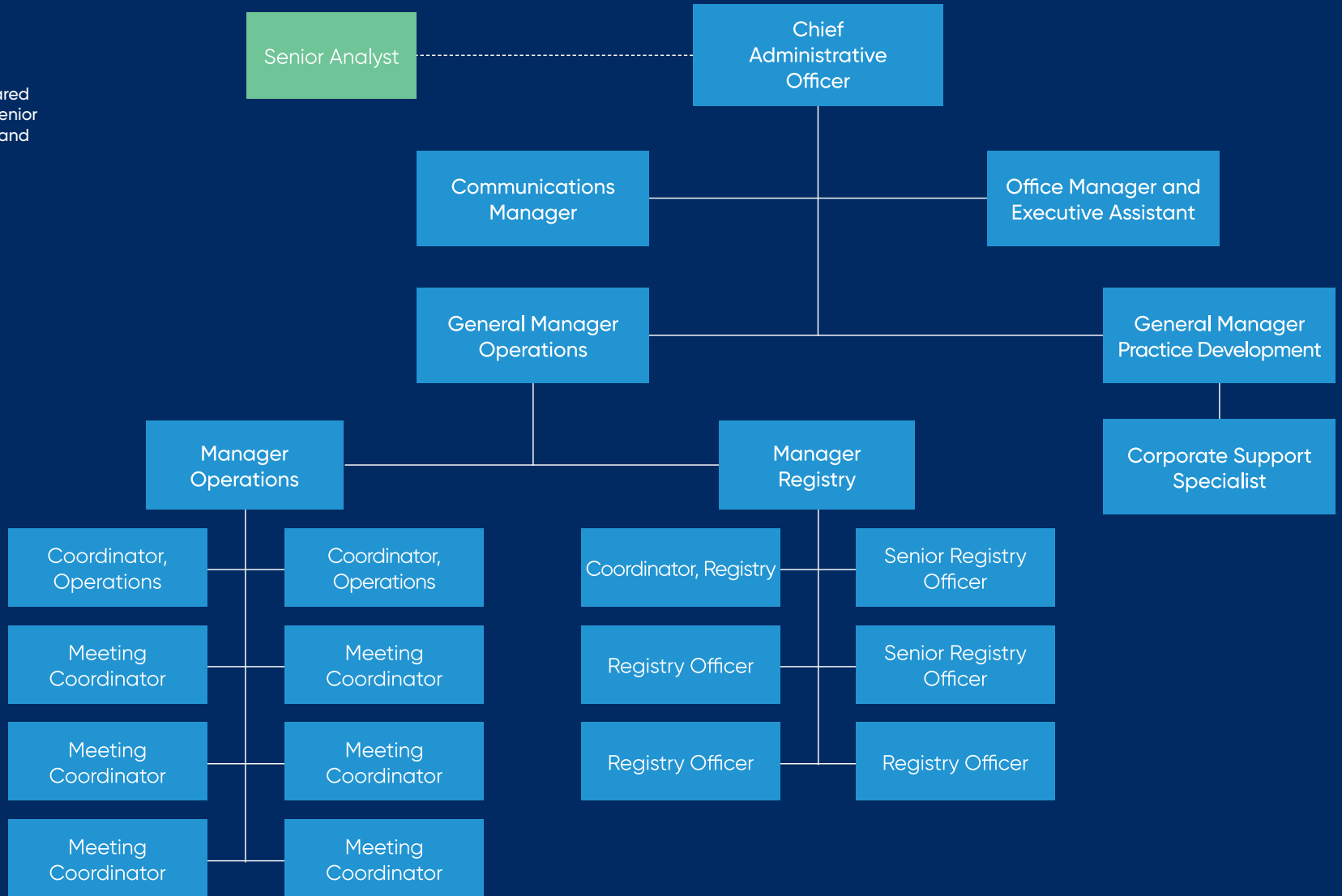
The Board is an equal employment opportunity employer. Appointments and promotions are based on merit, and staff receive training and gain the experience required to enhance their skills and abilities.

⁵ The total of 22 includes five vacancies at 30 June 2023. The Secretariat is comprised of the following position levels: one SES1, two VPS6, three VPS5, five VPS4, eight VPS3 and three VPS2.

Secretariat organisational chart

Legend

■ The Board's data is prepared and reported on by the Senior Analyst from Corrections and Justice Services





06

Year at a glance

50

Financial report

Adult Parole Board expenditure from 2018–19 to 2022–23

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

	2022-23	2022-23 % of total expenditure	2021-22	2020-21	2019-20	2018-19
Expenditure \$						
Salaries to staff	2,921,109	54%	3,038,844	3,032,432	3,084,312	3,050,525
Sessional member fees	444,774	8%	496,623	304,202	264,878	327,355
Salary related on-costs	1,219,618	23%	1,270,153	932,658	946,613	958,815
Operating expenses	785,191	15%	760,493	748,348	593,154	736,927
Total expenditures	5,370,692		5,566,113	5,017,640	4,888,957	5,073,622

Audited accounts

The Board's accounts are included in the accounts of Corrections and Justice Services. The audited accounts are published in the Department of Justice and Community Safety Annual Report 2022–23.

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 and Justice Services. 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 \$687 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 \$586 per sitting day. These rates are set out in the Department of Premier and Cabinet's Appointment and Remuneration Guidelines.

Year at a glance

Statistics

	2022-23	2021-22	2020-21	2019-20	2018-19	% change between 2021-22 and 2022-23
Parole eligibility (at 30 June)						
Prisoners in custody	6,440	6,568	7,249	7,151	8,102	-2%
Prisoners eligible for parole	3,206	3,157	3,415	3,844	4,067	2%
Prisoners on parole ⁶	706	694 ⁷	781	799	748	2%
Parole applications						
Total number received	1,312	1,220	1,349	1,780	1,746	8%
Total progressed to Parole or Re-parole Suitability Assessment	1,152	1,074	1,167	1,527	1,505	7%
Eligible prisoners who advised that they did not wish to apply for parole	100	93	95	152	156	8%
Parole decisions						
Parole orders granted	619	673	835	913	803	-8%
<i>% granted that were re-parole prisoners</i>	5%	6%	6%	5%	6%	-
Parole orders denied (including those that withdrew)	571	544	664	699	707	5%
<i>% denied that were re-parole prisoners</i>	8%	8%	8%	10%	11%	-
Number of prisoners who withdrew their application	173	181	182	212	205	-4%
<i>% that withdrew their application</i>	30%	33%	27%	30%	29%	-
Parole orders revoked	20	30	36	50	55	-33%
<i>% revoked that were re-parole prisoners</i>	5%	3%	8%	6%	9%	-
Time to count						
Time to count granted	76	58	62	75	57	31%
Time to count not granted	59	71	95	117	83	-17%
Time to count deferred	36	34	28	23	22	6%

⁶ Prisoner on parole data includes prisoners who were on state parole orders, interstate parole orders or state and commonwealth parole orders at 30 June of each reporting year. It does not include prisoners who were solely on commonwealth parole orders.

⁷ End of reporting year data is reported at 29 June 2022, data is not available for 30 June 2022 due to technical issues impacting on receipt of data into corrections reporting databases.

Statistics continued

	2022-23	2021-22	2020-21	2019-20	2018-19	% change between 2021-22 and 2022-23
Parole outcomes						
Breach of parole (arrest and detention)						
Total notifications received	66	52	66	49	52	27%
Total detained	34	28	40	37	30	21%
<i>Total cancelled</i>	26	21	27	24	24	24%
<i>Total not cancelled</i>	7	7	13	13	6	0%
Total ceased to detain	32	24	26	12	22	33%
Cancellation of orders						
Parole orders cancelled	132	125	170	171	153	6%
<i>% cancelled that were re-parole prisoners</i>	9%	13%	9%	7%	12%	-
Serious violent offence or sexual offence (SVOSO) convictions						
Total persons convicted	0	5	0	4	3	-100%
<i>% convicted that were re-parole persons</i>	N/A	0%	N/A	0%	0%	-
Total number of SVOSO offences	0	5	0	8	5	-100%
Completions⁸						
Successful parole order completions	443	549	647	681	624	-19%
Successful completion rate	77%	81%	79%	78%	80%	-

⁸ Completions data includes prisoners who were discharged from state parole orders or interstate parole orders.

Activities

	2022-23	2021-22	2020-21	2019-20	2018-19	% change between 2021-22 and 2022-23
Board activities						
Number of Board meeting days	269	270	272	269	269	0%
Number of matters before the Board	7,161	7,531	8,119	8,735	7,927	-5%
Average number of matters considered per meeting day	27	28	30	32	29	-4%
Prisoners interviewed at prison	53	33	69	71	46	61%
Serious Violent Offender or Sexual Offender (SVOSO) Division activities						
Number of meeting days	109	109	119	108	105	0%
Number of matters considered	487	513	601	609	467	-5%
<i>Total matters granted by the SVOSO Division</i>	281	320	364	365	277	-12%
<i>Total matters denied by the SVOSO Division</i>	15 ⁹	34	30	45	36	-56%
<i>Total matters revoked by the SVOSO Division</i>	9 ¹⁰	20	19	23	17	-55%
<i>Other outcomes made by the SVOSO Division</i>	191	156	206	199	152	22%
Victim submissions						
Submissions from registered victims	173	105	146	126	138	65%
Youth transfers						
Transfers from prison to a youth justice centre	0	4	1	0	2	-100%
Transfers from a youth justice centre to prison	14	14	17	19	16	0%

⁹ For nine matters it considered, the SVOSO Division made two decisions - an order to revoke parole and an order to deny parole.

¹⁰ For nine matters it considered, the SVOSO Division made two decisions - an order to revoke parole and an order to deny parole.

Activities continued

	2022-23	2021-22	2020-21	2019-20	2018-19	% change between 2021-22 and 2022-23
Interstate transfers						
Parole orders transferred from Victoria	16	21	28	26	26	-24%
Parole orders transferred to Victoria	21	12	29	34	24	75%
Members of the Board (at 30 June)						
Divisional chairpersons ¹¹	10	12	9	11	13	-17%
Full-time members	4	4	3	3	4	0%
Community members	12	15	13	11	15	-20%
Total members¹²	26	31	25	25	33	-16%
Staff of the Board (at 30 June)						
Total employees	22 ¹³	25	28	28	30	-12%
Financial management						
Expenditure	5,370,692	5,566,113	5,017,640	4,888,957	5,073,622	-4%

¹¹ Includes the Chairperson, the sessional Deputy Chairperson and eight sessional divisional chairpersons.

¹² 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.

¹³ The total includes five vacancies at 30 June 2023.



Published by the Adult Parole Board of Victoria

September 2023

This work, Adult Parole Board Annual Report 2022-23, is licensed under a Creative Commons Attribution 4.0 licence. You are free to re-use the work under that licence, on the condition that you credit the State of Victoria (Adult Parole Board) as author, indicate if changes were made and comply with the other licence terms. The licence does not apply to any branding, including the Victorian Government logo.

ISSN 2205-4863 (Print)

ISSN 2205-4871 (Online)

This document is available in multiple formats at www.adultparoleboard.vic.gov.au

For further information, contact:

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

Telephone: 1300 766 946

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

Email: apb.enquiries@justice.vic.gov.au

Internet: www.adultparoleboard.vic.gov.au

The information contained in this report was accurate as of September 2023.