

Adult Parole Board of Victoria Annual Report 2006/2007

*Performing an Important Role in Managing a Key Component
of the Victorian Criminal Justice System
for the last 50 years*

1957 to 2007





Adult Parole Board of Victoria 2006/2007 Annual Report

Contents

Profile	1
Highlights	3
The Year at a Glance	4
Chairperson's Message	6
General Manager's Report	9
Business Plan Overview	12
Our Performance	14
Case Management	14
People on Parole	18
People on Home Detention	23
People on Extended Supervision Orders	25
Our Workplace	28
Governance Policies	28
The Board's Members	29
Staff Profile	33
Management Team	35
Organisation Chart	36
Community Relationships	37
Visitor Profile	38
Privacy/Information	39
Financial Performance	40
Contact Details and Location IBC	

Letter to the Minister

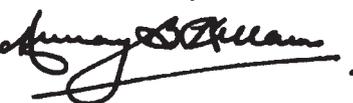
The Honourable Bob Cameron MP
Minister for Corrections
Level 26, 121 Exhibition Street
Melbourne VIC 3000

Dear Minister

In accordance with the requirements of s72(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 twelve months from 1 July 2006 to 30 June 2007. The report contains information about the:

- number of persons released on parole;
- number of persons returned to prison on cancellation of parole;
- number of persons placed on home detention orders;
- number of persons whose home detention order has been revoked and who were returned to prison;
- impact of home detention orders on persons residing with offenders;
- number of persons on extended supervision orders;
- number of persons transferred to prison from a youth justice centre, and transferred from prison to a youth justice centre; and
- activities and achievements of the Board and Secretariat.

Yours sincerely



The Hon Justice Murray Kellam, AO
Chairperson
17 August 2007



David Provan
General Manager
17 August 2007

About Our Annual Report

The Annual Report is the major publication produced by the Board. It complies with the requirements of the *Corrections Act* 1986 and is used to inform Parliament, government, criminal justice agencies, the media, students and members of the community who are interested in the Board's activities and achievements.

As well as discharging our statutory responsibilities, the Annual Report is an opportunity to explain the work of the Board and to showcase our staff in their daily work environment. We print and distribute 300 copies each year and, once tabled in Parliament, the Annual Report is available from our website at www.justice.vic.gov.au/paroleboard.

Definitions

Throughout this report, unless otherwise specified, references to:

'**the Act**', or sections 'of the Act', are references to the *Corrections Act* 1986;

'**the Board**' is a reference to the Adult Parole Board of Victoria;

'**CCO**' is a reference to a Community Corrections Officer;

'**CCS**' is a reference to Community Correctional Services, a Division of Corrections Victoria;

'**the Department**' is a reference to the Victorian Department of Justice;

'**ESO**' is a reference to an Extended Supervision Order; and

'**ESOTAC**' is a reference to the Extended Supervision Order Temporary Accommodation Centre.

Profile

The Adult Parole Board of Victoria plays an important role in the Victorian criminal justice system by managing the appropriate release of offenders on parole and home detention orders for the benefit of the Victorian community.

Purpose

The Adult Parole Board of Victoria plays an important role in the Victorian criminal justice system by managing the appropriate release of offenders on parole and home detention orders for the benefit of the Victorian community.

Our Objectives

Our objectives are to:

- Fulfil our statutory obligations under the *Corrections Act 1986*, *Corrections and Sentencing Act (Home Detention) Acts 2003*, the *Children, Youth and Families Act 2005* and regulations, and the *Serious Sex Offender Monitoring Act 2005*, efficiently and effectively and in the best interests of the community.
- Make independent and appropriate decisions regarding the release of offenders on supervised conditional release or home detention orders and in relation to determining instructions and directions for extended supervision orders.
- Make appropriate orders relating to cancelling parole or home detention orders and returning offenders to prison custody.
- Ensure that offenders are properly prepared to reintegrate into the community.
- Maintain a program of continuous improvement including the ongoing review of management practices and strategic plans.
- Develop and sustain an organisational climate of excellence through best practice human resource management.
- Develop a flexible, responsive and skilled administrative staff by providing a safe, challenging and team-oriented work environment, professional development opportunities, and the appropriate use of specialised expertise.
- Maintain the efficient, effective and responsible management and control over the Board's finances and ensure public accountability.

- Promote the accessibility and efficiency of the Board by increasing stakeholder awareness of its functions and powers.

Who We Are

The Board was established in 1957 after the Victorian Parliament passed the *Penal Reform Act 1956*. The Board replaced the Indeterminate Sentences Board which had been in operation since 1908.

The concept and development of the operation of the adult parole system in Victoria was initiated by the Inspector-General of Penal Establishments, Mr Alexander Whatmore and The Honourable Sir Justice John Barry, Judge of the Supreme Court of Victoria.

The *Penal Reform Act 1956* provided for the establishment of a Parole Board consisting of a Judge of the Supreme Court who would act as Chairman (now Chairperson), the Director of Penal Services, three men appointed by the Governor in Council, or (when dealing with matters affecting female prisoners) three women appointed by the Governor in Council.

Notices appearing in the Victorian Government Gazette during June and July 1957 heralded a new era for the parole system. The *Penal Reform* legislation received Royal Assent in May 1956 and came into operation on 1 July 1957 by virtue of a proclamation dated 25 June 1957.

The first meeting of the Board was held on 3 July 1957 at the Office of the Director of Penal Services, Old Treasury Building, Spring Street, Melbourne.

What We Do

As an independent statutory body, the Board is established under the *Corrections Act 1986*. The Board has jurisdiction over the following offender groups.

- Offenders for whom a court has ordered a prison sentence where a non-parole period applies.

-
- Young persons transferred to prison from a youth justice centre, and transferred from prison to a youth justice centre, under part 5.6 of the *Children, Youth and Families Act 2005* and regulations.

In addition, the Board has jurisdiction:

- to grant a home detention order, under the provisions of the *Corrections and Sentencing Act (Home Detention) Acts 2003*, and
- pursuant to the *Serious Sex Offender Monitoring Act 2005*, to determine appropriate instructions and directions (special conditions) in respect of an extended supervision order and to supervise offenders who are subject to such an order.

The Board provides a framework that enables offenders to undertake a step-by-step re-entry into the community. When deciding whether to release an offender on parole or home detention, the Board considers the interests of the community, the rights of the victim, the intentions of the sentencing authority and the needs of the offender.

Preparing offenders for release on parole or a home detention order begins as soon as they enter the prison system. The Board meets with offenders at a relatively early stage during their sentences. These meetings ensure that offenders undertake appropriate programs designed to assist them to re-enter society successfully. On a more regular basis, the Board interviews some offenders who have been convicted of serious offences or those who have psychiatric issues. The Board needs to be satisfied that such offenders are well equipped to be reintegrated into the community on release. Through regular interviews, the Board can monitor their progress for an appropriate period prior to release on parole or home detention.



Staff member Christian Gonzalez



Highlights 2006/2007

- Increased the Board's membership by the appointment of His Honour Justice Simon Whelan, Judge of the Supreme Court of Victoria. Justice Whelan was appointed on 29 May 2007 for a three year term.
- A one day members' meeting was held on 23 February 2007. The meeting provided all members with the opportunity to discuss operational/policy issues as well as a forum for professional development. A number of guest speakers delivered information sessions.
- Published a booklet titled *Fifty Years of the Adult Parole System in Victoria 1957 to 2007*.
- Managed the relocation of the Board to a new 'purpose built, architect designed' facility located at Level 4, 444 Swanston Street, Carlton.
- The Board met on 129 occasions and considered 8,529 matters.
- Of the 129 occasions the Board met, 53 were at various Victorian prisons where the Board interviewed 1,700 prisoners.
- Justice Kellam and David Provan attended a two-day 'Board Conference' hosted by the New Zealand Parole Board and delivered a session about the work, functions and challenges faced by the Victorian Board.
- Delivered nine presentations about the work of the Board to a number of organisations and community groups.
- Introduced the Board's 2006/07 business plan covering a range of projects designed to improve the Board's operations.
- Continued work to modernise and upgrade the Board's website.
- Increased opportunities for representatives of stakeholder groups to visit the Board and observe its decision-making process.
- Established detailed staff *Performance Management and Progression Plans* for 2006/07.
- Increased staff involvement in strategic projects as leaders or working party members.
- Implemented quality assurance procedures.
- Staff participated in professional development opportunities designed to enhance service quality.
- Staff member Christie Hall participated in a Group Study Exchange organised and funded through Rotary International during April 2007.
- Conducted regular meetings with registry and operations staff.



From left: Justice Simon Whelan, His Honour John Dugan AM and Justice Bernard Teague at the members' meeting 23 February 2007



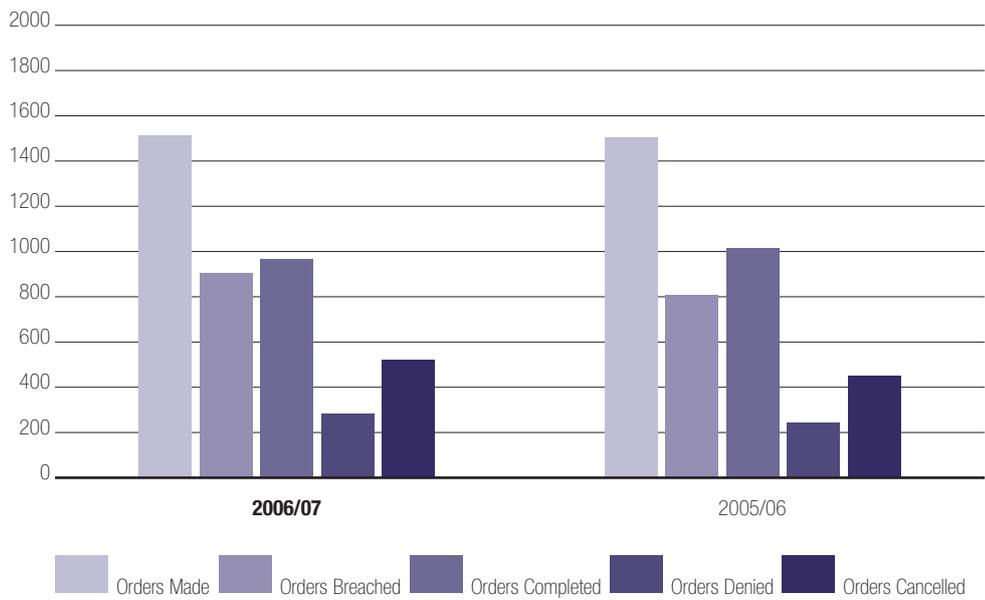
From left: Anna Djuric, Justice Murray Kellam AO and Helen Kostic at the members' meeting 23 February 2007

The Year at a Glance

	2006/07	2005/06	% Change
Case Management			
Cases considered	8,529	7,643	11.6
Board meeting days	129	117	10.3
Meetings at prisons	53	51	3.9
Prisoners in custody (as at 30 June)	4,183	3,905	7.1
Prisoners eligible for parole (as at 30 June)	2,755	2,559	7.7
Prisoners interviewed at prison	1,700	1,591	6.9
Parole orders made	1,526	1,504	1.5
Parole orders completed successfully	962	1,004	(4.2)
Parole orders denied	194	237	(18.1)
Submissions from victims	49	62	(21)
Cancellation of Orders			
Parole orders breached	903	803	12.4
Parole orders cancelled	520	449	15.8
Reason for cancelling parole orders due to;			
• failure to comply with conditions of parole	335	275	21.8
• further conviction and sentence	185	174	6.3
Length of parole served prior to cancellation;			
• day of release to less than three months	159	120	32.5
• three to less than six months	120	114	5.3
• six to less than 12 months	116	109	6.4
• 12 months or more	125	106	17.9
Breaches not resulting in cancellation	383	354	8.2
Warnings issued relating to breaches not resulting in cancellation by:			
• Board	107	98	9.2
• Community Correctional Services staff	187	221	(15.4)
• Letter from Board	49	13	276.9
Cases where no further action was taken by Board relating to breaches not resulting in cancellation	40	22	81.8
Home Detention Orders			
Home detention applications received	295	283	4.2
Home detention orders made by the Board	47	35	34.3
Home detention orders made by the courts	42	14	200
Home detention orders revoked	9	5	80
Extended Supervision Orders			
Instructions and directions imposed	7	9	(22.2)
Youth Transfers			
Transfers from Prison to a Youth Justice Centre	2	9	(77.8)
Transfers from a Youth Justice Centre to Prison	13	24	(45.8)
Interstate Transfers			
Parole orders transferred from Victoria	47	36	30.6
Parole orders transferred to Victoria	24	53	(54.7)

	2006/07	2005/06	% Change
Members of the Board			
Judicial members	11	10	10
Full-time members	1	1	-
Community members	9	9	-
Departmental representatives	1	1	-
Total members	22	21	4.8
Staff of the Board			
Total employees	15	15	-

Parole Orders Caseflow – 2005/06 to 2006/07



Chairperson's Message

In this its 50th year, the Adult Parole Board has once again discharged its highly responsible and onerous obligations to protect the safety of the community by the exercise of sound judgement in a professional manner.



This has been achieved notwithstanding the increasingly complex and difficult environment in which the Board operates, including an ever increasing prison population. The daily average prison population throughout the first six months of 2007 was more than 4,000. This compares with a number of less than 2,500 prisoners only a decade ago. During the year under review the Board sat on 129 days compared with 117 days the year before. It considered 8,529 cases compared with 7,643 cases in the previous year. This reflects the increasing prison population together with a more intensive "case management" focus being applied by the Board in complex cases. In addition to the obligation to administer parole, the Board has the statutory responsibility of supervising an increasing number of persons who are not parolees, having served their full sentence, but who are subject to Extended Supervision Orders made pursuant to the *Serious Sex Offenders Monitoring Act 2005*.

Mental Health Issues

In the last Annual Report I highlighted the concern of the Board about the capacity of mental health services to provide adequate support for both prisoners and parolees who suffer from mental health disorders. Once again I acknowledge the high degree of professionalism and the support provided to such persons by Forensicare. However the resources of Forensicare, both at the Thomas Embling Hospital and in the community are stretched severely. In particular this impacts most seriously upon female prisoners, there being a small number of beds available for them at the Thomas Embling Hospital. Hopefully this particular concern will soon be resolved by the establishment of a 20 bed unit at the Dame Phyllis Frost Women's Prison. Nevertheless, the principal concern of the Board is that the resources available to such persons in the community are insufficient to provide both adequate support and accommodation. Very often this lack of support is associated with their initial offending behaviour, but it is of course of real concern when such persons leave prison, whether on parole, or at the end of their sentence if insufficient support is provided. Furthermore the rate of imprisonment of mentally ill and profoundly intellectually disabled members of the community and the limited resources available to

house and support such persons upon parole, remains a matter of significant concern to the Board.

Margoneet Correctional Centre

The Board is pleased to observe the focus upon appropriate programs for prisoners which is now being provided in a professional manner at the Margoneet Correctional Centre. The Board maintains its long-held view that all sex offenders should be assessed for the purpose of providing sex offenders such programs in prison. It holds to its long-held view that sex offender maintenance programs should be available for all parolees who are assessed to undertake such programs whilst on parole. The Board is concerned that current resources are insufficient to provide such programs as the Board regards as appropriate. The Board is pleased to see that intensive programs in relation to violence intervention are being conducted at Margoneet. However, as much as the Board is pleased to see the range of necessary programs being provided at Margoneet, the Board is most concerned that such programs are not available to as many prisoners as require them. Furthermore it is of significant concern that insufficient programs are being provided at other prisons. The Board visits every prison in Victoria on at least two occasions per annum and visits the larger prisons such as Barwon and Fulham Prisons at least four times per year. By way of example of our concerns, there are over 700 prisoners at Fulham Prison. As at the end of March 2007, 349 prisoners at that prison had made application to undertake a cognitive skills program. However, the resources provided for the undertaking of such programs at Fulham Prison were insufficient to permit more than 120 prisoners per year to undertake such a program. Likewise, as at the end of March 2007 the intensive drug treatment program at Fulham Prison had a waiting list of 146 prisoners who had both applied and been assessed as being suitable to undertake the program. Most regrettably, at that time by reason of resource restrictions, the likelihood was that the overwhelming number of those prisoners would not be able to undertake such a program at Fulham Prison. Similar concerns are obvious to the Board members upon their visits to Barwon, Loddon and Ararat Prisons. The Board believes that there is clear evidence that the provision of appropriate programs to prisoners bears a significant correlation to the risk of re-offending

upon release, whether it be on parole or at the end of the head sentence ordered to be served by the prisoner. It is imperative, and in the community interest that adequate programs are available in all Victorian prisons to reduce recidivism. Failure to put in train adequate programs means that prisoners are being “warehoused” but not rehabilitated during their term of imprisonment.

Drug Abusing Offenders

The high rate of recidivism amongst drug using offenders continues to be of concern to the Board. There is no doubt that the highest incidence of recidivism relates to relatively young offenders who commit property offences, such as burglary, in order to support their drug habit. The overwhelming number of robberies and burglaries as well as other property-related offences are committed by drug users. Whilst, as stated above, the Board believes that appropriate programs must be provided to such offenders both in prison and during their parole period, the simple fact is that such problems are likely to continue until such time as the community deals adequately with widespread drug abuse by young people and the underlying social conditions leading to such abuse.

Release of Sex Offenders

The Board monitors carefully the release of sex offenders who are granted parole. It is commonplace for the Board to place strict conditions relating to appropriate parole and accommodation, curfews and other matters such as restrictions upon contact with victims, other offenders and young persons, upon the parole order of such offenders. It is not uncommon for such offenders to have placed upon them restrictions as to geographical areas which are forbidden to them for entry. The Board remains concerned at the unavailability of appropriate accommodation for such offenders whilst they are on parole. Once again I acknowledge the continuing support of Sister Clare McShee AM of Australian Community Support Organisation (ACSO) in her endeavours to obtain appropriate accommodation for paroled sex offenders. There can be no doubt that ensuring that such offenders do not re-offend is paramount in the interests of the community. Obtaining appropriate accommodation for such persons is vital in protecting the community interests since it reduces the risk of re-offending. The incidence of recidivism amongst sex offenders is low provided adequate supervision is undertaken in respect of such persons. Appropriate accommodation ensures that adequate controls and supervision can be applied to such persons. For instance, in the view of the Board, it is vital that many such persons attend post-release sex offender maintenance programs and on occasions continue to be monitored in relation to the provision of libido suppressing medication. Adequate supervision is not capable of being achieved without stable accommodation of such offenders.

Serious Sex Offenders Monitoring Act 2005 and Extended Supervision Orders

As noted in last year’s annual report the first persons to be released under the *Serious Sex Offenders Monitoring Act 2005* were released early that year. The intention of the Act is that offenders who have served custodial sentences for having committed certain sexual offences against children, and who continue to be a danger at the end of their sentences, may be the subject of a continuing supervision order to be made by the original sentencing court. The Board is responsible for setting appropriate conditions on such extended supervision orders. In the Annual Report last year I expressed the concern of the Board that it had become almost impossible to find accommodation in the community for such persons. I said:

“Regrettably, in the course of the year under review some irresponsible sections of the media generated what in effect amounted to vigilante action against not only such persons, but entirely innocent members of the public. The experiences of the past year emphasise that it is necessary for the community to give careful consideration to the establishment of appropriate accommodation that could provide a continuum of correctional services to high need parolees.”

I observed that during the 1980s the former Chairperson of the Board, the Hon Justice Frank Vincent AO, had called for the establishment of “half-way houses”. I expressed the opinion that it remained necessary that careful consideration be given to the creation of appropriate accommodation arrangements so as to create a bridge between the institutional detention of high needs sex offenders and their supervision in the community whether upon parole or under an extended supervision order. I repeat that such accommodation would provide appropriate safety for the community and at the same time provide appropriate supervision and rehabilitation programs and services for sex offenders. Regrettably in the year since I expressed that opinion in the Annual Report not only has nothing been done but the situation has deteriorated seriously.

The Extended Supervision Order Temporary Accommodation Centre (ESOTAC)

As at 30 June 2007 there were 16 persons who had been made the subject of extended supervision orders in the previous 18 months. It is anticipated that this number will increase during the coming year. Of the persons who are subject to extended supervision orders, it has not been possible to find appropriately secure accommodation for 10 of them. Accordingly, temporary accommodation has been created within the walls of Ararat Prison for

nine of those 10 persons. The tenth person is residing outside the walls of Ararat Prison but within the prison grounds. Whilst the Board understands the great difficulty that has been experienced in obtaining appropriate accommodation for such persons, it is imperative that a resolution to the problem of the accommodation of an increasing number of persons subject to extended supervision orders be found.

The circumstances in which the nine persons accommodated within the walls of Ararat Prison are as follows: They are kept in a compound which is separate from the actual prison facilities. In that compound each of them has a self-contained portable unit. They are not permitted to leave the compound unless under escort. The ages of the persons who share the compound range from 22 years to 73 years. Three of the persons detained in the compound are in excess of 70 years of age and, of the others, three are in excess of 50 years of age. A number of the older persons have convictions for both sexual and violent offences which have been committed by them over many years. One of the persons detained in ESOTAC is seriously intellectually disabled. There is no supervision of the offenders when they are in the compound. There is no work provided for them. They are unable to study or to undertake programs, and no sport or other recreation, apart from watching television or reading books, is provided. In particular the youngest of the persons so detained is unable to engage in education, he being not permitted to have access to a computer.

Of grave concern to the Board is the risk of serious, physical and/or emotional damage which exists, in particular to the younger persons who share the compound with other more entrenched sex offenders. For example the youngest of them spends five days per week confined to the compound with no activities provided to him. Once a month and under escort he attends the sex offender program in Carlton where he sees his treating psychologist for between 1 and 1^{1/2} hours. Every second week he does some shopping but once again under escort. Every other second week he attends, under escort, at a Centrelink office. Under escort he attends his corrections officer once a week. He has no visitors. He has no access to a computer, he is unable to mix with young people his own age, he is allowed to have no tools to engage in hobbies nor is he provided with activities such as a gym, access to a pool, tennis courts or even a table tennis table. He is unable to engage in any employment.

Section 15(2)(b) of the *Serious Sex Offenders Monitoring Act* 2005 requires that the "rehabilitation, care and treatment" of those subject to the Act is to be promoted. Section 16(3B) of the Act provides that an offender "must be taken for the purposes of this Act to have been released in the community and to be residing in the community." Regrettably, those living at Ararat Prison pursuant to the Act are not being

rehabilitated in any way. This creates a situation of real concern for their future and of equal, if not of more importance, for community safety.

The Board recognises the grave difficulty experienced in obtaining appropriate accommodation for released sex offenders in the community. However, the Board is of the firm view that appropriate accommodation which provides a rehabilitative focus must be found for people who, as a matter of law, have been released into the community pursuant to the *Serious Sex Offenders Monitoring Act*. No doubt, the provision of such accommodation will require the expenditure of significant resources, but in the Board's view the community interest requires such expenditure.

Acknowledgements

It is appropriate that I record my appreciation to a number of people. First, I express my gratitude to the Deputy Chair of the Board, the Hon Justice Teague, who has once again without hesitation, (and at all hours) provided me, other board members and the staff of the Board with wise advice and support throughout the reporting year. I am grateful for the support of each member of the Board and in particular to the full-time member of the Board, Mr Michael Hepworth, who has at all times provided the Board with wise counsel. Board members have willingly, and often at short notice, been prepared to sit long hours in dealing with the onerous duties placed upon them. I record once again my gratitude to the hardworking, enthusiastic and diligent staff of the Board. The Board would not be able to operate without their enthusiasm and dedication to their work. It is commonplace for members of the Board's staff to spend overnight away from their homes working long hours in country prisons. I record my personal gratitude to the Secretary, Mr David Provan, who has provided me with assistance and sound advice at all hours and often on weekends throughout the year under review.

His Honour Justice Whelan was appointed as a judicial member of the Board in May 2007. His Honour has broad judicial experience and good knowledge and understanding of our community and I believe he will make a major contribution to the work of the Board over coming years.

New Premises

Soon after the end of the year under review, the Board will move into new premises. The staff have worked in outmoded and crowded premises for many years and it is hoped that the new premises, with additional security, storage and other facilities will further enhance the capacity of the Board and its staff to deal with an increasing workload.



The Hon Justice Murray Kellam, AO
Chairperson

General Manager's Report

The 2006/07 year marked another challenging and exciting period in which the administrative staff efficiently managed a significant increase in the cases listed before the Board during a time of significant change.



The administrative staff of the Board is made up of a team of very dedicated and highly motivated individuals who strive collectively to deliver the highest level of service to members, the public and their colleagues in the corrections system.

Increasing Case Load

Since 1996/97, the Board has recorded an upward trend in the number of cases considered, from 3,918 to 8,529 equating to an increase of 117%. The Board's staffing resources are fully stretched given the significant increase in the number of cases considered by the Board and the additional jurisdictional responsibilities it has assumed under the *Serious Sex Offender Monitoring Act 2005* and with the introduction of the Home Detention Program in January 2004.

Actively Monitoring Offenders

The Board continued to play an active role in monitoring offenders who have been released on parole and has adopted an intensive 'case management' approach to complex cases. The increasing prison population, along with additional jurisdictional responsibilities, and the Board's practice of monitoring offenders (in prison and on parole or home detention), reflects the significant increase in the number of cases considered by the Board over the last 12 months.

Staff of the Board also played an active role in managing offenders during their parole period by regularly discussing issues concerning the management of offenders with Community Corrections Officers. Such a proactive approach often avoided having to initiate breach proceedings against an offender.

Information Technology

On 2 May 2005, the Criminal Justice Enhancement Project (CJEP) computer system was introduced at the Board by the Department of Justice. At the time of writing, the Prisoner Information Management System (PIMS) still remains the database of record. For over two years, staff have been required to enter data into the two computer systems, which has placed an enormous strain on the Board's limited resources.

During the early stages of the project, Tonnette Santiano represented the Board and worked with the computer analysts to design the Board's functionality. Since May 2005, Tonnette has performed the roles of acceptance testing, training and support as well as undertaken the duties of her substantive position (Meeting Coordinator). I thank Tonnette for her on-going commitment to the project.

New Office Location

During the year in review, extensive work was undertaken to design and construct a 'purpose built, architect designed' facility for the Board. The Board relocated to the brand-new office, located at Level 4, 444 Swanston Street, Carlton, on the weekend of 7 and 8 July 2007.

50 Year Commemorative Booklet

The *Penal Reform Act 1956* came before the Victorian Parliament during 1956 and provided for the establishment of a Parole Board. The first meeting of the newly established Board was held on 3 July 1957 at the Office of the Director of Penal Services, Old Treasury Building, Spring Street, Melbourne.

In order to commemorate this important milestone, a booklet titled *Fifty Years of the Adult Parole System in Victoria 1957 to 2007* was written and published during the year. I take this opportunity to record my thanks to Margot Moylan (Associate to Justice Kellam) and Malcolm Feiner PSM (Manager of the Corrections Victoria Resource Centre) for their editorial input, to Shilo Hurteau for undertaking a research role during the preparation of the booklet, and to Linda Cerkenik for the graphic design work.

Members' Meeting

A one day members' meeting was held on 23 February 2007. The meeting provided all Members with the opportunity to discuss operational/policy issues as well as providing a forum for professional development. The following guest speakers delivered presentations at the meeting:

- Leanne Acreman, Group Manager, Flagstaff Support Services.

- Kelvin Anderson, Commissioner, Corrections Victoria.
- Sheree Drever, General Manager, Diversion and Transitional Services Group.
- Simon Lenten and Shaun Braybrook, Co-Managers of the Wulgunggo Ngalu Learning Place.

I am grateful to Pauline Bailey who played a lead role during the planning and organisation of the Members' Meeting.

Home Detention

Now in its fourth year of operation, the Home Detention Program enables the Board to release non-violent, low-security offenders convicted of specific offences to home detention, after serving two thirds of their sentences in prison.

I thank Anna Djuric, Kirrilee Till (until April 2007) and Christian Gonzalez (from April 2007) for the professional and dedicated approach they provided in managing the Board's home detention work.

Business Plan

During the year under review, a *Business Plan* 2006/07 was prepared to identify objectives and performance targets and to set priorities to achieve the Board's objectives. The *Plan* aimed to promote a performance-driven culture at the Board and to provide a platform for pursuing continuous improvement at every opportunity. The achievements throughout the year are presented in the Business Plan Overview section of this report.

Administrative Work Practices

In order to improve organisational efficiency, the Board undertook the following activities:

- Met regularly with registry and operations staff.
- Planning workshops held in November 2006.
- Designed and implemented quality assurance procedures.
- Prepared and issued *Practice Advice Information* sheets.

Performance Management and Progression Plans

In July 2006, all staff prepared (in consultation with their manager) a detailed *Performance Management and Progression Plan*. Each plan outlines the officer's work priorities and the knowledge and skills required to support their current and future job and career needs. Feedback and review meetings were conducted in July 2006 and January 2007 and focused on the officer's current level of performance and the ways in which they could improve.

The performance management cycle runs from 1 July of each year until 30 June the following year and provides a mechanism for evaluating work and rewarding good performance based on outcomes.

Mentoring Program

The Board's Mentoring Program aims to provide new staff of the Board with a mentor who will suit them and their requirements which will in turn provide benefits to the staff member, mentor and the Board. The mentor provides support, advice and assistance to the new employee during the induction and orientation period and then for a further six months. After that, the relationship may continue by agreement between the mentoree and the mentor. During the year, three staff new to the Board participated in the program.

Retirement

Julie Clapperton (administration officer) retired on Friday 1 December 2006. Julie's loyal and dedicated service for 13 years was very much appreciated by the members and staff of the Board.

Appointments

Judicial Member

The Hon Justice Simon Whelan, Judge of the Supreme Court of Victoria, was appointed a judicial member on 29 May 2007 for a three year term.

Administrative Staff

Claire Waghorne commenced on Monday 28 August 2006 as a Meeting Assistant.

Kandie Whichello commenced on Monday 19 February 2007 as the Board's Administrative Assistant (Receptionist).

- Christian Gonzalez commenced on Tuesday 24 April 2007 as the Assistant Coordinator (Home Detention).

Claire, Kandie and Christian have conducted themselves in an enthusiastic and professional manner since joining the Board's team.

Acknowledgments

I wish to acknowledge the efforts and services of the following agencies, organisations and individuals who have supported the work of the Board during the last year:

- Australian Community Support Organisation (ACSO) staff
- Clinical Services (Corrections Victoria) staff
- Community Correctional Services staff
- Community Offenders Advice and Treatment Service (COATS) staff
- Corrections Victoria employees including the staff at the two privately operated prisons – (Port Phillip Prison and Fulham Correctional Centre)
- Forensicare staff
- Home Detention Unit staff
- Jan Shuard, Deputy Commissioner – Community Correctional Services and Sex Offender Management, Corrections Victoria
- Kelvin Anderson, Commissioner – Corrections Victoria
- Michael Carroll, Director – Offender Management Services, Corrections Victoria
- Offender Management Services (Corrections Victoria) staff
- Sex Offender Program Unit staff
- Sister Clare McShee AM of the Australian Community Support Organisation (ACSO)
- Victorian Association of the Care and Resettlement of Offenders (VACRO) staff
- Victoria Police, Prisons Crime Desk staff.

Conclusion

The achievements of the last year reflect the commitment and professional approach of the Board's members and the highly skilled and dedicated staff. I thank Justice Kellam and the members for their on-going support.

I am grateful to the Board's management team members, Anna Djuric and Cheryn Leahy, who have worked tirelessly throughout the year and for undertaking their respective roles with such dedication and professionalism.

Despite many challenges tackled during a period of significant change and increased workloads, all staff continued to deliver an excellent level of service to the Board, their colleagues in the corrections system and the community. They are a delight to work with and I take this opportunity to record my gratitude for the significant contribution that each staff member has made throughout the year.



David Provan
General Manager

Business Plan Overview

The Board's Business Plan builds on our previous achievements and charts a course for the future. The 2006/07 plan was prepared to identify project initiatives and key priorities to achieve the Board's objectives. In addition, the plan aims to promote a performance-driven culture at the Board and to provide a platform for pursuing continuous improvement at every opportunity.

Objectives	What We Achieved
<ul style="list-style-type: none"> Fulfil our statutory obligations under the <i>Corrections Act 1986, Corrections and Sentencing Act (Home Detention) Acts 2003, Children, Youth and Families Act 2005</i> and the <i>Serious Sex Offender Monitoring Act 2005</i>, efficiently and effectively and in the best interests of the community. 	<ul style="list-style-type: none"> Conducted 8,529 hearings (7,643 in 2005/06). Conducted 129 meetings (117 in 2005/06). Fifty-three meetings were held at various Victorian prisons where the Board interviewed 1,700 offenders and 76 meetings were held at the Board's office, Community Correctional Services Centres and at the Thomas Embling Hospital.
<ul style="list-style-type: none"> Make independent and appropriate decisions regarding the release of offenders on supervised conditional release or home detention orders and in relation to extended supervision orders. 	<ul style="list-style-type: none"> Made 1,526 orders that offenders be released on supervised conditional release (1,504 in 2005/06). Made 47 home detention orders (35 in 2005/06). Considered and imposed instructions and directions on seven extended supervision orders (nine in 2005/06).
<ul style="list-style-type: none"> Make appropriate orders relating to cancelling parole or home detention orders and returning offenders to prison custody. 	<ul style="list-style-type: none"> Cancelled 520 parole orders (449 in 2005/06). Revoked nine home detention orders (five in 2005/06).
<ul style="list-style-type: none"> Ensure that offenders are properly prepared to reintegrate into the community. 	<ul style="list-style-type: none"> Continued to provide a case management function with respect to parolees by interviewing prisoners early in their sentence to identify rehabilitation objectives before being considered for parole. Conducted regular interviews with prisoners and obtained reports so that the Board could monitor their progress for an appropriate period prior to release on parole.
<ul style="list-style-type: none"> Maintain a program of continuous improvement including the ongoing review of management practices and strategic plans. 	<ul style="list-style-type: none"> Managed the relocation of the Board to a new 'purpose built, architect designed' facility located at Level 4, 444 Swanston Street, Carlton. Introduced the Board's 2006/07 business plan covering a range of projects designed to improve the Board's operations. Conducted regular planning meetings with registry and operations staff. Increased staff involvement in strategic projects as leaders or working party members. Identified opportunities to streamline business practices and procedures. Implemented quality assurance procedures. Responded to all incoming correspondence within 14 days of receipt.

Objectives	What We Achieved
<ul style="list-style-type: none"> Develop and sustain an organisational climate of excellence through best practice human resource management. 	<ul style="list-style-type: none"> A one day members' meeting was held on 23 February 2007. The meeting provided all members with the opportunity to discuss operational/policy issues as well as providing a forum for professional development. A number of guest speakers delivered short information sessions. Increased the Board's membership by the appointment of His Honour Justice Simon Whelan, Judge of the Supreme Court of Victoria. Justice Whelan was appointed on 29 May 2007 for a three year term. Arranged an orientation and induction program for Justice Whelan. Conducted regular debriefing sessions with staff.
<ul style="list-style-type: none"> Develop a flexible, responsive and skilled administrative staff by providing a safe, challenging and team-oriented work environment, professional development opportunities, and the appropriate use of specialised expertise. 	<ul style="list-style-type: none"> Prepared detailed staff <i>Performance Management and Progression Plans</i> for 2006/07. Conducted feedback and review meetings every 6 months. Staff participated in professional development opportunities designed to enhance service quality. Christie Hall participated in a Group Study Exchange organised and funded through Rotary International during April 2007. Conducted regular debriefing sessions after prison meetings to ensure staff wellbeing.
<ul style="list-style-type: none"> Maintain the efficient, effective and responsible management and control over the Board's finances and ensure public accountability. 	<ul style="list-style-type: none"> Maintained the efficient, effective and responsible management and control over the Board's finances and ensured public accountability by regularly reviewing the expenditure. Managed all costs (capital and recurrent) to within the Board's allocated budget. Reviewed compliance requirements with respect to personal expenses.
<ul style="list-style-type: none"> Promote the accessibility and efficiency of the Board by increasing awareness of its functions and powers. 	<ul style="list-style-type: none"> Published a booklet titled <i>Fifty Years of the Adult Parole System in Victoria 1957 to 2007</i>. Delivered nine presentations about the work of the Board to a number of organisations and community groups. Maintained an active 'observers program'. During 2006/07, 74 visitors attended meetings to observe the work of the Board. Continued work to modernise and upgrade the Board's website.

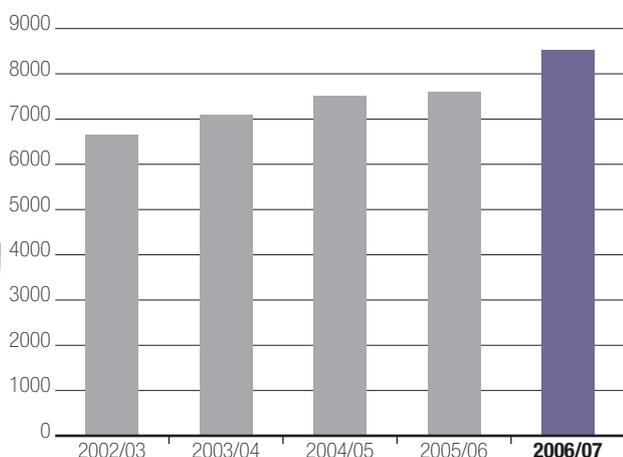
Our Performance

Case Management

During 2006/07, the Board met on 129 occasions (117 in 2005/06) and considered 8,529 matters (7,643 in 2005/06). This result represents an 11.6% increase in the number of cases considered, compared with the previous financial year. The table opposite shows cases considered by location.

The Board has experienced a rising trend in cases considered since 1996/97 when it considered 3,918 matters, representing a 117.7% increase over this period. The continued increase in cases considered is significant and has placed enormous strain on the Board's resources.

Total Number of Cases Considered 2002/03 to 2006/07



The complexity of cases involving offenders, both in custody and on parole, placed considerable demands on the Board's time in determining cases. The Board continued to monitor specific offenders who had been released on parole with problems involving psychiatric and accommodation issues, and the risk of drug use.

Number of Board Meetings Conducted to Consider Cases 2004/05 to 2006/07

	Meetings Held in Prison	Office/ CCS Centres/ Other	Total
2004/05	54	62	116
2005/06	51	66	117
2006/07	53	76	129

To monitor such offenders, the Board required offenders to attend interviews regularly at its office or, if they resided in country Victoria, their closest Community Correctional Services office. The Board requested reports from Community Correctional Services to stay informed of the progress of such offenders. The transient and drug culture lifestyle of many offenders prior to their imprisonment usually presents difficulties in obtaining new accommodation on release. Such regular reports enable the Board to intervene and re-direct the lifestyle of offenders. The Board maintains its involvement with offenders on parole, and takes appropriate action when necessary, to ensure offenders are able to meet the conditions of their parole.

Prison Visits

During 2006/07, the Board undertook a regular program of prison visits to:

- offer additional opportunities for offenders to access the Board directly through personal representations. This was especially useful for those offenders whose release on parole has been, or may be, denied or deferred by the Board;
- provide more effective integration of the Board's activities within the correctional system;
- increase the Board's contact with prison and Community Correctional Services staff; and
- enable the Board to make more informed assessments by discussing cases with individual offenders directly.

Of the 129 occasions the Board met, 53 meetings were held at various Victorian prisons (51 in 2005/06) where the Board interviewed 1,700 offenders (1,591 in 2005/06). This result represents a 6.9% increase in the number of offenders interviewed by the Board at prison and a 3.9% increase in prison visits, compared with 2005/06.

The Board aims to ensure that all offenders are aware of their obligations and the consequences if they breach their parole. It is impossible, however, for the Board to interview all offenders who are released on parole, particularly if a court fixes short non-parole periods for offenders or where offenders are transferred within the prison system.

If the Board does not interview offenders in prison, the full-time member often interviews them by video conference prior to release or the Board directs them to attend its office. Such offenders are then interviewed by either the Board or the full-time member who advises them fully of their responsibilities and obligations under parole.

Offenders in Custody

On 30 June 2007, the number of offenders eligible for parole totalled 2,755, compared with 2,559 on 30 June 2006. The number of offenders fluctuates over a 12-month period as offenders enter and leave the prison system on a daily basis, either after having been released on parole or when their sentences expire. For example, the above figures do not take into account offenders who were sentenced to a short non-parole period, and entered and left prison in the same year. The number of offenders in custody totalled 4,183 as at 30 June 2007 (3,905 as at 30 June 2006) representing a 7.1% increase over the period.

Offenders Considered for Release

The Board takes into account the individual merits of each case to determine the appropriate time to release an offender on parole. Before making its decision, the Board reviews reports from Community Corrections Officers (CCOs), custodial staff, medical practitioners, psychologists and psychiatrists.

Factors that Influence the Board's Decision

- Nature and circumstances of the offence(s).
- Comments made by the sentencing court.
- Prior criminal history.
- An assessment of the potential risk to the

community if the offender was released from custody.

- Release plans and whether suitable accommodation is available.
- Assessments and recommendations made by appropriate professionals, including psychiatrists, psychologists, and Community Corrections Officers.
- Submissions made by the offender, the offender's family, friends and potential employers, or any other relevant individual.
- Written submissions made by the victim(s) or by persons related to the victim(s).
- The conduct of the offender while in custody and whether any positive drug tests have been recorded.
- Willingness to participate in relevant programs and courses while in custody.

In addition, the Board examines the offender's criminal history and any comments recorded by the sentencing court. The offender or others interested in the case may make representations for consideration by the Board, including written submissions from victims or by a person related to the victim. To assist the decision-making process, the Board may interview the offender and professional people working with the offender. The Board pays particular attention to offenders convicted of serious offences, such as violent crimes.

The Board aims to ensure that its proceedings are conducted properly and fairly for all parties involved. While there is no formal avenue of appeal, an offender may request a review of a decision of the Board. This review may be initiated in writing by the offender, or by a person on behalf of the offender, or by the offender requesting an interview with the Board. In making decisions to grant, deny, defer or cancel parole, the Board considers each case on its merits, while using flexible guidelines developed over many years to streamline the decision-making process.

Releases and Denials

During 2006/07, the Board:

- made orders for the release of 1,526 persons on parole (1,504 in 2005/06);
- denied 194 persons release on parole (237 in 2005/06); and
- cancelled parole orders for 520 persons (449 in 2005/06).

Parole Releases, Denials and Cancellations – 2004/05 to 2006/07

	Releases			Denials			Cancellations		
	06/07	05/06	04/05	06/07	05/06	04/05	06/07	05/06	04/05
Male	1,398	1,370	1,420	185	229	155	483	403	423
Female	128	134	118	9	8	4	37	46	33
Total	1,526	1,504	1,538	194	237	159	520	449	456

As shown above, the number of orders made to release offenders on parole increased by 1.5% and the number of cases where the Board denied parole declined by 18.1%.

The Board denies parole for a number of reasons, including:

- failure of offenders to undertake programs that address their offending behaviour;
- drug use in prison;
- previous performance on parole; and
- insufficient time for an effective parole period.

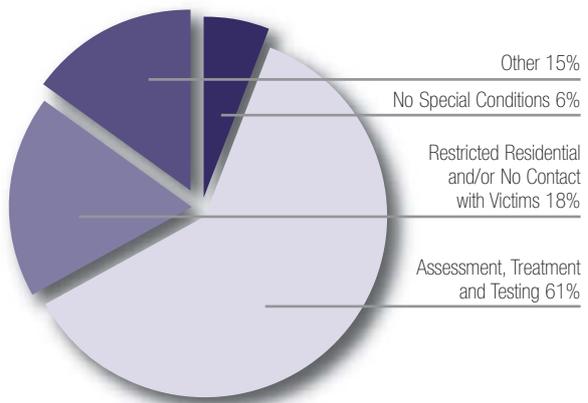
Special Conditions of Parole

Where appropriate, the Board imposes special conditions on parole orders to address accommodation, lifestyle and treatment issues, including:

- attendance for assessment and treatment for alcohol or drug addiction, or submitting to medical, psychological or psychiatric assessment and treatment;
- testing for alcohol or drug use;
- attendance for personal development programs (often in conjunction with anger management programs);
- residence as directed by the Board;
- attendance for treatment at the Community Forensic Mental Health Centre;
- no contact, directly or indirectly, with the victim or certain potential victims (this is an important protection for vulnerable persons in some situations);
- no unsupervised contact with children;
- participation in the sex offender maintenance program;
- avoidance of certain geographical areas;
- abstinence from alcohol;

- assessment by, and participation in, drug programs as directed by supervising Community Corrections Officers; and
- participation in drug programs as directed by supervising Community Corrections Officers in consultation with the Community Offenders Advice and Treatment Service (COATS).

Special Conditions Imposed on Parole Orders 2006/07



During 2006/07, the Board continued to impose stringent conditions on the parole orders of sex offenders, while ensuring sex offenders understood that their expected compliance with these conditions would be rigorously enforced. For example, in some cases, the Board required that an offender must not;

- associate with certain persons;
- be employed in particular jobs;
- reside in certain neighbourhoods or households; or
- have contact with victims or their family members, even under supervision.

The Board regularly imposes the special condition 'that you undergo assessment and treatment for alcohol or drug addiction or submit to medical, psychological or psychiatric assessment and

treatment as directed' as a condition of the parole order. This special condition provides supervising Community Corrections Officers with the authority to direct offenders to programs designed to address alcohol, drug and gambling addictions, and to arrange psychiatric and psychological treatment. In most cases, the Board identifies the particular needs of the offender and directs the Community Corrections Officers to arrange the appropriate treatment and programs. From time to time during the supervising period, the offender may require counselling for health problems and other issues, and this condition provides the Community Corrections Officers with the flexibility to arrange treatment without having to refer back to the Board.

Monitoring the Supervision of Offenders on Parole

The Board interviews offenders at its office and at Community Correctional Services offices in regional Victoria for the purpose of monitoring their progress while on parole. In addition, the Board consults with Community Corrections Officers about the individual management of specific offenders and the broader issues affecting the supervision of offenders on parole. This process gives Community Corrections Officers, particularly those new to Community Correctional Services, the opportunity to gain knowledge about the Board's requirements and to discuss difficult issues surrounding the supervision of offenders.

Victims of Crime

The Board understands fully the difficulties faced by victims of crime and their families who are exposed to the criminal justice system. A Victims Register commenced on 30 August 2004 and is managed by the Victims Support Agency in the Department of Justice. The Victims Registrar maintains contact with victims of crime who have asked to receive information about an adult prisoner who has been convicted of committing a violent crime against them. The aim of the Register is to provide victims of violent crime with timely, relevant and accurate information about offenders during their period of imprisonment. Individuals included on the Register have a right to send a written submission to the Board, when the prisoner for whom they are registered is being considered for parole. During the financial year, 49 submissions were provided for the Board's consideration (62 in 2005/06).

Regularly, the Board imposes special conditions on parole orders designed to protect victims from contact with offenders. The Victims Registrar will provide information about the release of an offender on parole, including any special conditions that are relevant to the victim.

People on Parole

Parole Orders Completed Successfully

During 2006/07, offenders completed 962 parole orders successfully, compared with 1,004 parole orders in 2005/06. This result included offenders who were released on parole prior to the current reporting year but who completed their parole period during the reporting year.

Breach of Parole Orders

If an offender fails to comply with any of the conditions of the parole order, including conviction and sentence for further offences while the order is current, they are then in breach of parole and the Board may cancel the order. If a parole order has expired but a court imposes a sentence of more than three months' imprisonment for an offence or offences committed during the parole period, the Board still has jurisdiction to cancel parole.

If a breach occurs, the Board considers taking the following actions:

- note the breach but take no further action;
- issue a warning by way of:
 - the individual's attendance in person before the Board;
 - a warning given by the Regional Manager of the supervising CCS location; or
 - a letter from the Board;
- add conditions; or
- cancel the order.

During 2006/07, offenders breached 903 parole orders, compared with 803 parole orders breached in 2005/06. These results include parole orders made by the Board in previous financial years.

Of the 903 parole orders breached, the Board cancelled 520 orders, representing 57.6% of all orders breached. This result compares with 2005/06 when 56% of the 803 parole orders breached by offenders resulted in cancellation of parole.

The Board considered the remaining breaches to be minor in nature and insufficient in severity to warrant returning the offender to prison. Usually,

offenders in this category breached their parole by way of conditions, such as failure to attend supervised appointments. In such cases, the Board imposed a warning and adjusted the offender's reporting regime in order to enable the offender to complete parole successfully.

Breaches Resulting in Cancellation

When the Board cancels a parole order, it issues a warrant for the arrest of the offender who is then returned to prison custody where they are liable to serve the unexpired portion of the original sentence. However, the Board may release the offender again on parole during this period.

The Board determines whether the time spent on parole by the offender prior to cancellation is to be deducted from the unexpired portion of parole. In making this decision, the Board takes into account the nature of the breach and the offender's performance during the period of supervision.

The number of cancellations increased by 15.8% from 449 in 2005/06 to 520 in 2006/07. Of the 520 parole orders cancelled, 335 (64.4%) resulted from the failure of the offender to comply with the conditions of parole, compared with 275 (61.2%) in 2005/06. A total of 185 parole cancellations (35.6%) resulted from a further conviction and sentence being imposed on the offender, compared with 174 (38.8%) in 2005/06.

The Board considers parole breaches to be a serious matter and often deals with such breaches by cancelling parole orders. With the exception of certain general obligations, that apply to all persons on parole, conditions under which individual offenders are released from custody are specific to each case. The Board clearly explains to each offender the supervision requirements. In the event of non-compliance, the offender may be required to appear before the Board so that the Board may assess whether any breach has, in fact, occurred and determine the course of action to be taken.

During 2006/07, the reasons for cancelled parole orders included continued drug abuse by the offender, failure to attend for supervision or

community work, failure to participate in programs as specified in the order, or convictions for further offences.

Most parole orders that were cancelled due to the offender failing to comply with the conditions of parole involved continued substance abuse and/or failure to attend supervision appointments and/or programs. The majority of such breaches occurred in the first six months of parole—a time when most offenders experience difficulty adjusting to the transition from prison to the community.

Parole Orders Completed Successfully and Cancelled 2004/05 to 2006/07

	2006/07	2005/06	2004/05
	Total	Total	Total
Completed Successfully*	962	1,004	1,086
Cancelled	520	449	456

* Includes a count of the number of parole orders completed during each financial year. The figures include both orders made prior to and during the reporting year that were successfully completed between 1 July 2006 and 30 June 2007.

Cancellation of Parole 2004/05 to 2006/07

Period After Release	By Condition			By Conviction and Sentence			Total			Proportion (%)		
	06/07	05/06	04/05	06/07	05/06	04/05	06/07	05/06	04/05	06/07	05/06	04/05
Release to <3 months	145	105	94	14	15	13	159	120	107	31	27	23
3 to <6 months	88	90	95	32	30	45	120	120	140	23	27	31
6 to <12 months	64	58	46	52	50	65	116	108	111	22	24	24
12 months or more	38	22	23	87	79	75	125	101	98	24	22	22
Total	335	275	258	185	174	198	520	449	456	100	100	100

Breaches Not Resulting in Cancellation

During 2006/07, the Board considered 383 cases involving breaches of the conditions of a parole order where, considering all the circumstances, it decided not to cancel the order. This result represents a 8.2% increase when compared with 354 cases in 2005/06.

The Board does not take action, particularly for a minor breach, if the offender's Community Corrections Officer has addressed the breach to ensure that the offender continues to comply with their conditions of parole. This procedure may involve an adjustment to the offender's reporting regime or the addition or deletion of specific conditions.

Of the 383 cases involving breaches not resulting in cancellation:

- 107 offenders (27.9%) were warned by the Board, compared with 98 (27.7%) in 2005/06;
- 187 offenders (48.8%) were warned by the Regional Manager or the Centre Manager of the Community Correctional Centre, compared with 221 (62.4%) in 2005/06;

- 49 offenders (12.8%) were warned by letter, compared with 13 (3.7%) in 2005/06; and
- 40 cases (10.4%) involved no further action being taken by the Board, compared with 22 (6.2%) in 2005/06.

When the Board cancels a parole order, the offender returns immediately to prison to serve the whole outstanding period of their sentence. Usually, the sentence the offender is required to serve constitutes the whole period of parole, regardless of the period they have spent on parole. The Board can re-parole offenders in appropriate circumstances.

When deciding whether or not to cancel parole, the Board considers the:

- type of breach;
- remaining parole period;
- performance of the offender and compliance with the other conditions of parole; and
- long-term rehabilitation of the offender, including employment and education issues.

Often, a minor breach of parole does not justify returning an offender to custody. In such instances, the Board:

- warns the offender formally;
- requests the Community Correctional Services Regional Manager or the Centre Manager to warn the offender; or
- issues a warning by letter.

In most cases, such warnings are sufficient to re-focus offenders about their parole obligations and responsibilities and, usually, offenders complete their parole orders successfully.

Breaches Not Resulting in Cancellation – 2004/05 to 2006/07

	2006/07	2005/06	2004/05
Warned by the Board	107	98	79
Warned by Community Correctional Services Staff	187	221	193
Warning by Letter	49	13	8
No Action Taken by the Board	40	22	67
Total	383	354	347

Supervising People on Parole

Community Corrections Officers employed by Community Correctional Services, a Division of Corrections Victoria, supervise offenders released on parole and home detention. These officers are accountable to the Board pursuant to s73 of the *Corrections Act 1986*.

Community Corrections Officers provide court advice and supervise individuals released on a number of different non-custodial, community based orders. Upon release from custody, a parolee must report within two working days to the Community Correctional Services Centre nearest their home or to the offender's most convenient location.

Release of Drug Abusing Offenders

Under the Victorian Prison Drug Strategy, prison managers are required to perform random urine analyses of prisoners to determine their Identified Drug User (IDU) status. Prisoners guilty of illicit drug use are tested more frequently and are subject to an escalating range of prison sanctions.

The Board considers drug use by prisoners very seriously. It advises offenders that they must remain drug free for a designated period in order

to be considered suitable for release on parole. The Board recognises that prisoners who use drugs while in custody will usually continue to use drugs after they are released and, therefore, are likely to re-offend. On numerous occasions, the Board has revoked parole orders for prisoners who have continued to use drugs in prison prior to their release on parole.

The Board supports those prisoners who show initiative in addressing their drug issues by participating in drug treatment programs and who submit willingly to voluntary drug testing. The Board gives offenders the opportunity to undertake such treatment and voluntary drug testing prior to making an order for their release on parole.

People Convicted of Murder

The Board pays particularly close attention to persons who have been convicted of the charge of murder both during their period of imprisonment and during any period of parole.

The Board reviews such offenders from the commencement of their sentence at intervals not exceeding five years. These reviews are conducted more frequently as the offender's parole eligibility date draws nearer. In addition, the Board conducts personal interviews with these offenders on a regular basis. Through this process, the Board can observe the progress of offenders while they remain in custody. This also enables the Board to encourage participation in programs that will assist them to reintegrate into the community.

Three years prior to the earliest eligibility date for parole, in appropriate cases, the Board may fix a tentative date for release on parole. This date is tentative only and may be revoked. This procedure enables long-term offenders who, by reason of their good behaviour, have achieved a minimum security rating in prison to make application for leave pursuant to the *Corrections Act 1986*.

When an early decision to release an offender is made, the Board continues to monitor the progress and behaviour of the offender. If an offender fails to act in an appropriate manner within the prison system, the Board revokes the order or defers release.

The Board actively supervises convicted murderers released on parole. Upon release the Board monitors these individuals by obtaining progress reports from the supervising Community Corrections Officer and requiring such offenders to attend interviews at least every three months during the first two years of their parole supervision period.

If the parolee responds well to parole supervision, the intervals between these interviews may be extended as the supervision period progresses. Generally, the Board receives progress reports until the parole period expires.

Offenders Detained under s93 of the Sentencing Act 1991

In cases involving offenders with a mental illness detained under s93 of the *Sentencing Act 1991*, the sentencing court may require such individuals to serve their sentences in an approved mental health institution. Such facilities include the Thomas Embling Hospital, which is managed by the Victorian Institute of Forensic Mental Health, commonly known as Forensicare.

Detainees become eligible for parole only when the Mental Health Review Board or the Chief Psychiatrist discharges them.

During 2006/07, the Board visited the Thomas Embling Hospital on a regular basis to monitor the progress of detainees. In addition, a member of the Board's staff communicated on a regular basis with treating doctors and staff at the hospital. This procedure ensured that hospital staff brought any changes in the condition of detainees to the Board's attention between visits to the hospital. Consequently, the Board was able to consider cases and make urgent and appropriate decisions without the need to attend the hospital.

Additionally, the Board's procedures ensured that such individuals were released on parole without being returned to prison. This procedure benefited detainees with significant mental health problems by assisting their reintegration into the community. The Board worked with representatives of the Thomas Embling Hospital and Community Correctional Services Centres to develop appropriate release plans that provided a high level of support for detainees once they were released on parole.

In conjunction with the management of Thomas Embling Hospital, the Board continued to develop a register of detainees. Although the Board granted parole for detainees only after they were discharged by the Mental Health Review Board or Chief Psychiatrist, the Board monitored the progress of detainees during their treatment periods.

Youth Transfers

The following information details youth transfers as defined under s467, s471 and s475 of the *Children, Youth and Families Act 2005*.

Transfers from Prison to a Youth Justice Centre

S471 of the *Children, Youth and Families Act 2005* provides:

If the Adult Parole Board of Victoria considers it appropriate, in the interests of a person under the age of 21 years imprisoned in a prison, to transfer that person to a youth justice centre, the Adult Parole Board of Victoria may, if satisfied, after considering a report from the Secretary of the Department of Human Services:

(i) that person is suitable for detention in a youth justice centre;

and

(ii) a place is available in a youth justice centre — direct that person be transferred to a youth justice centre.

During 2006/07, two persons were transferred from prison to a youth justice centre, pursuant to this section, compared with nine persons in 2005/06.

Transfers from a Youth Justice Centre to Prison

S467 of the *Children, Youth and Families Act 2005* provides:

The Youth Parole Board may, on the application of the Secretary of the Department of Human Services, direct a person aged 16 years or more sentenced as a child by the Children's Court or any other court to be detained in a youth justice centre be transferred to a prison to serve the unexpired portion of the period of his or her detention as imprisonment.

When a person transfers to prison, he or she becomes subject to the jurisdiction of the Board as if the period of detention served by that person, prior to the transfer, had been a minimum term.

S475 of the *Children, Youth and Families Act 2005* provides that if a person:

(a) has been sentenced to detention in a youth justice centre; and

(b) before the end of that sentence is sentenced to a term of imprisonment with respect to any offence the Youth Parole Board may direct that the person serve the unexpired portion of the period of detention as imprisonment in a prison and thereafter the person is subject to the jurisdiction of the Adult Parole Board of Victoria as if the period of detention served by him or her before that sentence of imprisonment or his or her release on

parole by the Youth Parole Board had been a non-parole period.

During 2006/07, 13 persons were transferred from a youth justice centre to prison, compared with 24 in 2005/06.

Interstate Transfers

The *Parole Orders (Transfer) Act* 1983, as amended, provides the legislative basis for the transfer of parole orders between jurisdictions.

During 2006/07, the Registrar of Transferred Parole Orders advised the Board of the transfer from Victoria of 47 parole orders interstate (36 in 2005/06) as shown in the following table.

Parole Orders Transferred from Victoria— 2003/04 to 2006/07

	2006/07	2005/06	2004/05	2003/04
New South Wales	23	16	11	23
South Australia	5	1	2	5
Western Australia	5	4	2	4
Queensland	7	11	16	14
Northern Territory	3	1	1	1
Tasmania	3	2	-	4
Australian Capital Territory	1	1	-	-
Total	47	36	32	51

The Registrar of Transferred Parole Orders also advised the Board of the transfer to Victoria of 24 parole orders from interstate (53 in 2005/06) as shown in the following table.

Parole Orders Transferred to Victoria— 2003/04 to 2006/07

	2006/07	2005/06	2004/05	2003/04
New South Wales	12	19	4	5
South Australia	3	11	1	6
Western Australia	2	7	3	1
Queensland	5	14	7	10
Northern Territory	1	1	-	-
Tasmania	1	-	1	-
Australian Capital Territory	-	1	1	-
Total	24	53	17	22

People on Home Detention

The Home Detention Program commenced on 1 January 2004. Home detention enables the Board to direct a carefully selected non-violent, low-security offender to serve part of their sentence by way of home detention after the offender has served two-thirds of their minimum term of imprisonment. Offenders may serve a maximum of six months on home detention. Home detention enables low-risk offenders to maintain the employment, family and community ties necessary for rehabilitation and reintegration.

Eligibility Criteria

The home detention program has core eligibility criteria which *must* be met in order for an offender's initial application to progress to the assessment phase, including that the offender:

- is 18 years of age or older;
- has not committed a serious violent offence, a weapons offence or a serious sexual offence as defined in s18ZV of the *Sentencing Act* 1991 or s60A of the *Corrections Act* 1986;
- has not been convicted of stalking or breaching an Intervention Order;
- has no history of drugs charges relating to commercial trafficking quantities;
- has available accommodation that is assessed as suitable for placement and that lies within the program boundary (expanded from 30 kilometres to 40 kilometres in January 2006);
- is assessed as a suitable person for a home detention order; and
- has a minimum security status.

Additionally, the person(s) living at the proposed residence must agree to the making of the order.

Once the Board's home detention staff have determined that an applicant is eligible for the program, they request the Home Detention Unit of Community Correctional Services to provide an assessment report for the Board. Before making a decision to grant home detention, the Board notes the contents and recommendations contained in the assessment report, interviews the offender, and then assesses information relating to the offender's:

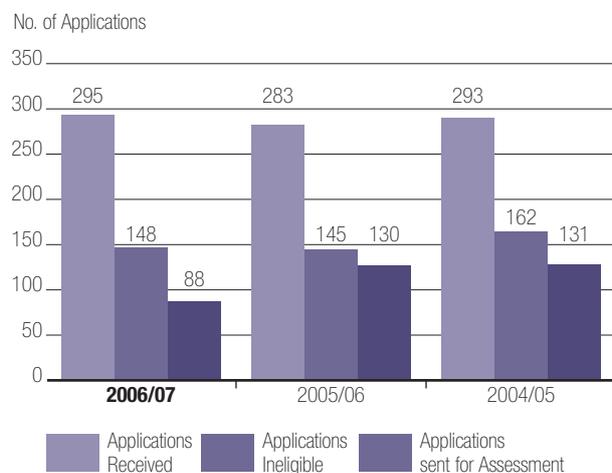
- criminal history;
- past and current sentence structure;
- psychological, psychiatric, medical and intervention order history;
- accommodation arrangements;

- prison conduct; and
- program participation.

Applications Received

During 2006/07, the Board received a total of 295 applications from offenders wishing to participate in the program, compared with 283 applications in 2005/06 and 293 applications in 2004/05.

Home Detention Order Applications

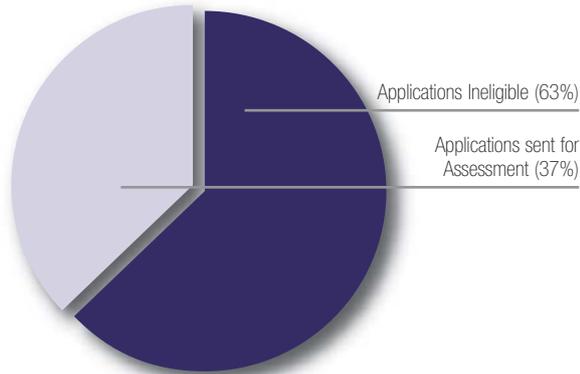


Applications Deemed Ineligible

After a careful assessment of selected applications, the Board deemed 148 applicants (145 in 2005/06 and in 2004/05 162) ineligible to participate in the program for a variety of reasons, including:

- unsuitable accommodation;
- nature of past offences;
- nature of current offences;
- insufficient time to undertake the program; and
- sentence structure did not provide the Board with jurisdiction to grant home detention.

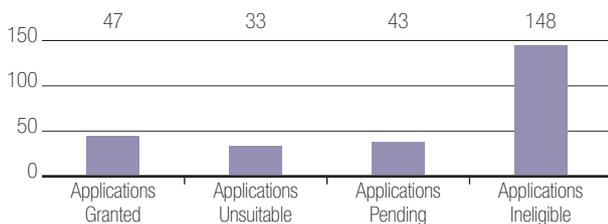
Home Detention Order Applications Eligibility 2006/07



Applications Sent for Assessment

During 2006/07, the Board requested the Home Detention Unit undertake an assessment of 88 offenders. Of those 88 offenders, 33 were assessed as unsuitable to participate in the program and 24 were deemed as suitable. As at 30 June 2007, the Board was awaiting completion of 43 assessments (35 assessments as at 30 June 2006).

Application Outcomes 2006/07



The 33 applicants that were assessed as unsuitable for the program were for the following reasons:

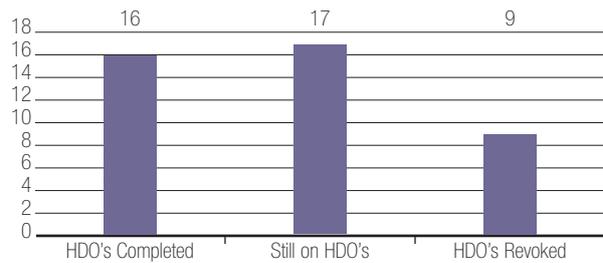
- prior criminal history;
- unsuitable residence; or
- risk of non-compliance.

The Board may exercise its power to refuse home detention in cases where there has been a positive recommendation from the Home Detention Unit. The Board makes such decisions on the basis that the offender may present an unacceptable risk to the community.

Home Detention Orders Made

After careful consideration, the Board made 47 home detention orders (35 in 2005/006 and 57 in 2004/05). If an order to grant home detention is made, the Board interviews the offender by video conference or in person and explains the requirements of the program.

Outcome of Home Detention Orders 2006/07



Offenders on home detention are subject to a range of very strict restrictions. For example, they must wear an electronic tag, they must not consume alcohol or use prohibited drugs and they are supervised strictly.

The courts made 42 orders (14 in 2005/06 and eight in 2004/05), including 40 orders from the Magistrates' Court and two orders from the County Court.

Orders Revoked

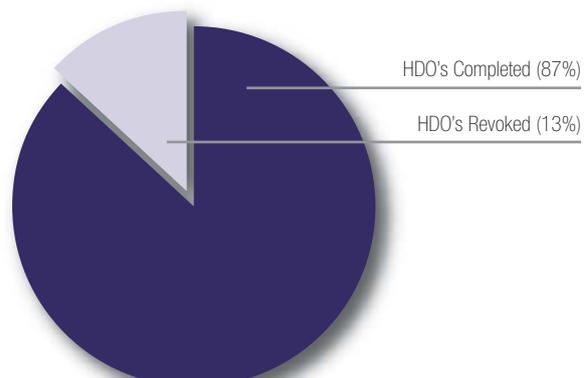
During 2006/07, the Board revoked nine orders (five in 2005/06 and five in 2004/05). The nine orders were all revoked due to positive urinalysis results.

The Board has the capacity to respond to a breach of a home detention order at any time. Consequently, if the Board revokes a home detention order, it can arrange the execution of a warrant on a 24-hour basis.

Impact of Home Detention Orders on Co-residents

In assessing the suitability of an offender for a home detention order, a representative of the Home Detention Unit conducts a comprehensive and confidential interview with all persons who will be residing with the offender (co-residents). The aim of the interview is to ensure that co-residents appreciate fully the monitoring procedures and core conditions for the offender and to identify any negative or positive impact an order may have upon family relationships. The Home Detention Unit will recommend an offender for the program only in cases where no risks exist with regard to the safety of any co-resident. Ongoing monitoring ensures that any risk to co-residents is quickly identified.

Outcome of Home Detention Orders 2006/07



People on Extended Supervision Orders

The *Serious Sex Offenders Monitoring Act 2005* was introduced and passed by State Parliament in February 2005. The legislation was subsequently proclaimed and came into operation on 26 May 2005.

The main purpose of the *Serious Sex Offenders Monitoring Act 2005* is to enhance the protection of the community by closely supervising high risk child sex offenders while facilitating ongoing treatment. The Act applies to serious sex offenders who have been sentenced to a period of imprisonment for a wide range of sexual offences against children, including sexual penetration, indecent assault, incest and the possession or production of child pornography.

All eligible child sex offenders sentenced to a term of imprisonment are assessed for their risk of further relevant sexual offending. Those assessed as 'high risk' are then the subject of an application to either the Supreme or County Court for an extended supervision order (ESO). The court may only make an ESO if it is satisfied, to a high degree of probability, that the offender is likely to commit a relevant offence if released in the community on completion of their term of imprisonment including any period of parole. The court can impose an ESO for a period of 15 years. There is an unlimited capacity for a court to review an ESO for further periods of up to 15 years on the application of the Secretary to the Department of Justice.

If the court makes an ESO, the offender is subject to the supervision of the Board and Community Correctional Services. During the order, the offender must comply with eight 'core conditions' to ensure that the community is adequately protected by monitoring the offender and to promote the rehabilitation, care and treatment of the offender.

During the period of the order, the offender must comply with 'core conditions' of the ESO, as follows;

- not commit, whether in or outside Victoria, another relevant offence or an offence that, if committed in Victoria, would be a relevant offence;
- attend at any place as directed by the Secretary to the Department of Justice or the Adult Parole Board for the purpose of supervision, assessment or monitoring;
- report to, and receive visits from, the Secretary to the Department of Justice or any person nominated by the Secretary;
- notify the Secretary to the Department of Justice of any change of name or employment at least two clear working days before the change;
- not move to a new address without the prior written consent of the Secretary to the Department of Justice;
- not leave Victoria except with the permission of the Secretary to the Department of Justice granted either generally or in relation to the particular case;
- obey all lawful instructions and directions of the Secretary to the Department of Justice; and
- obey all lawful instructions and directions of the Adult Parole Board.

As soon as practicable after a court makes an ESO, the Board imposes 'instructions or directions' that are deemed necessary to achieve the purpose of the Act, namely to ensure that the community is protected adequately and to promote the rehabilitation, care and treatment of the offender. Instructions or directions imposed may include;

- where the offender may reside;
- times at which the offender must be at home;
- places or areas that the offender must not visit or may visit only at specified times;

- treatment or rehabilitation programs or activities that the offender must attend and in which they must participate;
- the types of employment in which the offender must not engage;
- community activities in which the offender must not engage;
- persons or classes of person with whom the offender must not have contact (including their victims);
- forms of monitoring (including electronic monitoring) of compliance with the ESO to which the offender must submit; and
- personal examinations by a medical expert for which the offender must attend for the purpose of the Board being given a report by the expert to assist it in determining the need for, or form of, any instruction or direction.

The Board may (at any time) vary any instruction or direction, as the case requires.

If at any time while an ESO is in force the offender fails (without reasonable excuse) to comply with any condition, instruction or direction, breach action is initiated immediately. If the charge is found proven by the court, the offender may be sentenced to a term of imprisonment of up to 5 years.

ESO Orders made by the Court	2006/07	2005/06
Orders made by the Supreme Court	-	1
Orders made by the County Court	7	8
Total	7	9

Duration of ESOs	2006/07	2005/06
3 years	-	1
4 years	-	1
5 years	-	1
6 years	1	-
7 years	1	-
8 years	2	-
10 years	2	4
15 years	1	2
Total	7	9

Orders Suspended

One (as at 30 June 2007, the court had not heard and determined the breach proceedings).

Orders Revoked

One (on 26 September 2006 at the Supreme Court of Victoria).

Orders Considered by the Board

During 2006/07, the Board considered and imposed 'instructions or directions' in relation to seven ESOs (9 in 2005/06).

Release of Sex Offenders Who are not Subject to an ESO

The Board acknowledges that the release of sex offenders on parole can be a highly contentious and emotive issue. Given the serious nature of such offences, members of the community often become concerned when attempts are made to reintegrate such individuals into the community. While there is always a risk of re-offending by some sex offenders, that risk can be minimised through the appropriate management of the parolee.

The Board aims to manage sex offenders from the early stages of their sentence. This approach enables the Board to identify and discuss, as early as possible, what is expected of such individuals while they are in custody, as well as any potential obstacles to their reintegration.

The Board requires that all sex offenders be assessed for the Sex Offender Program (SOP). Assessment for the SOP is conducted at all prisons and eligible offenders are transferred to the Marnong Correctional Centre where the program is delivered. Failure of sex offenders to participate in recommended programs may result in denial of parole.

When structuring the conditions of parole, the Board considers personal problems specific to the sex offender and the particular risk that individuals may present to the community. For example, the Board requests detailed reports from Community Correctional Services regarding the accommodation arrangements of sex offenders who are being considered for release on parole to ensure that such accommodation is appropriate. These reports include the approximate distance of any proposed accommodation from schools, kindergartens, playgrounds, childcare centres, and leisure or other facilities where children and young persons might congregate. Additionally, the Board takes into

account the offender's profile and target groups when assessing the suitability of the proposed property.

Regularly, the Board imposes special conditions on the parole orders of sex offenders. Such conditions may require the sex offender to participate in the Sex Offender Program delivered by Corrections Victoria. Alternatively, the Board may require sex offenders to undertake psychiatric and other treatment. In addition, it may be appropriate for the Board to impose conditions that protect the victims of sexual assault or abuse. *(Refer to page 16 for a list of some of these conditions.)*

The Board considers that some offenders have a greater incentive and are more responsive to programs if they are conducted before they become eligible for parole. Offenders are assessed for the purpose of determining if they are at a high or low risk of offending upon release. If offenders are classified as low risk they are unlikely to be offered a place in a Sexual Offender Supervision Program. The nature of these offences and the consequences that impact upon victims have resulted in courts fixing sentences with non-parole periods attached, reflecting the seriousness of the offences.

In the Board's view, all offenders who have been convicted of sexual offences should undertake an appropriate Sexual Offender Supervision Program, either in prison or upon parole, unless there are exceptional circumstances.

The Board encourages assessment of sexual offenders for such programs while they are serving their prison sentences. Those who are assessed as being suitable to undertake sexual offender programs in prison should be provided with appropriate programs, and be required to participate in them, before becoming eligible for parole.

Our Workplace

Governance Policies

Legislative Mandate

The operation of the Board is governed primarily by the *Corrections Act 1986*. As an independent statutory body, the Board's decisions are free from political or bureaucratic influence.

Functions of the Board

The Board's functions are conferred on it by the *Corrections Act 1986* and the regulations; the *Serious Sex Offenders Monitoring Act 2005*; part 5.6 of the *Children, Youth and Families Act 2005* and regulations and subdivision (1A) of Division 2 of Part 3 of the *Sentencing Act 1991* and the regulations made under that subdivision; and subdivision (1D) of Division 2 of Part 3 of the *Sentencing Act 1991* and the regulations made under that subdivision.

The Board has jurisdiction over the following offender groups:

- Offenders for whom a court has ordered a prison sentence where a non-parole period applies; and
- Young persons transferred to prison from a youth justice centre, and transferred from prison to a youth justice centre, under part 5.6 of the *Children, Youth and Families Act 2005* and regulations.

In addition, the Board has jurisdiction:

- to grant a home detention order, under the provisions of the *Corrections and Sentencing Act (Home Detention) Acts 2003*; and
- pursuant to the *Serious Sex Offender Monitoring Act 2005*, to determine appropriate instructions and directions (special conditions) in respect of an extended supervision order and to supervise offenders who are subject to such an order.

Meetings of the Board

The Board meets every Wednesday at its office and visits 12 prisons on a regular basis. A quorum for a meeting of the Board comprises the Chairperson, or in the Chairperson's absence an Acting Chairperson, chosen according to the procedure determined by the Chairperson, and two other Board members. The Board may also exercise its powers and functions in a division of the Board, which consists of three members, of whom at least one must be a Judge, retired Judge, Magistrate or retired Magistrate who acts as Chairperson.

The Board visits Community Correctional Services Centres in both rural and metropolitan locations as an important part of its visitation program. During 2006/07, the Board visited Ararat, Ballarat, Morwell, Newport, Sale, Shepparton and Sunshine Community Correctional Services Centres.



From left: Board members Dr Kerry-Lee Jones, His Honour John Dugan AM and Judith Wright

The Board's Members

The *Corrections Act* 1986 provides for the membership of the Board to comprise:

- (a) one or more Judges of the Supreme Court appointed by the Governor in Council on the recommendation of the Chief Justice of the Supreme Court, one of whom is appointed chairperson;
- (b) one or more Judges of the County Court appointed by the Governor in Council on the recommendation of the Chief Judge of the County Court;
- (c) one or more Magistrates appointed by the Governor in Council on the recommendation of the Chief Magistrate;
- (d) one or more retired Judges of the Supreme Court or the County Court, or retired Magistrates appointed by the Governor in Council as part-time members;
- (e) a person appointed by the Governor in Council as a full-time member;
- (f) such number of persons as are appointed by the Governor in Council as part-time members; and
- (g) the Secretary to the Department of Justice.

As at 30 June 2007, the 22 incumbents of the Board comprised:

- Three Judges of the Supreme Court of Victoria
- Three Judges of the County Court of Victoria
- One retired Judge of the County Court of Victoria
- One retired Chief Magistrate
- Three Victorian Magistrates
- One full-time member
- Nine part-time members (six female and three male) representing the community; and the
- Secretary to the Department of Justice



From left, top row: Her Honour Judge Carolyn Douglas, His Honour John Dugan AM, Justice Murray Kellam AO, Dr Kerry-Lee Jones, Judith Wright

From left, bottom row: Michael Hepworth, Lisa Ward, Justice Simon Whelan

Membership Summary 2006/07

Total Judicial Members	11
Full-Time Member	1
Total Community Members	9
Secretary to the Department of Justice	1
Total	22
Female Members	11
Male Members	11
Total	22

Chairperson

The Honourable Justice Murray Kellam AO

- Appointed a Judge of the County Court in 1993 and Justice of the Supreme Court in 1998.
- Appointed the inaugural President of the Victorian Civil and Administrative Tribunal (VCAT) on 1 July 1998.
- Appointed an Officer of the Order of Australia (General Division) in 2005.
- Appointed to the Court of Appeal in 2007.
- Appointed as Member on 22 August 2000.
- Appointed Chairperson on 20 March 2003.
- Reappointed as Chairperson from 20 March 2006 until 19 March 2009.

Deputy Chairperson

The Honourable Justice Bernard Teague

- Appointed Justice of the Supreme Court in 1987 and Principal Judge in its Criminal Division in 2001.
- President of the Law Institute of Victoria in 1978 and again in 1986.
- Appointed as Member on 20 March 1991.
- Acting Chairperson from 7 June 2001 to 20 March 2003.
- Appointed Deputy Chairperson on 20 March 2003 and reappointed from 20 March 2006 until 15 February 2008.

Judicial Members

The Honourable Justice Simon Whelan

- Judge of the Supreme Court of Victoria.
- Appointed as Member on 29 May 2007 until 28 May 2010.

Her Honour Judge Carolyn Douglas

- Judge of the County Court of Victoria.
- Appointed as Member on 17 March 1998.
- Reappointed from 6 July 2004 until 5 July 2007.

His Honour Judge David Jones AM

- Retired Judge of the County Court of Victoria.
- Previously, President of the Law Institute of Victoria, Chairman Legal Aid Commission, Chairman Australian Broadcasting Tribunal, President Accident Compensation Tribunal, President Administrative Appeals Tribunal, Deputy Chairman Legal Profession Tribunal and Vice President Victorian Civil and Administrative Tribunal (VCAT).
- Appointed a Member of the Order of Australia in 1987.
- Appointed as Member on 26 February 2002.
- Reappointed from 21 March 2005 until 20 March 2008.

His Honour Judge James Duggan

- Judge of the County Court of Victoria.
- Appointed as Member from 11 October 2005 until 10 October 2008.

Her Honour Judge Margaret Rizkalla

- Judge of the County Court of Victoria.
- Appointed Member of the Small Claims and Residential Tenancy Tribunal in 1985.
- Appointed Victoria's first woman Magistrate in September 1985 and while a Magistrate sat as the Chair of the Police Disciplinary Board.
- Appointed President of the Victorian Equal Opportunity Board and Vice President of the Administrative Appeals Tribunal in 1988.
- Appointed as Member from 11 October 2005 until 10 October 2008.

His Honour John Dugan AM

- Retired Chief Magistrate of Victoria.
- Began career as a Clerk of Courts and then Inspecting Clerk of Courts until 1973 and appointed a Special Magistrate of the Children's Court in 1969.
- Appointed as a Stipendiary Magistrate in 1973 and Deputy Chief Stipendiary Magistrate in 1982, followed by his appointment to Chief Magistrate in 1985.
- Retired from the bench in late 1990.
- Consultant/advisor to Aid Projects in Papua New Guinea, Tonga, Cambodia and East Timor from 1993 to 2003.
- Appointed a Member of the Order of Australia (General Division) in June 1990.
- Appointed as Member on 31 October 1990.
- Reappointed from 9 November 2005 until 8 November 2008.

Her Honour Jelena Popovic

- Deputy Chief Magistrate of Victoria.
- Appointed Magistrate in 1989, followed by her appointment to Deputy Chief Magistrate in 1997.
- Appointed as Member on 17 March 1998.
- Reappointed from 6 July 2004 until 5 July 2007.

Her Honour Lesley Fleming

- Victorian Magistrate.
- Signed the Bar Role in 1989.
- Previously, practised at the Victorian Bar and as a Judicial Registrar for the Industrial Relations Court of Australia until her appointment as a Magistrate in 1998.
- Participated in training of law graduates and undergraduates at the University of Melbourne, Leo Cussen Institute and the Legal Training Institute in Papua New Guinea.

- Appointed as Member from 11 October 2005 until 10 October 2008.

His Honour Steven Raleigh

- Victorian Magistrate.
- Admitted as a Barrister and Solicitor of the Supreme Court in 1977.
- Member of the Australia Federal Police from 1977 to 1981.
- Practised as a solicitor advocate from 1981 until his appointment as a Magistrate in 1998.
- Sits as a coroner and is a sessional member of the Victorian Civil and Administrative Tribunal (VCAT).
- Appointed as Member from 11 October 2005 until 10 October 2008.

Full-Time Member

Michael Hepworth

- Admitted as a Barrister and Solicitor of the Supreme Court of Victoria in 1984.
- Solicitor in both private practice and Victoria Legal Aid until 2001.
- Became accredited Specialist in Criminal Law in 1995.
- Sat on the Panel of Advisers to the National Institute of Forensic Scientists in 1999 and spent 12 months working in the Northern Territory with the North Australian Aboriginal Legal Aid Service during 1997/98.
- Appointed Full-Time Member on 18 September 2001.
- Reappointed from 18 September 2004 until 17 September 2007.

Community Members

Theresa Sgambaro

- Holds a Bachelor of Business (Accounting) and a Diploma of Financial Services (Financial Planning).
- Awarded a Centenary Medal in 2003 for participating in community organisations and local government committees.
- Serves on the boards of community organisations providing opportunities for people experiencing social and/or economic disadvantage.
- Appointed as Member on 2 August 2000.
- Reappointed from 12 October 2004 until 11 October 2007.

Jim Berg

- Jim Berg is a Gunditj-Mara man from the Western District of Victoria.
- For more than thirty years he has worked

throughout the community, from grass-roots level with community organisations through to all levels of government.

- He has a strong commitment to building bridges of mutual respect and understanding across the different sections of the community, and across all levels of society.
- Appointed as Member on 17 October 2000.
- Reappointed from 17 October 2004 until 16 October 2007.

Terry Laidler

- A forensic psychologist and communications advisor.
- Holds an arts degree with honours in psychology (1978) and a law degree (1991) from the University of Melbourne.
- Previously, Associate Professor of Applied Communications at RMIT and policy advisor on health services to older people with the Victorian Health Department.
- Member of the Victorian Civil and Administrative Tribunal (VCAT), Council of the Victorian Institute of Forensic Mental Health (Forensicare), Advisory Board for VicRoads, Board of the Burnet Centre, Victoria Police Ethical Standards Consultative Committee, Windana Society Board and the Youth Substance Abuse Service Board.
- Appointed as Member on 17 October 2000.
- Reappointed from 17 October 2004 until 16 October 2007.

Vera Olson

- A retired Member of the Victorian Basketball Association Tribunal and retired Deputy Chairperson and Member of the Victorian Basketball Association Regional and Metropolitan Tribunal.
- Previously, Chairperson and Secretary of various school councils.
- Worked with the Department of Justice for more than 20 years.
- Appointed as Member on 15 January 2001.
- Reappointed from 16 February 2006 until 15 February 2009.

Dr Julian Davis

- A consultant psychiatrist in public and private practice.
- Having graduated from the University of Melbourne in 1971, he later became Deputy Medical Superintendent and geriatrician at Mount Royal Hospital in Parkville.
- Appointed to the Guardianship and Administration Board in 1987.

- Appointed Senior Lecturer in Intellectual Disability Psychiatry at the University of Melbourne in 1993.
- Currently, a Senior Associate in the School of Psychology at the University of Melbourne and Honorary Clinical Associate Professor in the School of Psychology, Psychiatry and Psychological Medicine at Monash University.
- Sessional member of the Victorian Civil and Administrative Tribunal (VCAT) on the Guardianship and Business and Occupational Regulation Lists.
- Appointed as Member from 5 July 2005 until 4 July 2008.

Janet Farrow

- In 1988, graduated with a bachelor degree in Social Work from the University of Melbourne and graduated with a Master of Business Administration from RMIT in 2000.
- Awarded Churchill Fellowship in 2001 and completed the Williamson Community Leadership Program in 2003.
- Previously, held clinical and management roles in drug treatment, mental health, child and family welfare, disability services and served on the secretariat of the Premier's Drug Advisory Council.
- Member of the Multiple and Complex Needs Panel, the Barwon Health Board and the Governance Advisory Committee for Uniting Care Victoria and Tasmania.
- Appointed as Member from 5 July 2005 until 4 July 2008.

Dr Kerry-Lee Jones

- In 1993, graduated with a BBSoc (Hons) and in 1993 and a M.Psych (Clinical Neuro) in 1996.
- Appointed as a Clinical Neuropsychologist in the alcohol and drug field in 1995 and later worked in neurological rehabilitation, psychiatry and aged care.
- Completed an Alfred Hospital research scholarship for her doctoral degree in 2001.
- Appointed as Member from 5 July 2005 until 4 July 2008.

Lisa Ward

- A qualified social worker with extensive experience in a range of human services, including Juvenile Justice, Adult Corrections, Child Protection and Homelessness Services.

- For the last decade, has operated a human services consulting business, providing research, program evaluation and policy review services to government and community organisations.
- Specific expertise in the design and delivery of services for people exiting prison and the development of gender responsive services for female offenders.
- Chairperson of the Victorian Child Death Review Committee and a member of the Victorian Women's Correctional Services Advisory Committee.
- Appointed as Member from 5 July 2005 until 4 July 2008.

Judith Wright

- BA (Legal), Dip Crim, M Crim. (Masters Thesis on Managing Offenders in the Community).
- Awarded the John Barry Medallion in 1994, Criminology Department, University of Melbourne.
- Senior Lecturer at the Institute of Public Safety since 1999.
- Extensive experience as a Senior Community Corrections Officer from 1985 until 1999.
- Previous experience in policing, security and investigations and youth work.
- Appointed as Member from 5 July 2005 until 4 July 2008.

Departmental Representative

Penny Armytage

- Secretary to the Department of Justice.
- Appointed as Member on 17 March 2003.

Code of Conduct

The Board follows a Code of Conduct (the code) for members. The code provides guidance as to the general standards of performance and ethical conduct expected of all Board members. The code presupposes that members will act according to the law in the performance of their duties and is designed to ensure that the independence of members in relation to their decision-making functions is not compromised in any way.

Staff Profile

Staff of the Board provide all administrative and support functions associated with the organisation of Board meetings and a comprehensive visiting schedule conducted in both the Melbourne metropolitan and country prison locations. In addition, the Secretariat undertakes significant monitoring, reporting and liaison functions associated with the timely and appropriate processing of all offenders who come within the jurisdiction of the Board.

Staff are responsible for compiling all relevant material regarding offenders for inclusion in the Board's files, including:

- psychiatric and psychological reports;
- Community Correctional Services reports;
- incident reports involving offenders;
- judges' sentencing comments;
- previous criminal history;
- victim impact statements tendered at court hearings; and
- other material the Board may request.

In addition, staff assist in providing information and advice to the public, Community Corrections Officers, offenders and prison staff.

During 2006/07, there were 15 administrative staff (15 in 2005/06).

Performance Management and Progression Plans

In July 2006, all staff prepared (in consultation with their manager) a detailed *Performance Management and Progression Plan*. Each plan outlines the officer's work priorities and the knowledge and skills required to support their current and future job and career needs. The performance management program includes the following elements:

- performance in the job;
- professionalism;
- experience and efficiency in the role; and
- learning and development.

These four elements are combined to create a basis for individual progression through a seven grade structure with defined progression steps or payments. Central to progression is the need for managers and staff to identify what should and can be delivered to warrant progression through a

combination of capacity, productivity, performance and professionalism. This formal interaction between managers and staff gives authority and integrity to the structure and its sustainability in the long term. The underlying philosophy of the program is the development and rewarding of staff through a structured progression process.

The performance management cycle runs from 1 July of each year until 30 June the following year.

Staff Involvement in Strategic Projects

All staff were actively involved in the improvement of the Board's operations by identifying two or three strategic projects that they would either lead or assist as a working party member. These projects were then listed in the staff member's *Performance Management and Progression Plan*.

Professional Development

During 2006/07, the Board conducted an orientation and induction program for new staff to equip them to meet the challenges of the role. In addition, staff attended courses conducted as part of the Department of Justice Learning Program that were relevant to their current work, career aspirations and organisational needs. All staff are expected to participate in at least two professional development days per year.

Rotary International Group Study Exchange

During April 2007, Christie Hall (meeting coordinator) participated in a Group Study Exchange (GSE) organised and funded through Rotary International. The GSE is a cultural and vocational exchange for young business and professional men and women, in the initial years of their professional careers.

Christie spent time in Sweden and in Latvia. During the two weeks in Sweden, Christie visited a men's prison and the Prison and Probation Service.

In Latvia, Christie visited the Probation Service, a women's prison and interviewed a Judge. These experiences provided Christie with the opportunity to see the differences, similarities and challenges faced by the criminal justice systems of two very contrasting countries.

Mentoring Program for New Staff

All new staff to the Board are invited to participate in a mentoring program. The mentor provides support, advice and assistance to the new employee during the two week induction and orientation period and then for a further six months. After that, the program continues by agreement between the mentoree and the mentor.

Equal Employment Opportunity

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

The Board values and respects the diversity of its workforce and is committed to providing a workplace that is free from sexual harassment, bullying and workplace violence for all staff and visitors to the Board.

Employee Remuneration and Benefits

Employee remuneration totalled \$718,698 in 2006/07 compared with \$695,572 in 2005/06. Superannuation benefits (9% of each officer's salary) were paid into a nominated fund such as the Government Superannuation Office and VicSuper funds.

Occupational Health and Safety

The Board provides and maintains for all staff, members and visitors a working environment that is safe and without risk to health. The Board manages health and safety at work through the Department of Justice Occupational Health and Safety (OHS) committee and various health and safety representatives.



From left, top row: Christie Hall, Annette Ting, David Provan, Anna Djuric, Christian Gonzalez, Pauline Bailey, Claire Waghorne

From left, bottom row: Peka Pau, Diana Maldry, Helen Kostic, Melissa Gale

Not present: Cheryn Leahy, Christina Mavrakis, Tonnette Santiano, Zoila Sosa, Kandie Whichello

Flexible Working Arrangements

The Board is committed to providing flexibility in the workplace that will enhance the delivery of services, while also assisting staff to balance work with family and other personal responsibilities.

Flexible work arrangements are not entitlements, but are arrangements that can be initiated by staff or managers and introduced when there is mutual agreement.

Job sharing is available at the Board and is a voluntary arrangement in which two or more people share one full-time job, each working part-time on a regular, ongoing basis.

A system of flexitime is also available to staff at the Board. The system of flexible working hours operates with the dual objectives of maximising service delivery and providing reasonable flexibility to employees.

Employee numbers and composition by Victorian Public Service (VPS) Grade - 2004/05 to 2006/07.

VPS Grade	2006/07			2005/06			2004/05		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
VPS Grade 6	1	-	1	1	-	1	1	-	1
VPS Grade 5	-	-	-	-	-	-	-	-	-
VPS Grade 4	-	2	2	-	2	2	-	2	2
VPS Grade 3	-	5	5	-	5	5	-	5	5
VPS Grade 2	-	7	7	-	7	7	-	7	7
VPS Grade 1	-	-	-	-	-	-	-	-	-
Total	1	14	15	1	14	15	1	14	15

Management Team

The management team of the Board comprises:



David Provan
General Manager

- **Qualifications in education and management as well as a Master of Business degree**
- **Commenced at the Board in January 2005**
- **Responsible for the overall management and administration of the Board**
- Management of complex inquiries/matters
- Finance and budget, building and facilities
- Policy development, strategic and business planning
- Media management, liaison with Corrections Victoria staff/stakeholders
- Human resource management
- Briefings for the Chairperson/Minister for Corrections/Commissioner, Corrections Victoria
- Correspondence/general email inquiries/preparation of the Board's Annual Report
- Recruitment/appointment/training of Members
- Public presentations/lectures



Anna Djuric
Operations Manager

- **Extensive public sector experience**
- **Commenced at the Board in December 1993**
- **Responsible for the management of the day-to-day operations of the Board**
- Management of home detention applications
- Supervision of all Meeting Coordinators and the Assistant Coordinator, Home Detention
- Preparation of the annual schedule of sittings/allocation of work to the Meeting Coordinators
- Implementation of quality assurance processes
- Management of operational functions - extraditions, warrants of apprehension, interstate transfers
- Management of extended supervision orders
- Case management of complex matters

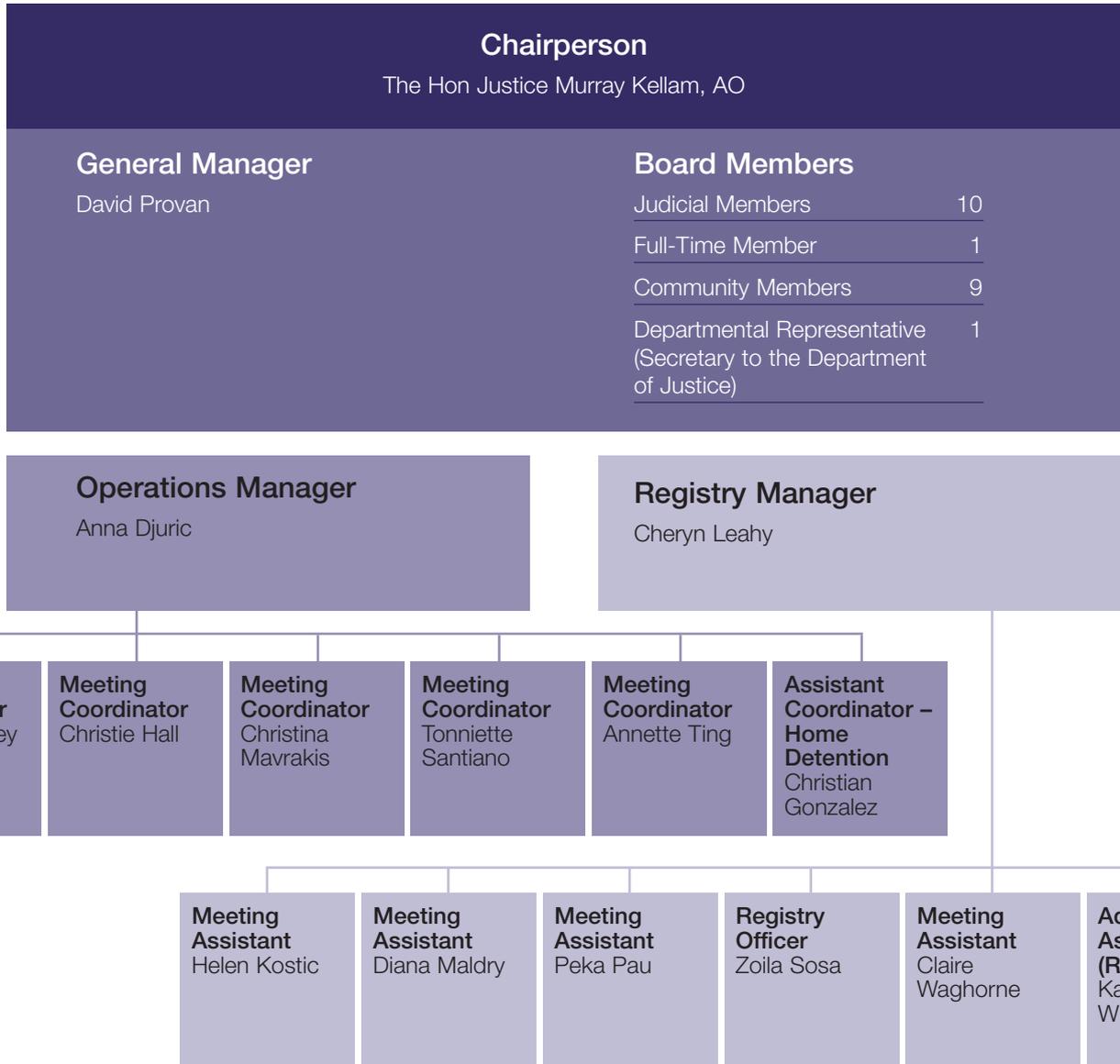


Cheryn Leahy
Registry Manager

- **Bachelor of Arts degree (Criminal Justice Administration)**
- **Commenced at the Board in January 1999**
- **Responsible for the management of the Board's Registry**
- Management and coordination of the daily activities in the Board's Registry
- Supervision of all Registry staff
- Coordination of the work experience/visitors program
- Coordination of the production of reports
- Monitoring and planning workloads
- Overseeing the preparation of files
- Management of telephone inquiries and providing advice/information to clients

Organisation Chart

As at 30 June 2007



Community Relationships

The Board and its administrative staff aim to build positive and constructive working relationships by attending conferences regularly to speak about the work of the Board, meeting with business units within Corrections Victoria and other agencies and participating in a range of initiatives.

New Zealand Conference

A two-day 'Board Conference' hosted by the New Zealand Parole Board was held on Monday, 10 and Tuesday, 11 July 2006. Justice Kellam and David Provan accepted an invitation to attend the conference and delivered a session about the work, functions and challenges faced by the Victorian Board.

Meetings and Working Parties

During 2006/07, staff of the Board participated in the following meetings:

- Disability Pathways Advisory Committee;
- Australia/Fiji Law and Justice Sector Program, Community Corrections Project, Study Tour Group;
- Communication Protocol Development, Community Correctional Services Working Group;
- Victims Register Working Party;
- Home Detention Reference Group;
- Evaluation Framework Reference Group;
- Quarterly meetings between Corrections Victoria and the Commonwealth Department of Immigration and Citizenship (DIAC);
- Corrections Victoria Senior Management Forums; and
- Offender Management Services Management Team, Corrections Victoria.

Initiatives

During 2006/07, the Board strengthened its relationships with the community by participating in a range of initiatives, including:

- Delivering information sessions at the Melbourne City Mission, Williamson Community Leadership Program, Buick Car Club of Victoria, VACRO (Victorian Association for the Care and Resettlement of Offenders), ACSO (Australian Community Support Organisation) and Probus. Probus is an association of retired and semi-retired people who join together in clubs, the basic purpose of which is to provide regular opportunities for them to keep their minds active, expand their interests and to enjoy the fellowship of new friends. A total of 9 information sessions were delivered during 2006/07.
- Michael Hepworth was part of the judging panel for the 2006 Community Work Partnership Awards. The Awards are presented each year at an event attended by the Minister for Corrections and the Commissioner of Corrections Victoria, as well as Corrections Victoria staff and community work partners from throughout Victoria. Since its inception in 1999, the Awards ceremony has proven to be an excellent opportunity for participants in community work programs and staff to meet with people from other non-profit organisations and to see the outstanding work that is being achieved by prisoners and offenders across Victoria.
- Promoting the Plan B project. Plan B is a theatre and mentoring project for men who are making the transition into the community on release from prison. The project is inspired by a vision which brings together community development and theatre-making processes to create opportunities for personal development and community education.

Visitor Profile

While the Board's hearings are not open to the public, it welcomes applications from individuals who have a legitimate purpose and wish to observe Board meetings.

Those with a legitimate purpose may include judges, magistrates, academic researchers and students, trainee community corrections staff, and persons with a particular interest in the operations of the Board, for example, those engaged in similar operations from other jurisdictions.

By encouraging visitors, the Board takes an open and transparent approach to its operations, while enabling visitors to gain a greater understanding of the Board's responsibilities. At the same time, the Board ensures its meetings are conducted with the utmost integrity and a high standard of quality in terms of its decision-making.

All visitors are required to read and sign a *Confidentiality Declaration*. The Chairperson of the Division ensures that the visitor has signed the declaration and explains to the visitor the importance of maintaining the strict confidentiality of the proceedings.

All visitors to the Board must;

- not participate in the hearing in any way;
- not speak and avoid any form of non-verbal communication during the hearing;
- not take notes without the prior permission of the Chairperson of the Division;
- not bring cameras, tape recorders, mobile phones, ipods, palm pilots or any other personal electronic device into the hearing room;
- leave the hearing room, if asked, while confidential or sensitive information is being discussed;
- avoid discussing the hearing with another parolee/prisoner or any other person, while outside the hearing room; and
- leave the hearing room if it is determined that their presence affects the hearing process.

During 2006/07, 74 visitors attended meetings of the Board, including;

- The Honourable Tim Holding MP
- The Honourable Bob Cameron MP

- Judge Valerie French, Chairperson of the Prisoners Review Board of Western Australia
- Judges and Associates from the County Court of Victoria
- Magistrate Fiona Stewart
- Marie Murfet, Manager, Indigenous Policy and Services Unit, Corrections Victoria
- Victims Support Agency staff
- Victorian Institute of Forensic Mental Health (Forensicare) staff
- Jan Shuard, Deputy Commissioner, Community Correctional Services and Sex Offender Management, Corrections Victoria
- Brendan Money, General Manager, Dame Phyllis Frost Centre
- Victorian Association for the Care and Resettlement of Offenders (VACRO) staff
- Students from Victoria University, Royal Melbourne Institute of Technology and the Australian Institute of Public Safety
- Trainee Community Corrections Officers from various locations
- Staff from various work units within Corrections Victoria
- Corrections Inspectorate staff



Pauline Bailey explains the Fact Sheet and Confidentiality Declaration to visitors Evie Burrows and Hannah Williams from Carlton Community Correctional Services.

Privacy/Information

Freedom of Information and Privacy

The privacy principles contained in the Victorian *Information Privacy Act 2000* and *Corrections Act 1986* prescribe the manner in which the Board handles information collected and/or received about prisoners, offenders and parolees.

It is the Board's policy not to provide copies of any reports or meeting minutes to those who make a request, even if the request is accompanied by a 'written authority'. The reports prepared by psychiatrists, psychologists, Community Corrections Officers and other professionals to assist the Board in carrying out its decision-making function are submitted 'in confidence' and are 'strictly confidential'.

The Board is not subject to the provisions of the *Freedom of Information Act 1982* nor is it required to give reasons for its decisions.

Fact Sheets

The Board makes available the following fact sheets:

- Fact Sheet 1 – Who We Are and What We Do
- Fact Sheet 2 – Observers at Board Meetings and Confidentiality Declaration
- Fact Sheet 3 – General Guide to Prisoner Interviews
- Fact Sheet 4 – General Guide for Victims
- Fact Sheet 5 – Parolees Required to Attend the Board
- Fact Sheet 6 – Information for Community Corrections Officers who Attend the Board

Available Publications

The Board offers a range of publications and information to the public, including:

- Adult Parole Board of Victoria Annual Report
- Fifty Years of the Adult Parole System in Victoria 1957 to 2007
- General Guide to Parole
- General Guide to Home Detention
- Victims Support Agency brochure - Victims Register
- Corrections Victoria brochure - Sex Offender Programs
- Corrections Victoria brochure - Home Detention, Questions and Answers.

Website

For further information about the Board, visit our web site at www.justice.vic.gov.au/paroleboard.

Financial Performance

Operating Statement and Financial Summary— 2004/05 to 2006/07

Funding	2006/07 \$	2005/06 \$	2004/05 \$
Appropriation (Corrections Victoria)	1,532,500	1,325,500	1,244,400
Expenditure			
Salaries to staff	718,698	695,572	655,607
Sessional member fees	62,339	56,654	58,609
Salary related on-costs	239,366	230,745	208,395
Operating expenses	469,484	323,356	368,883
Total	1,489,887	1,306,327	1,291,494

Revenue

The Board is funded by Corrections Victoria and utilises the Department's systems for the payment of its accounts. Consequently, there is no requirement for the Board to maintain a bank account.

Assets

The Board is not a body corporate, and does not have power under its legislation to purchase, hold, or dispose of real and personal property.

Employee Benefits

All employees of the Board are paid by Corrections Victoria, and as such the Board does not make payments directly in respect of employees' superannuation, payroll tax and WorkCover.

Member Remuneration

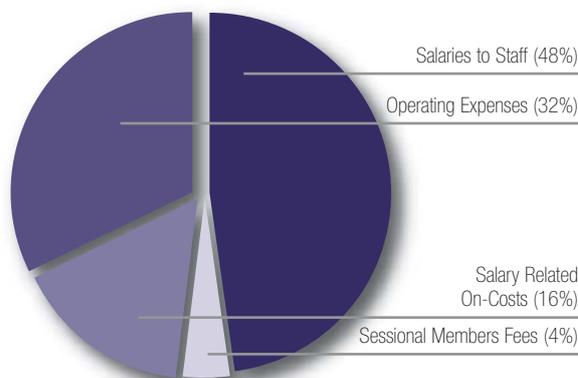
Remuneration of sessional members and the Board's full-time member is fixed by the Governor in Council.

Judicial Members are not remunerated for their work on the Board. Retired Judicial Members and Community Members are remunerated at the rate of \$381 per sitting day. Judicial Members are remunerated at the rate of \$440 per day when acting as chairperson of a division. These rates are set out in the Department of Premier and Cabinet's *Guidelines for the Appointment and Remuneration of Part-Time Non-Executive Directors of State Government Boards and Members of Statutory Bodies and Advisory Committees*.

Budget Strategy for 2007/08

Our budget strategy for 2007/08 is to maximise productivity while operating within our budget allocation.

Operating Expenditure 2006/07



Contact Details and Location



Adult Parole Board of Victoria

Level 4
444 Swanston Street
Carlton Victoria 3053
DX 211768 Carlton

Telephone	(03) 9094 2111
Victorian Country Callers	1300 766 946
Facsimile	(03) 9094 2125
Email	apb.enquiries@justice.vic.gov.au
Website	www.justice.vic.gov.au/paroleboard

Interpreter Service

Call 131 450 and ask for the Adult Parole Board

