



# PAROLE BOARD

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## OF THE NORTHERN TERRITORY



# ANNUAL REPORT

## 2011



The Hon John Elferink MLA  
Minister for Correctional Services

I am pleased to provide this report on the activities of the Parole Board of the Northern Territory during the year ending 31 December 2011, in compliance with Section 3H of the *Parole of Prisoners Act*.

A handwritten signature in black ink that reads 'S Southwood'.

The Hon Justice Stephen Southwood  
Chairperson

## **Purpose of the Annual Report**

The purpose of this report is twofold, firstly to meet the statutory reporting requirements of the *Parole of Prisoners Act* as outlined in Section 3H. Further to this however, the Annual Report provides an opportunity to increase public awareness of the role of the Parole Board within the criminal justice system.

The Parole Board of the Northern Territory makes important decisions that affect the freedom of individuals and impact upon victims, their families and the communities into which offenders are released.

Members of the Parole Board take their responsibilities seriously and are committed to affording the public every opportunity to understand the process by which the Board arrives at its decisions.

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## Year in Review

### Chairperson's Message

I would like to thank all of the members of the Board and the secretariat for their good work during 2011. In particular I would like to thank Mr John Daulby for the years of excellent service that he provided to the Board while he was the Secretary.

The Parole Board of the Northern Territory plays a vital role in the criminal justice system in the Northern Territory by determining which prisoners are suitable to be released into the community on parole. The purpose of parole is to release prisoners into the community under supervision and on very strict conditions in a manner that provides support and increases their chances of becoming law abiding members of the community. The rate of recidivism for prisoners who are granted parole is significantly less than prisoners who are not granted parole.

During 2011 a number of important initiatives were undertaken and commenced by the Board.

First, arrangements with the North Australian Aboriginal Justice Agency (NAAJA) were consolidated. NAAJA provides considerable assistance to prisoners who are seeking parole. NAAJA has employees who educate Aboriginal prisoners about parole, assist them to prepare their post release plans and assist them with their applications for parole. In addition, employees of NAAJA make detailed written submissions in support of Aboriginal prisoners who are seeking parole and provide through care for prisoners once they are released on parole including assisting them in finding accommodation, employment and rehabilitation counselling and treatment programs. The work done by NAAJA has been of great assistance to the Board. Negotiations were also entered into with the Central Australian Aboriginal Legal Aid Service about establishing similar arrangements with that organisation.

Secondly, discussions were entered into between the Board and Aboriginal Elders about best practice for reintegrating Aboriginal prisoners who are on parole in remote communities in the Northern Territory. The concerns of the Elders are that the relevant members of the community be advised and consulted about the return of prisoners who have committed serious crimes into their communities. This has been the consistent practice of Community Corrections. In addition, the Elders have asked that arrangements be made so Elders may address the Board if they have any concerns about any parole matters. Arrangements have now been put in place with the Elders on the Tiwi Islands and the Chairperson of the Board is open to meeting with Elders of other communities and making similar arrangements with them. Elders have also raised the possibility of staged reintroductions of parolees into the community where consideration would be given to making it a condition of parole that prisoners who are to be released into remote communities first spend time at an appropriate outstation on parole before being brought back into the community. This would enable members of the community to conduct mediations with the prisoners and for both the members of the community and the prisoners to fully understand the prisoners' conditions of parole and the expectations that the community has of the prisoners.



If prisoners are to be successfully reintegrated into remote communities, it is most important that members of those communities understand parole and the requirement that parolees strictly comply with the conditions of parole and that they support them in doing so. I would like to thank Barry Puruntatameri and Marius Puruntatameri for meeting with the Board in this regard. The Board acknowledges the assistance that they have provided in this important area of its work.

Thirdly, during 2011 the Board established its own website which contains important information about parole and useful links to assist victims of crime, legal organisations and members of the community in relation to parole matters. It is hoped that in the near future the Board will become paperless with members receiving the files on each prisoner for each meeting via the internet. This will produce considerable efficiencies and time saving for the secretariat of the Board and will enable members of the Board to more easily manage the information that they receive before each meeting. Fourthly, the Board held a weekend workshop for members of the Board which covered matters such as:

- induction of new members;
- psychological approaches to assessing the risk of recidivism;
- methods of assessing prisoners' suitability to be released on parole and the key factors to be taken into account when doing so;
- rehabilitation and educational courses available to prisoners;
- layout and operation of the proposed new Darwin prison;
- management of prisoners; and
- work undertaken by Probation and Parole Officers and the layout and structure of their reports.

In order for prisoners to be successfully reintegrated into the community on parole it is important that they receive the maximum assistance that the community is able to provide so that they can successfully manage the triggers that increase the risk of further offending. This includes a good management plan while they are in prison that addresses:

- access to appropriate rehabilitation courses and educational courses while in prison;
- assistance in developing realistic post release plans prior to being released on parole;
- assistance with post release accommodation;
- assistance with obtaining post release employment;
- access to rehabilitation programmes post release; and
- sufficient supervision from well trained and appropriately remunerated Probation and Parole Officers.

It is also important that the community understands the nature of parole and the need for prisoners to strictly comply with their conditions of parole. The construction of the new Darwin Prison will go a long way to providing many of these services. Nonetheless, it is important that all of these services are available to prisoners. The cost of these services is a significant cost to government. However, if prisoners can be successfully reintegrated into the community free of further offending the future cost savings to the community will be enormous.



## STATISTICS AT A GLANCE

Number of matters before the Parole Board	612
Number of parole applications considered	344
Number of prisoners granted parole	102
Number of prisoners refused parole	111
Number of revocations before the Parole Board	72



## PROFILE

The Parole Board of the Northern Territory (the Board) is an independent statutory body established under Section 3A of the *Parole of Prisoners Act*. The Board consists of ten members who act free of political and bureaucratic influence to make decisions about the parole of prisoners.

Parole is an important element of the criminal justice system as it allows prisoners to serve the balance of their sentence of imprisonment in the community, under supervision and on very strict conditions. The purpose of parole is to release prisoners into the community in a manner that provides support and increases their chances of becoming members of the community who are free of a criminal lifestyle.

The Board may:

- I. Grant a prisoner release on parole;
- II. Deny a prisoner release on parole;
- III. Defer consideration of a prisoner's application for parole until a later date;
- IV. Revoke a parole order.

The Board makes decisions in relation to both adult and juvenile offenders and their jurisdiction extends to prisoners serving a sentence of imprisonment for life for the crime of murder.

The Board has the power to impose additional conditions which it believes are necessary to support the offender and prevent reoffending; and may give directions to the Chairperson for guidance about revocation of parole for either:

- a breach of a condition of parole; or
- offending committed by the parolee while on parole.

Parole provides a framework that enables prisoners to be reintegrated into the community before the termination of their sentence. The parolee is supervised and expected to comply with strict conditions relating to their behaviour.

## Understanding the Non Parole Period

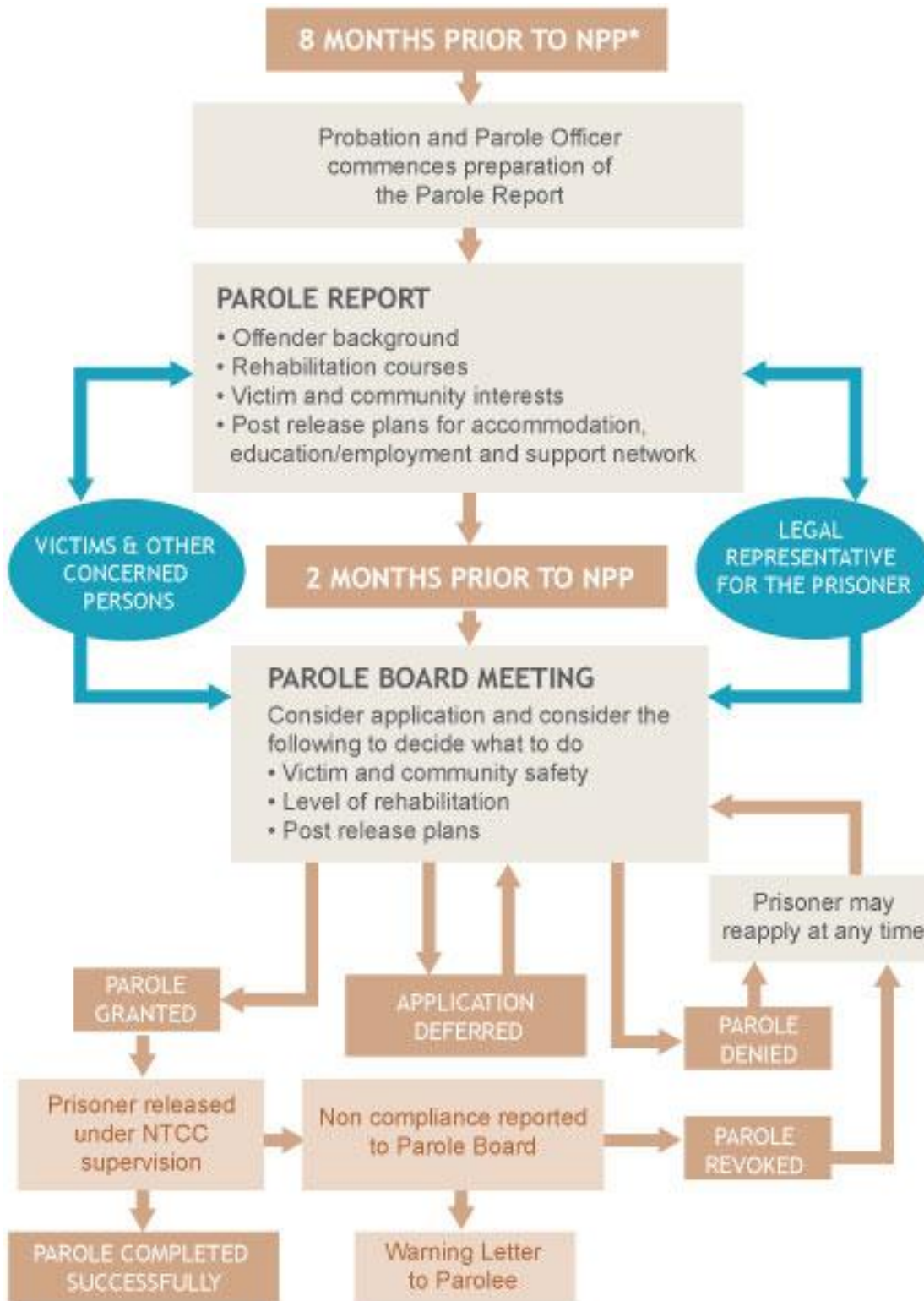
The *Sentencing Act* provides that a sentencing court may fix a non-parole period for a prisoner who is sentenced to a term of imprisonment.

The non-parole period set by the sentencing court stipulates the minimum time a prisoner must serve in custody before being considered for release on parole. Contrary to other jurisdictions the non-parole period fixed by the sentencing court does not stipulate the time when a prisoner is to be released on parole. The Board has full authority over the decision of if and when a prisoner should be released on parole.

Prisoners serving a sentence of imprisonment do not have a right to be released on parole. The Board may decide that a prisoner is not to be granted parole and should serve the whole of their sentence in prison.



### Parole Process



\*non-parole period (NPP)



## Arrangements for Board Meetings

There are several provisions in the *Parole of Prisoners Act* that the Board are required to follow when reviewing the non-parole period for prisoners serving a term of life imprisonment for the crime of murder, including:

- Meetings considering prisoners serving life sentences for murder are only held quarterly as opposed to regular Board meetings held once every month for all other terms of imprisonment;
- The standard for a quorum is increased to the Chairperson and seven other members as opposed to the Chairperson and three other members for all other terms of imprisonment; and
- A valid decision of the Board requires a unanimous vote as opposed to a majority vote for all other terms of imprisonment.

## Matters considered at Board meetings

Parole is a complex legal process; as such the Board may hear a number of different types of matters at each meeting. Some of the matter types considered by the Board are:

- Applications for parole;
- Reports about breaches of parole (revocation reports or advice);
- Notifications that a parolee has completed their parole order;
- Reports providing updates on current parolees and their progress;
- Matters about prisoners declining parole;
- Applications for variations of parole conditions;
- Applications by parolees to travel interstate; and
- Applications by parolees to transfer interstate.

## Attendance of prisoners at Board hearings

It is the practice of the Board to decide parole matters on the papers without the prisoner being present. The Board is of the view that the materials received or obtained by the Board provide a fair and comprehensive basis to decide whether a prisoner should or should not be granted parole.

The Chairperson may require the prisoner to be brought before the Board pursuant to Section 3G of the *Parole of Prisoners Act*. In 2011 only one prisoner was required to be brought before the Board, this was facilitated via videoconference.

Either the prisoner or their legal representative may write to the Secretary of the Board requesting that the prisoner attend their parole hearing. Applications are determined by the Chairperson after consultation with members of the Board.



## Supporting Indigenous Offenders

Northern Territory Correctional Services has entered into formal arrangements with NAAJA to operate two programs; firstly a Prison Support Officer Project, secondly an Indigenous Throughcare Project.

Under these arrangements the following occurs:

- The Secretary of the Board sends the NAAJA Prison Support Officer a copy of the letter they send to a prisoner, who is a client of NAAJA, informing the prisoner of the decision of the Board. This means that the Prison Support Officer can go through the letter with the prisoner and also obtain further information from the Secretary if necessary.
- Where the Board makes a decision about the parole of a prisoner which is contrary to the recommendation contained in the report of the Probation and Parole Officer a meeting may be held with the Probation and Parole Officer, the NAAJA Prison Support Officer and the prisoner to discuss the Board's reasons for decision.

The Chief Executive Officer of NAAJA has been advised that if the prisoner wishes to make an application to be present at the meeting of the Board which considers his or her application for parole then this can be done by the NAAJA Prisoner Advocate or Prison Support Officer and any such application will be considered on its merits. Further, NAAJA has been advised that the Board will consider any written submissions that are made on behalf of a prisoner about parole.

## Variation of Parole Conditions

The *Parole of Prisoners Act* Section 5 (6) and (6AA) provide the Chairperson with the authority to amend a parole order by varying or revoking a condition at any time before the expiration of the order. Under Section 5 (7) the variation does not take effect until the notice of the variation is given to the parolee.

Parole conditions may be varied or revoked because of the extent to which the parolee has succeeded in rehabilitating themselves in the community.

## Revocation of Parole Orders

Where a parolee has failed to comply with the conditions of their parole order the Probation and Parole Officer must prepare a report for the Board's consideration setting out the circumstances of the breach of parole.

A breach of parole may fall into one of two categories:

- Reoffending – this means that the parolee has committed a fresh offence whilst released on parole.
- Conditional – this means that the parolee has breached one of the conditions of their parole order.

The Chairperson has the authority to make a decision about the revocation of a parolee's parole order and issue an instrument of revocation under Sections 5 (6) and 5 (6AA). However, it is the practice that where possible the Board consider recommendations about revocation at Board meetings. If a parole order is revoked the parolee is returned to prison.

Alternatively, the Board may request the Commissioner of Police to have a parolee who fails to comply with their parole conditions arrested and brought before the Court for cancellation of the parole order. The parolee may then provide any reasons for non-compliance to the Court.

## **Transfer of Parole Orders**

The *Parole Orders (Transfer) Act* commenced in 1984 as part of a national scheme under which a parolee can transfer to another jurisdiction and have their parole order registered under the corresponding Act in that jurisdiction.

Upon registration of the parole order with the receiving jurisdiction the parolee ceases to have any connection with the originating jurisdiction. The parole order and original sentence are treated as though they were imposed in the receiving jurisdiction.

National guidelines have been introduced to streamline the process of transferring offenders on community based supervision orders between Australian jurisdictions.

## **Extradition**

Extradition involves the return of an offender from another jurisdiction, this may happen in a number of instances, including:

- When a parolee has left the Northern Territory without permission;
- When a parolee on authorised travel has;
- failed to comply with parole conditions whilst interstate, or
- committed further offences.

The Board may consider extradition of the parolee to the Northern Territory so the outstanding balance of their sentence of imprisonment can be served. Each case is considered on its merits.

## **Victims of Crime**

The Board is very cognisant of the rights of victims of crime as contained within the Northern Territory Charter for Victims of Crime and ensures the guiding principles are incorporated into practice and procedure.

Under the Charter the victim may apply in writing to the Secretary of the Board requesting:

- a direction be given to a prisoner not to approach them whilst on parole, and
- for advice about the outcome of any parole proceedings concerning the prisoner.

Probation and Parole Officers liaise with the Victims of Crime Unit and Witness Assistance Service to ensure victim's concerns are taken into consideration throughout the parole process and that the victim is kept informed of any developments. Victim issues and concerns are frequently identified in reports prepared for the Board's consideration and may result in special conditions being added to a parole order to ensure the safety of the victim.



## PEOPLE

As an independent statutory body the Board makes decisions free of influence and bias, in the best interests of the community as a whole, including the offender and the victim.

Decisions of the Board by their very nature have the capacity to impact not only on individuals but on the broader community, particularly with the release of controversial offenders. Members of the Board are aware of the trust that is placed in them and take the responsibility seriously.

Board members are supported to fulfil their responsibilities by operational and administrative staff within the NT Community Corrections branch of the Department of Justice.

### Parole Board Members

Section 3B of the *Parole of Prisoners Act* stipulates that the Board must have 10 members who are to be:

- a) the Chief Justice or another nominated Judge;
- b) the Executive Director of Correctional Services;
- c) a member of the Police Force nominated by the Commissioner of Police;
- d) a person who is –
  - (i) a registered medical practitioner; or
  - (ii) a registered psychologist;
- e) a person who represents the interests of victims of crime; and
- f) 5 persons who reflect, as closely as possible, the composition of the community at large and include women and Aboriginals and Torres Strait Islanders.

Members described in subparagraphs (d), (e) or (f) above are appointed by the Administrator for three (3) year terms, are eligible for reappointment, and may resign their membership in writing to the Minister for Correctional Services.

The Chairperson of the Board is the Chief Justice or another nominated Judge.

The Chairperson:

- has responsibility for resolving questions of law; and
- a casting vote where votes are equal on questions to be determined by a majority of votes.

In 2011 the Board was chaired by Justice Stephen Southwood. Chief Justice Riley acted for Justice Southwood whilst he was on leave.

In the absence of a member appointed under sub-sections (d), (e) or (f) the Minister may appoint a person to act as a member of the Board. In 2011 no members were appointed to act in positions on the Board.

In 2011 the Board was fortunate to retain current community members but did see a change in the police representative with Superintendent Lorraine Carlton being replaced by Superintendent Helen Braam. Acting Superintendent Col Goodsell acted in the place of the Police representative on two occasions. Acting Superintendent John Ginnane and Superintendent Sean Parnell each acted in the place of the Police representative on one occasion.





During 2011 membership of the Board comprised:

Justice Stephen Southwood

Chairperson Mr Ken Middlebrook

Executive Director of Correctional Services

Superintendent Helen Braam

NT Police representative

Ms Susan Lowry

Victims of Crime representative

Mr Paul Rysavy

Psychologist

Mr John Flynn

Darwin

Ms Jill Huck

Darwin

Ms Selina Holtze

Alice Springs

Mr Craig Lambert

Katherine

Mr Harold Howard

Alice Springs

## **Northern Territory Community Corrections**

### **Secretary**

The Secretary of the Board is a statutory role that is held by the Deputy Director of NT Community Corrections. The Secretary provides administrative support and strategic advice to the Board.

On 8 July 2011 the Board farewelled Mr John Daulby who had held the position of Secretary since September 2008. The Board would like to thank Mr Daulby for his hard work and dedication during his time as Secretary to the Board and wish him well in his new ventures.

Ms Tracy Luke was appointed as the Deputy Director and filled the role of Secretary for the remainder of the year. Ms Luke commenced working as a Probation and Parole Officer in 1998, she holds a Bachelor of Social Work and relocated to the Northern Territory in 2008 to take up a management position with NT Community Corrections. The Board welcomes Ms Luke and has enjoyed the benefit of her considerable experience.



## Parole Board Administrator

The Parole Board Administrator is responsible for co-ordinating and providing all administrative support for the monthly meetings of the Board.

Administration of the activities of the Board continues to increase as a result of:

- new practices designed to increase the application of procedural fairness; and
- an increasing number of matters being heard every month.

In 2011 NT Community Corrections provided additional administrative support to ensure that the Board was able to continue to fulfil their responsibilities in a timely and efficient manner.

## Probation and Parole Officers

The function of Probation and Parole Officers under Section 3R of the *Parole of Prisoners Act* is to:

- supervise persons released on parole as assigned by the Parole Board;
- supervise persons who are mentally impaired and unfit for trial and are therefore made subject to a non-custodial supervision order within the meaning of Part IIA of the *Criminal Code*;
- prepare reports as required by the Parole Board;
- maintain case records and statistics as required by the Parole Board;
- carry out the directions of the Parole Board in relation to a parole order;
- investigate and make reports to the Parole Board on the employment and place of living available to each person applying for release on parole; and
- perform such other duties as directed by the Parole Board or the Chairperson.

A Probation and Parole Officer commences working with an offender eight months before the prisoner becomes eligible for parole. During this time the Probation and Parole Officer works closely with offenders, their families, communities and victims to ensure that Board members are provided with comprehensive, timely and reliable information.



## PERFORMANCE

### PAROLE APPLICATIONS

Number of parole applications heard

#### Outcome

- Parole applications granted	102 (30%)
- Parole applications undetermined	75 (22%)
- Parole applications refused	111 (32%)
- Prisoner declined parole	56 (16%)
<b>Total</b>	<b>344 (100%)</b>

### PAROLE APPLICATIONS FROM LIFERS

Number of parole applications heard

#### Outcome

- Parole applications granted	5 (63%)
- Parole applications undetermined	3 (37%)
- Parole applications refused	0 (0%)
- Prisoner declined parole	0 (0%)
<b>Total</b>	<b>8 (100%)</b>



**PAROLE CONDITIONS VARIED**

3

**REVOCAION REPORTS**

Number of revocation reports received

**Outcomes**

- Parole revoked by the Board	44 (61%)
- Parole revoked out of session (Chairperson)	4 (6%)
- Referred to the Court (including extradition)	1 (1%)
- Warning letter sent	18 (25%)
- No Action	2 (3%)
- Request further information / deferred	3 (4%)

**Total** **72 (100%)**

**PAROLEES EXTRADITED** 1

**FREEDOM OF INFORMATION APPLICATIONS** 3

**PAROLE ORDERS TRANSFERRED**

South Australia	3
Victoria	1

**BREACHES RESULTING IN REIMPRISONMENT**

Type of Breach





- Conditional	41 (89%)
- Reoffending	5 (11%)

### **ADDITIONAL PAROLE CONDITIONS SET**

Non-consumption of Drugs	62
Non-consumption of Alcohol	79
Breath Testing	79
Urinalysis	62
Residence	
- Treatment/Program	45
- Community/Outstation	31
Counselling	
- Sex Offender Treatment	0
- General assessment, treatment and/or counselling	72
- other *	20
Nil Contact – Victim	46
Nil Contact – Children	5
Home Detention	0
Surveillance	26
Other **	39

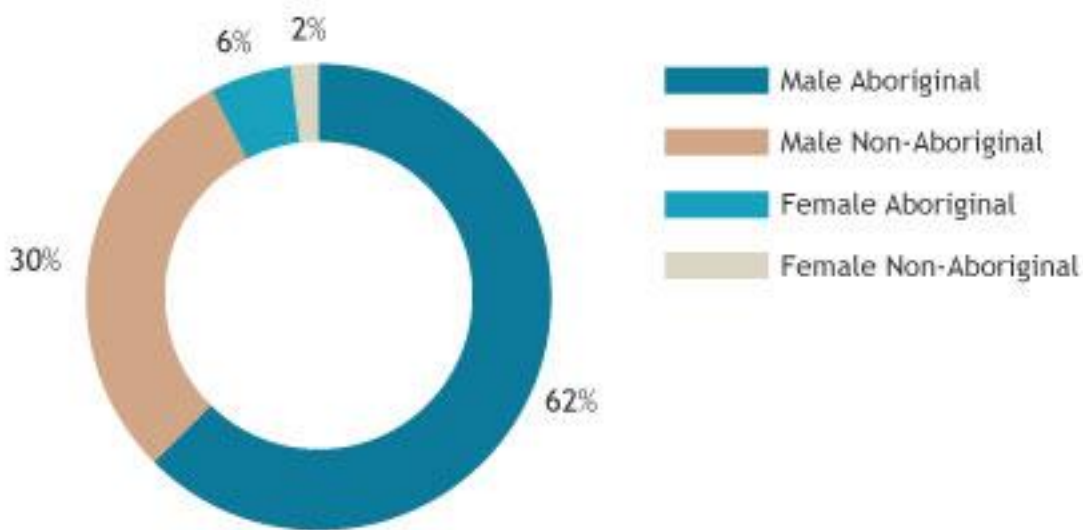
\* Includes: Forensic Mental Health counselling, specific anger management, drug and alcohol counselling,



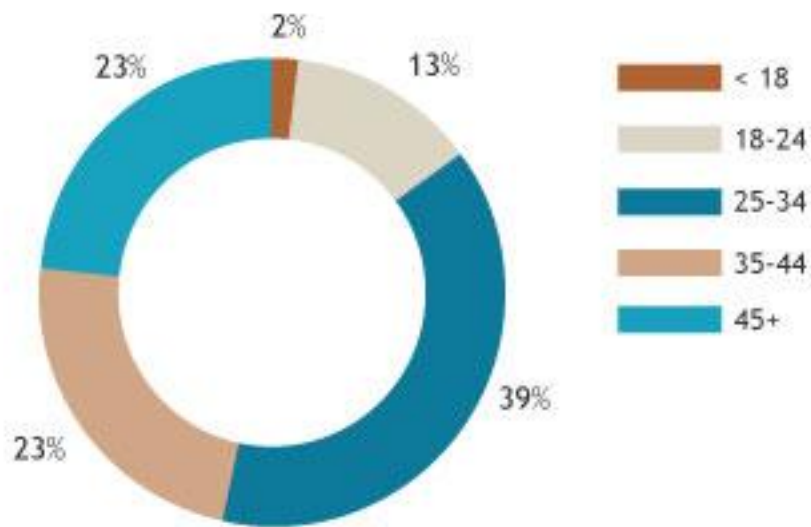
Indigenous Family Violent Offending Program

\*\* Includes: Not visit specified communities; not leave Australia; not travel interstate; curfew; not possess firearm/prohibited weapon; not stop/attend specified area.

**CHARACTERISTICS OF PRISONERS RELEASED TO PAROLE DURING 2011 BY GENDER AND ABORIGINALITY**



**PRISONERS RELEASED TO PAROLE DURING 2011 BY AGE**

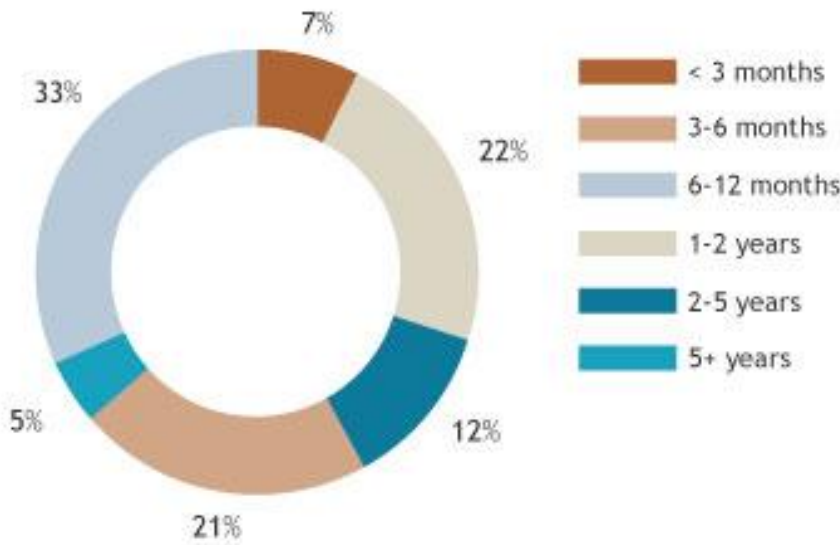




### PRISONERS RELEASED TO PAROLE DURING 2011 BY MOST SERIOUS OFFENCE



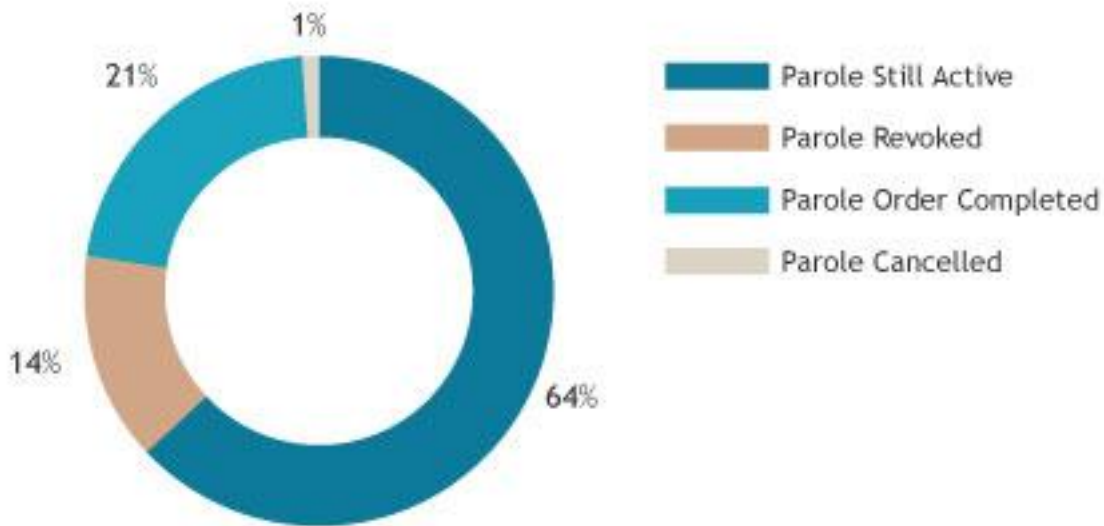
### LENGTH OF PAROLE FOR PRISONERS RELEASED TO PAROLE DURING 2011







### OUTCOMES OF PRISONERS RELEASED TO PAROLE DURING 2011

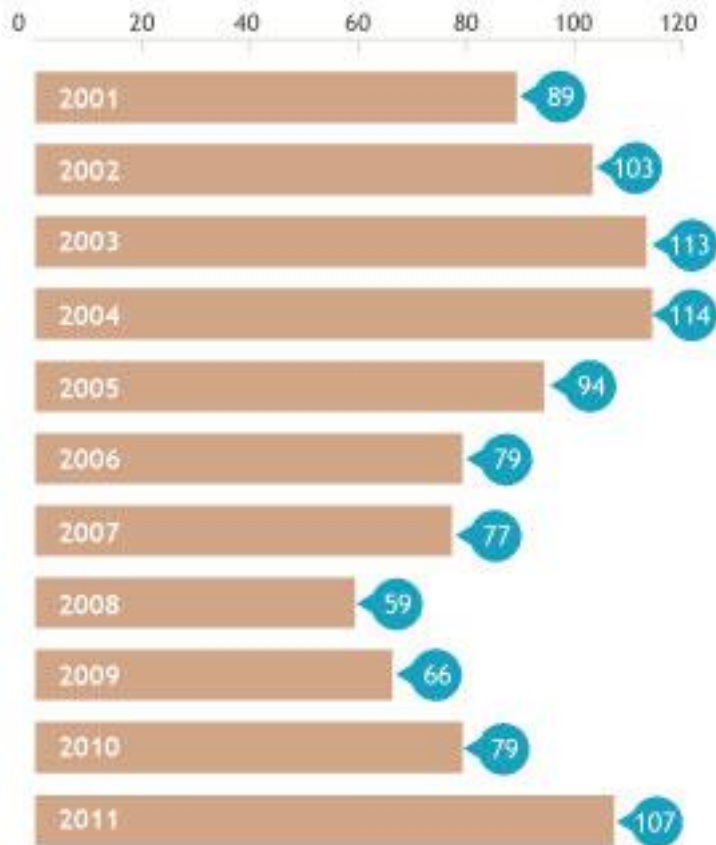


### PERIOD ON PAROLE PRIOR TO BREACH – CONDITIONAL AND REOFFENDING 2011



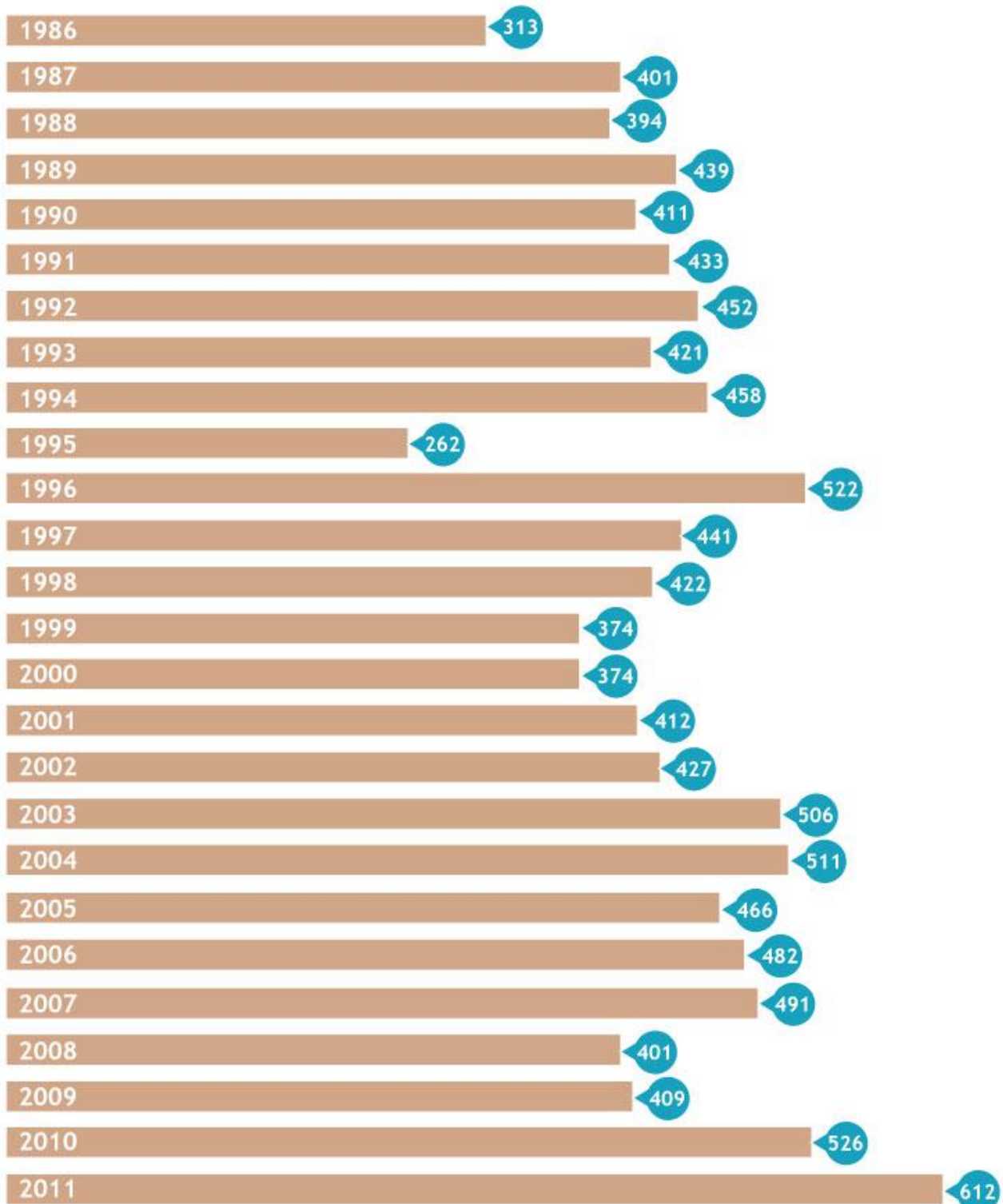


### PRISONERS RELEASED TO PAROLE 2001 – 2011





### ANNUAL TOTAL OF ITEMS OF BUSINESS 1986 – 2011





## PARTNERSHIPS

Offenders on parole face many reintegration barriers that place them at risk of reoffending, including difficulties securing accommodation and employment.

It is hoped that the partnerships developed such as NAAJA's Throughcare Project will complement and supplement the throughcare provided by NT Community Corrections.

The purpose of throughcare is to assist prisoners who are on parole to set realistic goals, identify appropriate support networks and maintain practical plans for reintegration in the community.

### **North Australian Aboriginal Justice Agency (NAAJA)**

NAAJA has established a Prison Support Officer Project and an Indigenous Throughcare Project.

The Prison Support Officer Project started in September 2009. It has two Prison Support Officers who are based at the Darwin Correctional Centre.

Their roles include:

- Supporting Aboriginal prisoners applying for parole by liaising between the prisoner and their Probation and Parole Officer and providing access to legal advice and representation.
- Providing some post-release support to selected Aboriginal prisoners leaving prison to reside in the Darwin region after serving an extended sentence.
- Making referrals to the Darwin Correctional Centre's Prisoner Services for prisoners with complex needs including substance abuse, mental health issues, homelessness and other non-vocational barriers to assist them to prepare for release.

NAAJA's Indigenous Throughcare Project started in February 2010. It has four case managers who each provide case management to up to 15 Aboriginal clients. Their roles include:

- Accepting referrals of clients, including from the Darwin Correctional Centre, the NAAJA Prison Support Officer, external service providers or the family of Aboriginal prisoners.
- Assessing the transitional needs of Aboriginal prisoners prior to their release, interviewing Aboriginal prisoners individually to determine their needs for rehabilitation, accommodation, family support and employment prospects.
- Developing individual case management plans in partnership with the prisoners who will have identified goals for their release.
- Identifying relevant services that can be accessed to achieve their transitional goals upon release.
- Working in partnership with key stakeholders to provide the essential services to contribute to the success of transition from prison back into the community. These include community groups and government agencies.





## Central Australian Aboriginal Legal Aid Service (CAALAS)

In 2011 Northern Territory Correctional Services worked with CAALAS to formalise the development of a Memorandum of Understanding to guide two programs:

- Prisoner Support Program; and
- Youth Justice Advocacy Project.

It is recognised that as an advocacy body CAALAS has an existing relationship with both the Board and Northern Territory Correctional Services but it is hoped that the increased structure and frameworks will improve outcomes for clients. The Memorandum of Understanding is likely to commence early in 2012.



## PROJECTS

### Parole Board Website

A new website for the Parole Board of the Northern Territory was designed and developed in collaboration with the Chairperson of the Board and members throughout 2011.

As an independent statutory body the Board plays an important role in the criminal justice system. The intent of the website is to increase understanding of the parole process for the community as a whole, particularly those affected by crime or involved in the criminal justice system.

The website provides general information about the functions of the Board, its members, how decisions are made, conditions of parole orders and information for victims. One popular element of the design is the inclusion of 'Frequently Asked Questions' that seek to clearly address matters regularly raised with NT Community Corrections by offenders, their family, victims or the community.

### Parole Board Workshop

On 26 June 2011, the Board met for a one day workshop. The purpose of the workshop was for Board members to:

- have an opportunity to discuss issues affecting the ongoing and efficient operation of the Board; and
- be presented information from work units within Northern Territory Correctional Services that may assist them to fulfil the requirements of their role. The topics covered included prisoner rehabilitation courses, risk assessment, security ratings within prison, prison management, parole reports and recidivism.

Workshops of this nature are essential for the efficient operation of the Board. I thank the staff from within Northern Territory Correctional Services that made themselves available on the day.

### Taking the Parole Board Paperless

Research commenced in June 2011 into options for the electronic management of Board meeting papers.

Moving the Board to an electronic system will bring a number of benefits including:

- Provide the Board and its members with access to contemporary information technology solutions that streamline the collation and distribution of information for meetings.
- Increase the security of personal information used by the Board in decision making.
- Ensure that all Board members have access to the same information that is the most up-to-date on prisoners or parolees when considering matters.
- Ensure that the outcomes of decisions are reflective of the Board's intentions in a timely fashion.
- Increase compliance with government initiatives to be more 'green' and reduce paper wastage.

Initial research has focused upon the development of a SharePoint portal that will allow information to be placed into an internet based system to be accessed by members.



## Elders Visiting Program

An evaluation of the Elders Visiting Program undertaken in 2010/11 made a number of recommendations pertaining to the Board.

In December 2011 members of the Elders Visiting Program met with the Board to present information and discuss ways in which we could work together to increase the completion of parole orders by Aboriginal offenders.

Work will continue on the project in 2012 to build a positive partnership model that can see the two organisations working collaboratively to produce positive outcomes.

## Development of Aboriginal Language Resources

NT Community Corrections has commenced a project to develop multi media tools using a mixture of imagery and Aboriginal language voice over that can be used to assist in explaining community supervision orders to offenders. The focus of the project is threefold:

- increase understanding of the conditions of orders;
- increase understanding of the impact of breaching conditions; and
- increase understanding of the role of Probation and Parole Officers.

NT Community Corrections commenced the procurement process for a communications consultant to undertake market research prior to the development of resources.

The intention is that the consultant will:

- conduct consultation sessions and market research with appropriate stakeholders;
- make recommendations on the types of resources that would be useful; and
- provide a plan for the development of the resources.

Increasing understanding of community based orders, their conditions and the impact of breaching conditions amongst offenders, their families and communities is essential to helping people successfully complete their orders.

Work on this project will continue in 2012 with the conduct of market research and the design, development and testing of resources. NT Community Corrections is keen to ensure that where possible the resources are adapted for maximum effectiveness with the audience and technology solutions such as iPad applications are fully explored for their viability.



## Principles of Parole

When considering whether to release a prisoner on parole, the Board considers:

- the interests and safety of the community;
- the rights of the victim, including their families;
- the intentions of the sentencing authority;
- the needs of the prisoner; and
- whether the prisoner has recognised the error of their ways and is prepared to change their behaviour for the better.

In making their decision the Board takes into consideration a number of factors:

- the nature and circumstances of the offence(s);
- comments made by the sentencing Judge or Magistrate when imposing sentence;
- the prisoner's criminal history and patterns of offending;
- the possibility of the prisoner reoffending while on parole and the likely nature of the reoffending;
- the risk of harm to the community and the victim;
- release plans including accommodation and employment;
- reports, assessments and recommendations made by a variety of professionals, including medical practitioners, psychiatrists, psychologists, custodial staff and/or Community Corrections Probation and Parole Officers;
- rehabilitation courses undertaken by the prisoner;
- education courses undertaken by the prisoner;
- institutional reports in relation to the prisoner's behaviour while in prison;
- the security rating of the prisoner within the prison;
- victim's safety, welfare and whereabouts;
- representations made by the victim or by persons related to the victim;
- submissions made by the prisoner, the prisoner's family, friends and any potential employers or any other relevant individuals;
- submissions made by the legal representatives of the prisoner; and
- whether the prisoner can be adequately supervised in the community under the standard conditions of parole or whether further parole conditions should be imposed.

These factors are a guideline only. The Board considers each case on its own merits.

The Board considers a range of material when deciding whether or not to release a prisoner to parole. The documentation will always include:

- a parole report prepared by the assigned Probation and Parole Officer;
- an institutional report prepared by staff of the Correctional Centre or Detention Centre where the prisoner or detainee is held;
- the facts of the prisoner's offending;
- a record of the prisoner's prior convictions; and
- a transcript of the Supreme Court sentencing remarks, if the prisoner was sentenced in that Court.



The Board may also consider such other reports as are relevant for the individual case, including;

- Pre sentence reports;
- Psychological/psychiatric assessments and reports;
- Rehabilitation course assessments and reports including assessments and reports about Anger Management Courses, Sexual Offender Programs and the Indigenous Family Violent Offending Programs;
- Medical assessments and reports;
- Assessments and reports from Substance Misuse Programs and Treatment facilities;
- Legal submissions made on behalf of the prisoner;
- Letters and/or reports from interstate services;
- Letters from the prisoner or written on behalf of the prisoner; and
- Letters from the victim or victim's representative.

### **Release plans of prisoners**

Probation and Parole Officers take considerable time to consult with prisoners about their release plans including proposed accommodation as it can be a pivotal factor in the success or failure of the prisoner's parole.

Reintegration into the community is a fragile process, during this time prisoners may require the support of State and Australian government agencies, family, friends and community.

Access to suitable accommodation is a vital part of reintegration into the community and can assist a prisoner to remain stable and abstain from the use of alcohol or other drugs.

### **Prisoners serving a life sentence**

When considering an application for parole by prisoners serving a term of imprisonment for life for the crime of murder, the Board must have regard to the principle that the public interest is of primary importance and, in doing so, must give substantial weight to the following matters:

- a) the protection of the community as the paramount consideration;
- b) the likely effect of the prisoner's release on the victim's family; and
- c) if the prisoner is an Aboriginal or Torres Strait Islander the likely effect of the prisoner's release on that community.

Section 3GB (4) of the *Parole of Prisoners Act* stipulates that the Board must give reasons for any decision or direction of the Board on a matter concerning a prisoner who is serving a term of imprisonment for murder and those reasons must be included in the record of its proceedings.





## Parole Conditions

The standard parole conditions attached to every Northern Territory Parole Order are:

- 1) the parolee must be of good behaviour and must not commit another offence during the period of the order;
- 2) the parolee shall be subject to supervision on parole of a parole officer, appointed in accordance with this parole order, and shall obey all reasonable directions of the parole officer appointed;
- 3) the parolee shall report to the parole officer, or other person nominated by the parole officer, in the manner and at the places and times directed by the officer and shall be available for interview at such times and places as a parole officer or nominee may from time to time direct;
- 4) the parolee shall not leave the Northern Territory without the written permission of the supervising parole officer;
- 5) the parolee shall enter into employment arranged or agreed upon by the parole officer and shall notify the parole officer of any intention to change employment before such change occurs or, if this is impracticable, then within such period after the change as may have been directed by the parole officer;
- 6) the parolee shall reside at an address arranged or agreed upon by the parole officer and shall notify the parole officer of any intention to change address before such change occurs or, if this is impracticable, then within such period after the change as may have been directed by the parole officer;
- 7) the parolee shall not associate with any person specified in a direction by the parole officer to the parolee;
- 8) the parolee shall not frequent or visit any place or district specified in a direction by the parole officer to the parolee.

The Board frequently places additional conditions upon the release of an offender. These conditions are tailored to maximise protection to the community, facilitate the prisoner's successful reintegration and reduce the risk of reoffending.

One of the purposes of placing conditions on parole is to address and manage factors that underlie the prisoner's offending behaviour. Additional conditions often include:

- not consume or purchase alcohol;
- breath testing and urinalysis;
- no contact, directly or indirectly, with a victim or other specified person;
- residence at a specified community or outstation;
- participation in and completion of an assessment/treatment/counselling regime (residential or sessional attendance) e.g. alcohol programs, domestic violence programs, sex offender programs, psychiatric treatment;
- not consume a dangerous drug or abuse a prescribed substance that is lawfully obtained; and
- accommodation curfew.



## Contact Details

For more information on the Parole Board contact the Parole Board Administrator:

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