



PAROLE BOARD

OF THE NORTHERN TERRITORY



ANNUAL REPORT
2015



The Hon Natasha Fyles MLA

Minister for Correctional Services

I am pleased to provide this report on the activities of the Parole Board of the Northern Territory during the year ending 31 December 2015, in compliance with section 3H of the Parole Act.

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

The Hon Justice Stephen Southwood

Chairperson

Purpose of the Annual Report

The purpose of this report is twofold: first, to meet the statutory reporting requirements of the *Parole Act* as outlined in section 3H; and second, to increase public awareness of the Parole Board's role in the criminal justice system.

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

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

CONTENTS

YEAR IN REVIEW	5
Statistics at a Glance	8
PROFILE	9
Parole Board Members	10
Northern Territory Community Corrections	13
UNDERSTANDING PAROLE	14
The Non Parole Period	14
Parole Process	14
Principles of Parole	18
Parole Conditions	19
Supporting Indigenous Offenders	22
PERFORMANCE	23
Paperless Board Meetings	34
Hawaii's Opportunity Probation with Enforcement (HOPE) Program	34
Training Workshop	35
PARTNERSHIPS	35
North Australian Aboriginal Justice Agency (NAAJA)	36
Bachelor Institute of Indigenous Tertiary Education (BIITE)	36
Motor Trades Association (NT) Project	37
AUSTRALASIAN PAROLE AUTHORITIES CONFERENCE 2015	37
CONTACT DETAILS	38

YEAR IN REVIEW

Chairperson's Message

The workload of the Parole Board continues to be considerable. During 2015 the Parole Board considered 832 matters. This means that the Board considered an average of 69 matters per month and that each of the two monthly meetings of the Board considered an average of about 34 matters.

Of the 832 matters considered in 2015, 317 were matters that were referred by Probation and Parole Officers to the Board for the first time for consideration of the grant of parole in respect of the relevant sentence of imprisonment. Of these "applicants", 52 prisoners declined parole, 119 prisoners were successful in being granted parole, 101 prisoners were released on parole in 2015, 18 prisoners were released on parole in 2016, and 119 prisoners were refused parole. A number of these initial "applications" were deferred by the Board (either to enable the prisoner to complete a rehabilitation program, or lower his or her security rating, or improve his or her post release plan, or to obtain a further report) or were resolved by the prisoner ultimately deciding to decline parole.

The number of initial parole "applications" is reflective of the fact that the majority of prisoners in the Northern Territory are sentenced to terms of actual imprisonment of less than 8 months and about one third of the prison population is made up of prisoners who are on remand. The figures also indicate that a significant number of prisoners only become suitable for parole towards the end of their term of imprisonment. This in turn reflects the need for more resources to be devoted towards rehabilitation programs within the prison system. There is a considerable waiting

list for many rehabilitation programs and many prisoners are only able to access these programs late in their sentence of imprisonment. The lack of resources in this area imposes a considerable cost on the community. The cost of managing prisoners on parole is significantly less than managing them in prison.

During 2015, 55 parolees had their parole revoked. The great majority of revocations were for conditional breaches. Only 8 of the 55 parolees, who had their parole revoked, had their parole revoked for reoffending. Their parole was revoked by the Court that sentenced them for their further offending. Of the 55 parolees who had their parole revoked in 2015, 37 had been granted parole that year. This reflects the fact that the first 6 months of parole is the most difficult time for parolees. In order to overcome this difficulty, it is important that suitable accommodation is available to parolees upon release and that parolees are assisted to find employment as soon as possible. Accommodation and employment are key factors in ensuring a prisoner's successful reintegration into the community.

There were the following important events during 2015.

Due to the increased number of meetings of the Parole Board and the increased volume of work for the secretariat, the position of Manager of the Parole Board Secretariat was created and a manager was recruited. The role of the manager is to provide high level assistance, advice and strategic support to the Chairperson and the Secretary of the Parole Board. The manager also oversees the work

undertaken by the administrative officers who perform the administrative work of the secretariat. Ms Gabrielle Mappas was the first person to be appointed to the position. Ms Sophie Williams is the current Manager of the Parole Board Secretariat. Both Ms Mappas and Ms Williams have provided great assistance to the Board and are to be commended for their excellent work.

The 2015 Asia Pacific Conference of Parole Authorities was held in Adelaide and was attended by Mr Mark McAdie, Ms Jane Lloyd and Ms Kate Crawley, who are members of the Board, and Ms Gabrielle Mappas who was then the Manager of the Parole Board Secretariat. The theme of the conference was “Community Safety: A multi-agency approach”. The topics for discussion included – Expectations of a Sentencing Judge regarding the provision of Support Programs; Structured Decision Making and Risk Management; Offender Management Plan, Parole Supervision and Community Safety; and Parole Supervision and Child Protection. The annual conference provides an important opportunity for members of the Board to discuss current issues, inform themselves about best practice, and consider alternative ways of addressing common issues. The matters raised at the conference were discussed at the Board’s annual workshop in November 2015.

In August 2015, Judge Steven Alm from Hawaii met with members of the Parole Board and senior members of the secretariat in Darwin to discuss the Hawaii Opportunity Probation and Enforcement Program (HOPE) which has proved very successful in managing and reducing the rate of conditional breaches and recidivism

of probationers and parolees in Hawaii and other jurisdictions in the United States. Under this system an immediate sanction is applied to all breaches of parole conditions. Offenders know that a breach of their parole conditions will result in a predetermined sanction which involves a short term of imprisonment rather than a complete revocation of parole. Sanctions are perceived to be reasonable and are designed to correct behaviour. Parolees are responsible for their decisions and actions in the community and are immediately held accountable for them.

The Parole Board is of the opinion that the introduction of such a model in the Northern Territory would be of great assistance in enabling parolees to successfully complete their period of parole. The model is predicated upon the parolee assuming responsibility for how much time the parolee spends in the community on parole and on the Probation and Parole Officers continuing to work with the parolee throughout the parole period. For example, a parolee who has a parole condition not to drink alcohol knows that if he or she consumes alcohol they will be returned to prison for a specific period of time and that will occur each and every time they drink alcohol while on parole. The experience in the United States has been that while there may be breaches in the first six months of parole, the parolee will ultimately change their behaviour and comply with parole conditions. The model assists the parolee to make sensible and responsible decisions and to be successfully reintegrated into the community.

In November 2015, following the visit of Judge Alm, the Department of Correctional Services in consultation with the Parole Board, sought approval from the Minister of Correctional Services to consider amendments to the Parole Act to provide the Board with the power to manage suitable parolees under the HOPE model. The Minister for Correctional Services supported investigation of the proposal and the Department and the Board have been exploring the model further with the assistance of the Department of Attorney-General and Justice.

The Parole Board held its annual workshop in November 2015. At the workshop the members of the Board considered the following topics: Drug and Alcohol Testing; Electronic Monitoring of Parolees; the Whole of Government Domestic Violence Reduction Strategy 2014 – 2017; Drive Safe and Motor Traders Remote Initiatives; Sentence Management; Youth Detention and Rehabilitation Programs; Learn to Work and Work to Learn and Community Development Programs and the “work condition” of parole.

Consistent with the “Sentenced to a Job Program”, the Board has imposed a condition on suitable parolees that, while they are on parole, they are either to remain in the employment they have obtained under that program or they are to actively look for work in the community including engaging with the various employment programs in the community. The Sentenced to a Job Program continues to have a positive impact on the rate of prisoners successfully completing parole in the community and in reducing recidivism. The program has become so

valuable to prisoners that 18 prisoners declined parole in 2015 because they either were in employment or wanted to undertake employment at one of the Work Camps that have been established. The program has given many prisoners the opportunity to obtain real and remunerative work for the first time in their lives and to considerably enhance their skills and prospects of obtaining employment when they are released into the community. It is vitally important that this program continue to be fully resourced and the complete integrity of this program is maintained. The program should be made available to as many prisoners as possible because of the significant impact the program has had in reducing recidivism. This program and the Work Camps has been one of most important developments in Corrections in the Northern Territory.

The Sentenced to a Job Program should not be sacrificed at the expense of rehabilitation programs. The program has had a greater impact on reducing recidivism than rehabilitation programs. Both the Sentenced to a Job Program and rehabilitation programs should be well resourced.

After 8 years of service to the Department of Correctional Services, Mr Ken Middlebrook resigned as Commissioner of Correctional Services and Commissioner Mark Payne was appointed. This meant that Mr Middlebrook also resigned as a statutory member of the Board.¹ I thank Mr Middlebrook for the outstanding contribution he made to the Board while he was Commissioner of Corrections. Mr Middlebrook played a very important role in the development and implementation of the

¹ In 2016 Mr Middlebrook was reappointed as a community member of the Parole Board.

Sentenced to a Job Program, the oversight of the construction of the new prison, the development of Work Camps and work undertaken by prisoners in the community, the enhancement of management plans for prisoners, basic literacy and numeracy programs for prisoners, the development of home detention of prisoners, and the placement of prisoners in the community so they may undertake rehabilitation programs in the community. He also endeavoured to develop accommodation options for parolees in the community.

I also commend Commissioner Payne for his contribution to the work of the Board since his appointment.

I thank all members of the Parole Board, the Secretary and all of the members of the secretariat, the Correctional Officers who prepared the Institutional Reports and Probation and Parole Officers who prepared the Parole Reports for their excellent work during 2015.

Statistics at a Glance

Number of matters before the Parole Board	832
Number of distinct prisoners with matters before the Parole Board	466
Number of initial parole applications	317
Number of prisoners granted parole	119
Number of prisoners refused parole	132
Number of prisoners who declined parole	74
Number of parole orders revoked	55

PROFILE

The Parole Board of the Northern Territory (the Board) is an independent statutory body established under section 3A of the Parole Act. The Board consists of 18 members who act independently of political and bureaucratic influence to make decisions about the parole of prisoners in the best interests of the community as a whole, including the offender and the victim.

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

The Board may:

- i. grant a prisoner release on parole;
- ii. deny a prisoner release on parole;
- iii. defer consideration of a prisoner's application for parole until a later date;
- iv. amend or vary a parole order; or
- v. revoke a parole order.

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

In addition to the standard conditions of parole, the Board has the power to impose

additional conditions which it believes are necessary to support the offender and prevent re-offending. It may also give directions to the Chairperson for guidance about revocation of parole for either:

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

Decisions of the Parole Board by their very nature have the capacity to impact not only on individuals but on the broader community. Members of the Parole Board are aware of the trust that is placed in them and take their responsibilities seriously.

Parole Board members are supported to fulfil their responsibilities by operational and administrative staff within the Department of Correctional Services.

Parole Board Members

Section 3B of the Parole Act stipulates that the Board must have 18 members who are to be:

- (a) the Chief Justice or another Judge of the Supreme Court nominated by the Chief Justice; and
- (b) the Commissioner of Correctional Services; and
- (c) 2 police officers nominated by the Commissioner of Police; and
- (d) 2 persons, each of whom is –
 - i. a medical practitioner; or
 - ii. a person registered under the Health Practitioner Regulation National Law to practise in the psychology profession (other than as a student); and
- (e) 2 persons, each of whom represents the interests of victims of crime; and
- (f) 10 persons who reflect, as closely as possible, the composition of the community at large and include women and Aboriginals and Torres Strait Islanders.

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

In the absence of a member appointed under subsections (d), (e) or (f), the Minister may appoint a person to act as a member of the Board. In 2015, no members were appointed to act in positions on the Board.

The Chairperson of the Board has:

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

In 2015, the Board was chaired by the Honourable Justice Stephen Southwood. The Honourable Justice Judith Kelly on three occasions in place of Justice Southwood and the Honourable Justice Graham Hiley acted on one occasion. The NT Police were represented by Superintendent Brett Prowse on nine occasions, Col Goodsell on twelve occasions, John Ginnane on one occasion and Patrick Carson on four occasions.

Ms Rosanne Lague acted in the place of Commissioner Middlebrook (as he then was) on one occasion in 2015.

Resignation of Commissioner Ken Middlebrook

In November 2015, Mr Ken Middlebrook resigned as the Commissioner for Correctional Services after eight years of service to the Department. Mr Middlebrook made many significant contributions prior to his resignation including the introduction of the Work Camps and the Sentenced to a Job Program, introduction of smoke-free Correctional Services, the introduction of electronic monitoring, oversight of the construction of new prison, and the introduction of serious sex offenders legislation.

Following Mr Middlebrook's resignation, Mr Mark Payne was appointed as the Commissioner for Correctional Services. Commissioner Payne joined the NT Police Force as a constable in 1984. Since that time, he has risen through the ranks and since 2002 held senior executive positions beginning with leading the Continuous Improvement Program, implementing a range of change management initiatives across the police force.

At the close of 2015, membership of the Board comprised:

Justice Stephen Southwood	Chairperson
Mr Mark Payne	Commissioner, Northern Territory Department of Correctional Services
A/Commander Col Goodsell	NT Police representative
Ms Susan Lowry	Victims of Crime representative, Darwin
Mr Paul Rysavy	Psychologist, Darwin
Mr John Flynn	Community member, Darwin
Ms Selina Holtze	Community member, Alice Springs
Mr Alasdair McGregor	Community member, Darwin
Mr Mark McAdie	Community member, Darwin
Dr Len Notaras	Community member, Darwin
Ms Kate Crawley	Psychologist, Darwin
Ms Susan Crane	Victims of Crime representative, Darwin
Mr Eric Houget-Poole	Community member, Darwin
Ms Patricia Jane Lloyd	Community member, Alice Springs
Mr John Brears	Community member, Darwin
Mr Harold Howard	Community member, Darwin
Mr Mark Coffey	Community member, Alice Springs

Northern Territory Community Corrections

Secretary

The Secretary of the Parole Board is a statutory role that is held by the Executive Director of Northern Territory Community Corrections. The Secretary provides administrative support and strategic advice to the Board.

Ms Tracy Luke is the Executive Director and held the role of Secretary throughout the year. Ms Luke commenced working as a probation and parole officer in 1998, she holds a Bachelor of Social Work and relocated to the Northern Territory in 2008 to undertake a management position within NT Community Corrections. Mr John Fattore acted in the place of Ms Luke on one occasion, as did Ms Gabrielle Mappas, who was then the Manager of the Parole Board Secretariat.

Parole Board Secretariat

With the expansion of the Board in 2014 and the increased number of matters and meetings held, 2015 saw the creation of a Manager Parole Board Secretariat position to provide high level assistance, advice, strategic support and quality control to the Secretary, Chairperson and the Board. The Manager also oversees the Parole Board Administrator positions.

The Parole Board Administrators have the primary responsibility for coordinating and providing all administrative support for the monthly meetings of the Board.

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

- new practices designed to enhance the provision of procedural fairness; and
- an increasing number of matters being heard every month due to the rising number of prisoners.

Parole Officers

The functions of parole officers under section 3R of the Parole Act are to:

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

Parole officers commence working with a prisoner eight months before they become eligible for parole. During this time the parole officer works closely with the prisoners, their family, communities and victims to ensure that Parole Board members are provided with comprehensive, timely and reliable information.

UNDERSTANDING PAROLE

The Non-Parole Period

The Sentencing Act provides that a sentencing court may fix a non-parole period (NPP) for an offender who is sentenced to a term of imprisonment of at least 12 months.

The NPP set by the sentencing court stipulates the minimum time a prisoner must serve in custody before being eligible for release on parole. Contrary to other jurisdictions, a prisoner does not have a right to be released on parole and is not automatically granted parole on the expiry of their NPP.

The Parole Board has full authority over the decision of, if and when a prisoner is released on parole. The Board may decide a prisoner is not to be granted parole and should serve the whole of their sentence in prison.

Parole Process

Arrangements for Board Meetings

There are several provisions in the Parole Act which govern the Board in making decisions about the granting, or revocation of, parole. There are specific requirements for the consideration for prisoners serving a term of life imprisonment for the crime of murder.

LIFE IMPRISONMENT

Meetings held quarterly

Quorum requires the Chairperson and seven other members

Decisions require a unanimous vote

ALL OTHER SENTENCES

Meetings held monthly

Quorum requires Chairperson and three other members

Decisions require a majority vote

Matters considered at Board meetings

Parole is a complex administrative process. The Board may hear a number of different types of matters at each meeting. Some of the types of matters considered by the Board are:

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

Attendance of Prisoners at Board hearings

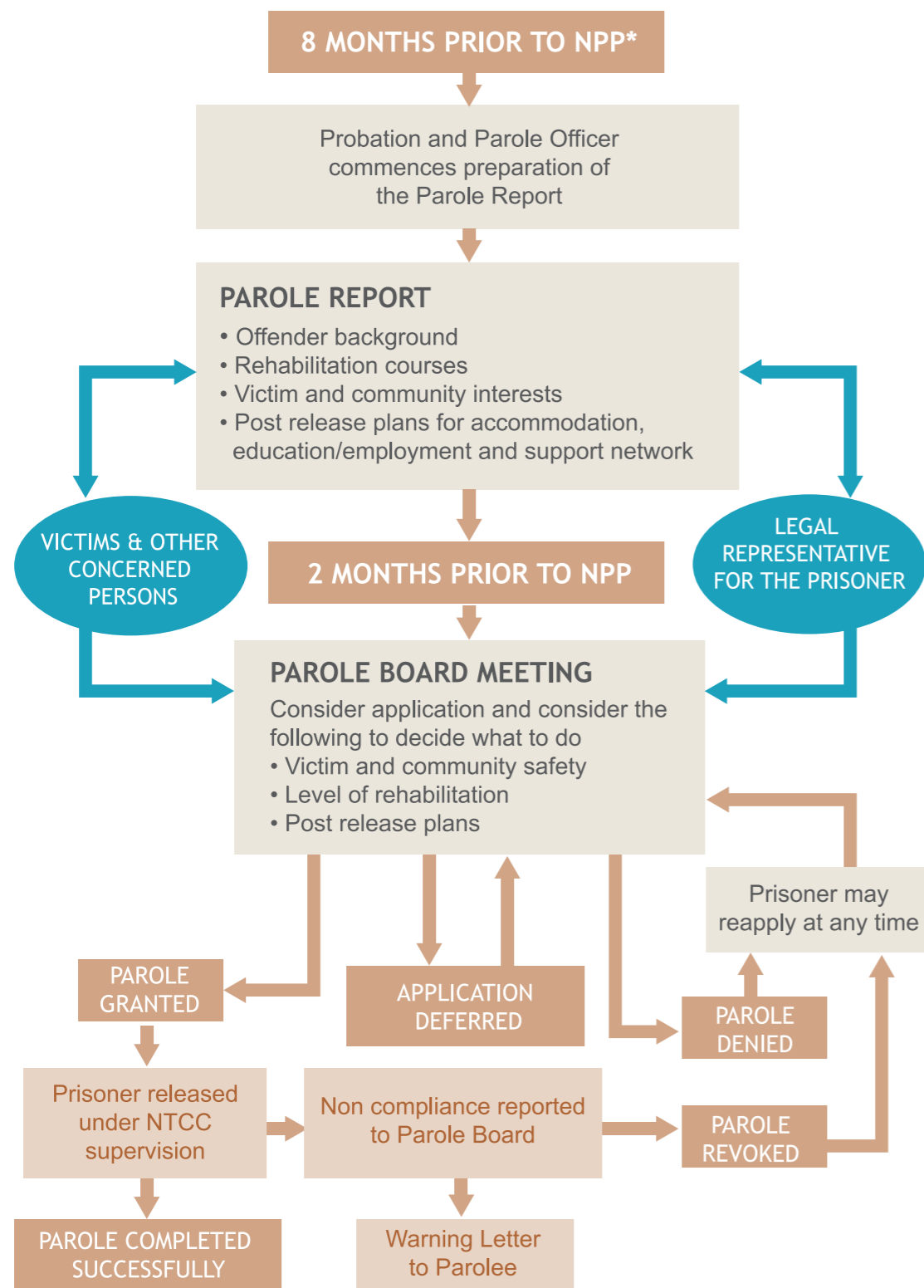
It is the practice of the Board to decide parole matters on the relevant documents without the prisoner being present. The Board is of the view that the materials received or obtained by the Board provide a fair and comprehensive basis to decide whether a prisoner should or should not be granted parole.

The Chairperson may require a prisoner to be brought before the Board pursuant to section 3G of the Parole Act.

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

In 2015, no prisoners appeared before the Board; however Mr John Rawnsley of the North Australian Aboriginal Justice Agency (NAAJA) attended one meeting to provide legal submissions on behalf of a prisoner being considered for parole and the Board received numerous written submissions from the legal representatives of prisoners about parole matters.

The Board has been greatly assisted by the written submissions it has received and the Chairperson has written in support of submissions that Central Australian Aboriginal Legal Aid Service (CAALAS) has made for funding for a parole advocate on behalf of prisoners in Central Australia.



*non-parole period (NPP)

Prisoners serving a life sentence

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

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

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

Variation of Parole Conditions

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

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

Revocation of Parole Orders

Where a parolee has failed to comply with the conditions of their parole order, the parole officer must prepare a report for the Board's consideration setting out the circumstances of the breach of parole. A breach of parole may fall into one of two categories:

- re-offending – this means that the parolee has committed a fresh offence whilst released on parole; or
- conditional – this means that the parolee has breached one of the conditions of their parole order.

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

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

Principles of Parole

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

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

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

- the nature and circumstances of the offence(s);
- comments made by the sentencing Judge when imposing sentence;
- the prisoner's criminal history and patterns of offending;
- the possibility of the prisoner re-offending while on parole and the likely nature of the re-offending;
- the risk of harm to the community and the victim;
- release plans, including accommodation and employment;
- reports, assessments and recommendations made by a variety of professionals, including medical practitioners, psychiatrists, psychologists, custodial staff and/or community corrections officers;

- rehabilitation courses undertaken by the prisoner;
- education courses undertaken by the prisoner;
- institutional reports in relation to the prisoner's behaviour while in prison;
- the security rating of the prisoner within the prison;
- victim's safety, welfare and whereabouts;
- representations made by the victim or by persons related to the victim;
- submissions made by the prisoner, the prisoner's family, friends and any potential employers or any other relevant individuals;
- submissions made by the legal representatives of the prisoner; and
- whether the prisoner can be adequately supervised in the community under the standard conditions of parole or whether additional parole conditions should be imposed.

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

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

- a Parole Report prepared by the assigned parole officer;
- an Institutional Report prepared by staff of the Correctional Centre or Detention Centre where the prisoner or detainee is held;

- the facts of the prisoner's offending;
- a record of the prisoner's prior convictions; and
- a transcript of the Supreme Court sentencing remarks, if the prisoner was sentenced in that court.

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

- pre-sentence reports;
- psychological/psychiatric assessments and reports;
- rehabilitation course assessments and reports including assessments and reports about anger management courses, sexual offender programs and family violence programs;
- medical assessments and reports;
- assessments and reports from substance misuse programs and treatment facilities;
- legal submissions made on behalf of the prisoner;
- letters and/or reports from interstate services;
- letters from the prisoner or written on behalf of the prisoner; and
- letters from the victim or victim's representative.

Parole Conditions

The standard parole conditions attached to every Northern Territory parole order are:

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

impracticable, then within such period after the change as may have been directed by the parole officer;

7. the parolee shall not associate with any person specified in a direction by the parole officer to the parolee;
8. the parolee shall not frequent or visit any place or district specified in a direction by the parole officer to the parolee.

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

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

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

lead to a domestic violence order being made;

- curfew;
- be subject to electronic monitoring.

Release plans of prisoners

Parole officers take considerable time to talk to prisoners about their release plans, including proposed accommodation as this is a pivotal factor in the success or failure of the prisoner's parole.

Reintegration into the community is a fragile process. During this time prisoners need the support of Northern Territory and Australian government agencies, family, friends and their community.

Access to suitable accommodation is a vital part of re-integration into the community and can assist a prisoner to remain stable and abstain from the use of alcohol or other drugs. Opportunities for employment is also an important factor.

Electronic monitoring

Since its introduction in 2014 electronic monitoring has been an effective tool for managing offenders on parole and has been welcomed by the Board as an additional tool to enhance the ability of NTDCS staff to monitor specific conditions relating to an offender's movements and location and can provide more timely notification of non-compliance. Electronic monitoring can contribute to the following outcomes:

- Improve community safety through enhanced surveillance and monitoring of an offender's whereabouts and movements.
- Reduce the time taken to identify and respond to non-compliance.
- Enhance compliance with curfew requirements and movement restrictions.
- Reduce the need for intrusive surveillance methods such as late night home visits.

Transfer of Parole Orders

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

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

National Guidelines have been introduced to streamline the process of transferring offenders on community based supervision orders between Australian jurisdictions. In 2015, no parolees were transferred out of the Territory to other jurisdictions. Four parolees transferred their period of parole to the NT.

Extradition

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

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

The Board may consider extradition of the parolee to the Northern Territory so the outstanding balance of their sentence of imprisonment can be served. Each case is considered on its merits. In 2015, no parolees were extradited back to the Northern Territory.

Victims of Crime

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

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

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

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

Additionally, where a matter has a registered victim, the Secretary of the Board provides timely written updates to the Director of the Crime Victims Services Unit as stipulated by the Victims of Crime Rights and Services Act.

Supporting Indigenous Offenders

The Department of Correctional Services has entered into formal arrangements with North Australian Aboriginal Justice Agency (NAAJA) to operate Prisoner Support Officers programs.

Under these arrangements the following occurs when a prisoner is a client of NAAJA:

- The Secretary of the Board provides the relevant Prisoner Support Officer with a copy of the letter they send to a prisoner, informing the prisoner of the decision of the Board about whether the prisoner has been granted parole or not. This means the Prisoner Support Officer can go through the letter with the prisoner and also obtain further information from the Secretary if necessary.
- Where the Board makes a decision about the parole of a prisoner contrary to the recommendation contained in the report of the parole officer, a meeting may be held with the parole officer, the Prisoner Support Officer and the prisoner to discuss the Board's reasons for decision.

NAAJA has been advised that if the prisoner wishes to make an application to be present at the meeting of the Board which considers his or her application for parole, then this can be done by the Prisoner Support Officer and any such application will be considered on its merits. Further, NAAJA and the Central Australian Aboriginal Legal Aid Service (CAALAS) have been advised the Board will consider any written submissions that are made on behalf of a prisoner about parole and the Board refers Aboriginal prisoners who would be assisted by legal representation or additional throughcare support to NAAJA.

PERFORMANCE

PAROLE APPLICATIONS

No. of initial Parole applications made in 2015	317
---	-----

Outcome of the initial hearing

- Parole applications granted	68	(21%)
- Parole applications undetermined (deferred)	101	(32%)
- Parole applications refused	96	(30%)
- prisoner declined parole	52	(16%)

No. of subsequent applications made in 2015	135
---	-----

Outcome of subsequent hearings

- subsequent applications granted	52	(39%)
- subsequent applications undetermined (deferred)	46	(34%)
- subsequent applications refused	23	(17%)
Other*	14	(10%)

*parole order amended, parole revoked, noted, offender declined parole

PAROLE APPLICATIONS FROM LIFERS

No. of initial Parole applications made in 2015	6
---	---

Outcome of the initial hearing

- Parole applications granted	0	(0%)
- Parole applications refused	0	(0%)
- Parole applications undetermined (deferred)	6	(100%)
- prisoner declined parole	0	(0%)

No. of subsequent applications made in 2015	4
---	---

Outcome of subsequent hearings

- subsequent applications granted	2	(50%)
- subsequent application denied	1	(25%)
- subsequent applications deferred	1	(25%)

NUMBER OF PAROLE APPLICATIONS DETERMINED (GRANTED / REFUSED IN 2015)

Parole Applications determined (granted or refused)	164
Subsequent applications determined (granted or refused)	75
Grand Total	239

ELIGIBLE FOR RELEASE IN 2015

Number of 2015 applicants granted parole in 2015 (as opposed to 2014 applications granted)	101
Number of 2015 applicants granted parole and revoked in 2015	30
Number of 2015 applications adjourned to 2016	64

NUMBER OF PRISONERS WHO DECLINED AND WHY

Reason	No.
Has employment	11
No conditions / full time	32
Other	6
Participation in programs	9
Reduce security rating	9
Wants to attend work camp / employment	7
Grand Total	74

PAROLE CONDITIONS VARIED

No. of parole orders varied	23
-----------------------------	----

REVOCATIONS

No. of revocation reports received by Parole Board	86
--	----

Outcomes

- Parole revoked by the Board	20
- Parole revoked out of session (Chairman)	27
- Warning letter sent	18
- Stern warning letter sent	8
- No Action	7
- Request further information / deferred	2
- Amend parole order	4

FREEDOM OF INFORMATION APPLICATIONS

No. of freedom of information applications	5
--	---

PAROLE ORDERS TRANSFERRED TO ANOTHER JURISDICTION

No. of parole orders transferred to another jurisdiction	0
--	---

BREACHES RESULTING IN PAROLE REVOCATION

Type of Breach		
- Conditional	46	(84%)
- Re-offending	8	(15%)
*other	1	(2%)
Total	55	

* Includes prisoners who had their parole revoked prior to release from prison

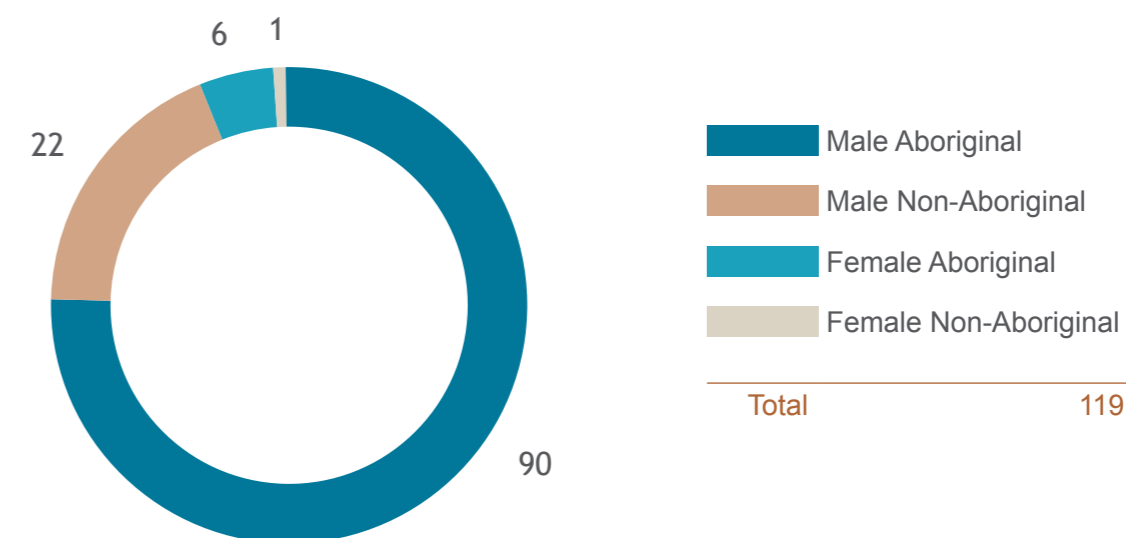
ADDITIONAL PAROLE CONDITIONS SET

Non-consumption of alcohol	132
Breath Testing	132
Non-consumption of dangerous drugs	67
Urinalysis	66
Reside at particular address or community / outstation	47
Attend Treatment/Program	77
General assessment, treatment and/or counselling	107
Specific assessment, treatment and/or counselling*	37
Nil Contact – Victim	43
Nil Threats – Victim	49
Nil Contact – Children	6
Curfew	21
Available for checks	51
Nil possession of firearm	24
Not engage in conduct that results in DVO	72
Electronic Monitoring	60
Electronic Alcohol Monitoring	4
Not engage in volatile substance use	3
Other **	20

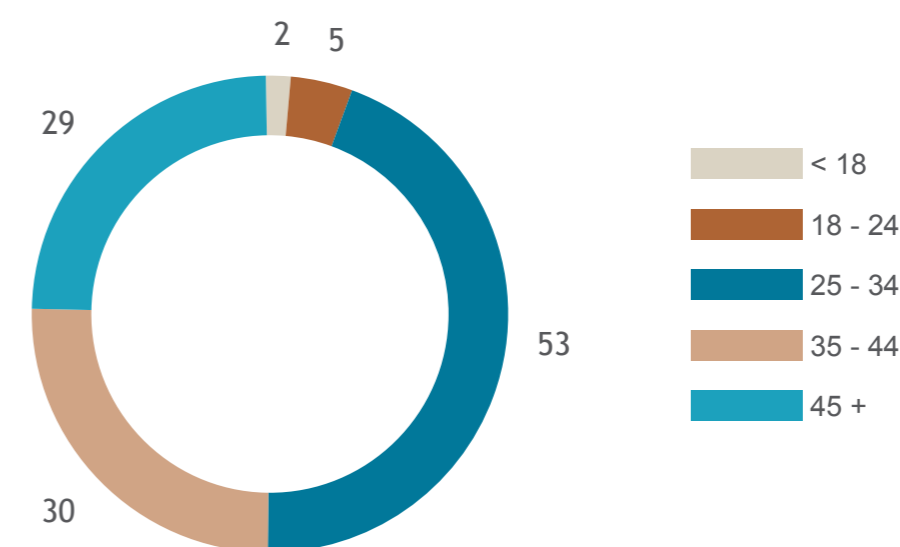
* Includes: mental health counselling, specific anger management, drug and alcohol counselling, Family Violence Program

** Includes: not visit specified communities; comply with medication regime; not drive a motor vehicle; maintain employment

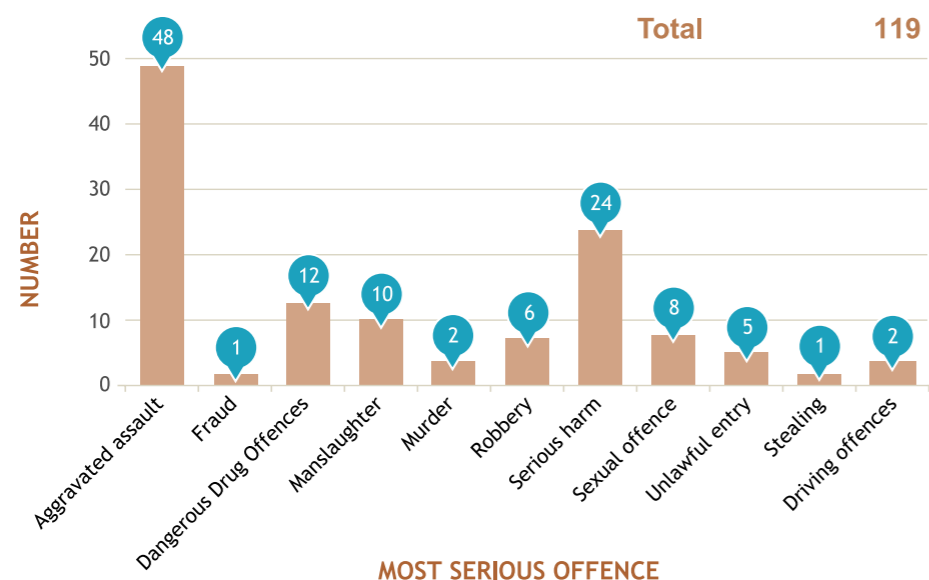
CHARACTERISTICS OF PRISONERS RELEASED TO PAROLE DURING 2015 BY SEX AND ABORIGINALITY



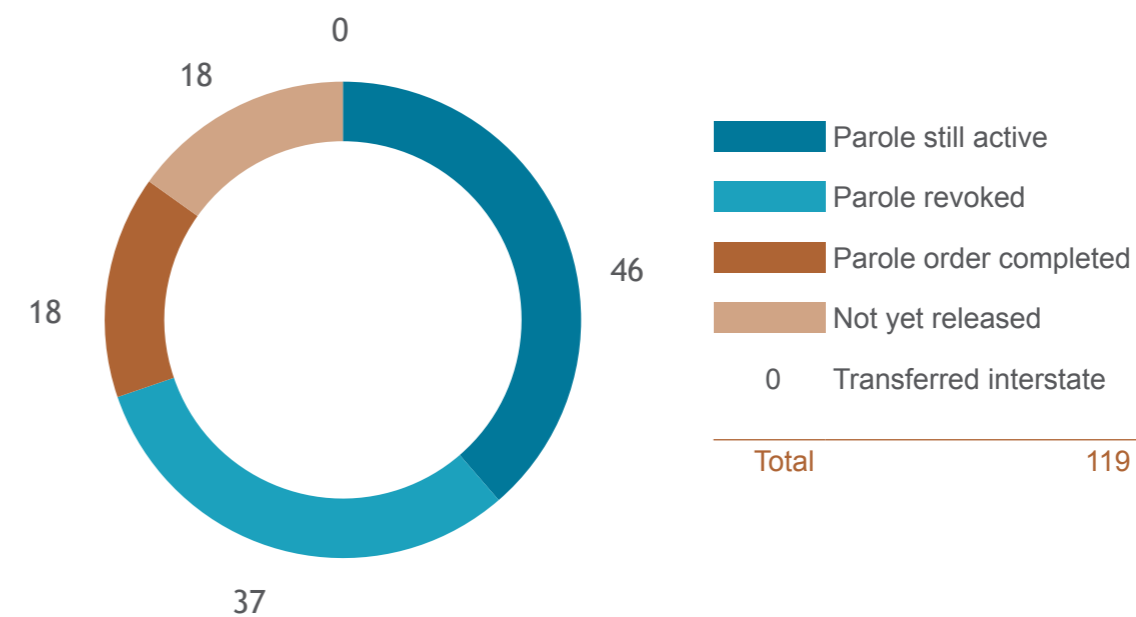
PRISONERS RELEASED TO PAROLE DURING 2015 BY AGE



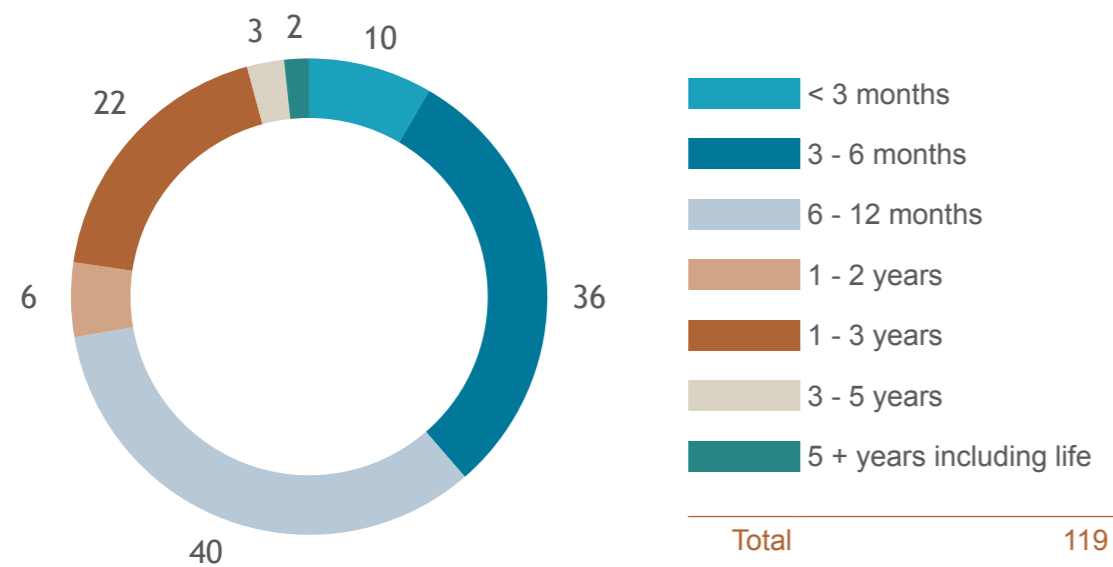
PRISONERS RELEASED TO PAROLE DURING 2015 BY MOST SERIOUS OFFENCE CATEGORY



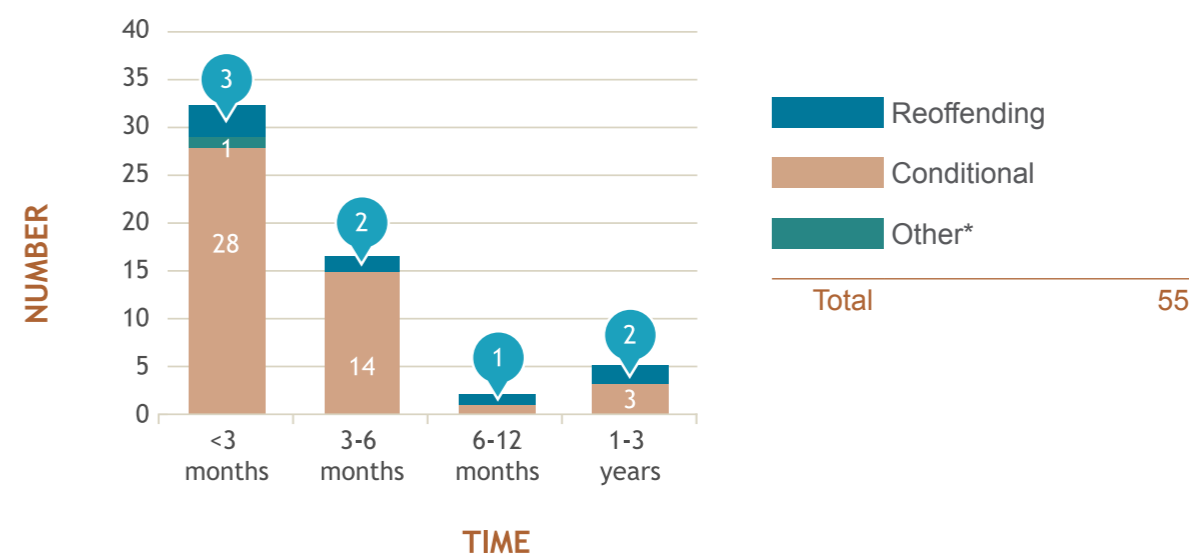
OUTCOMES OF PRISONERS GRANTED PAROLE DURING 2015 AS AT 31 DECEMBER 2015



LENGTH OF PAROLE FOR PRISONERS RELEASED TO PAROLE DURING 2015

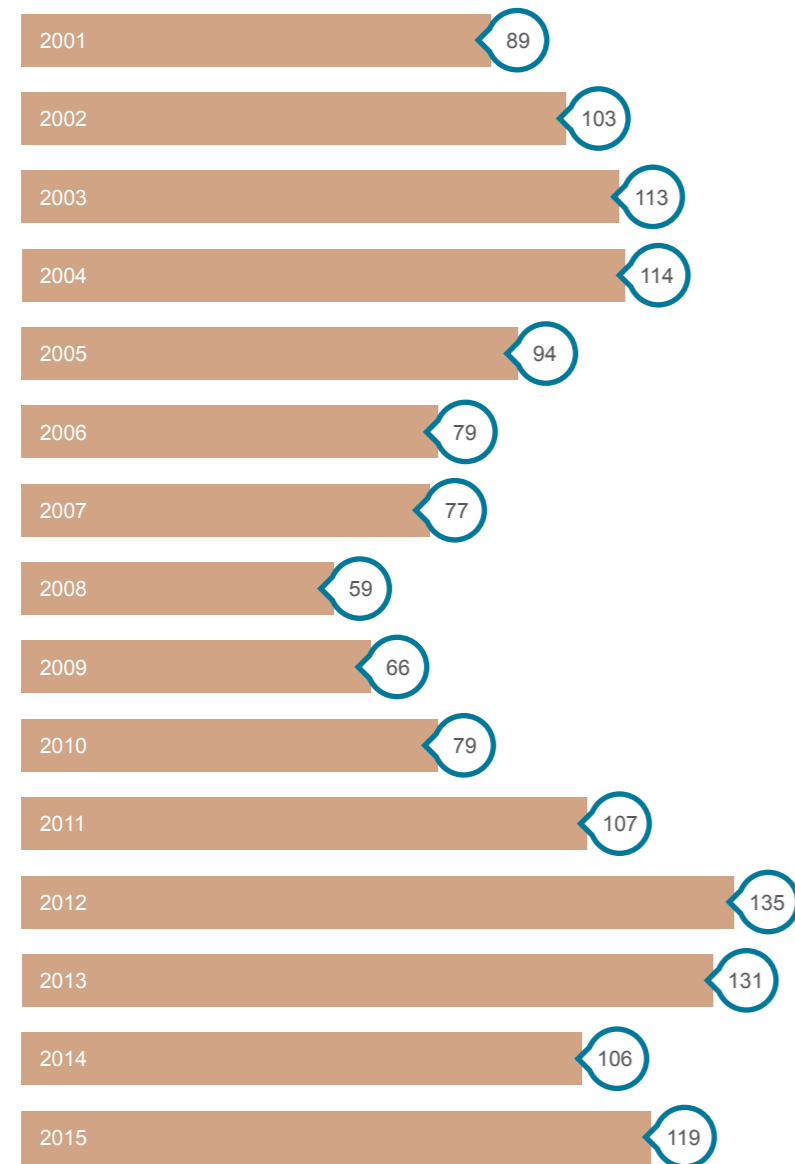


PERIOD ON PAROLE PRIOR TO REVOCATION - CONDITIONAL AND RE-OFFENDING 2015

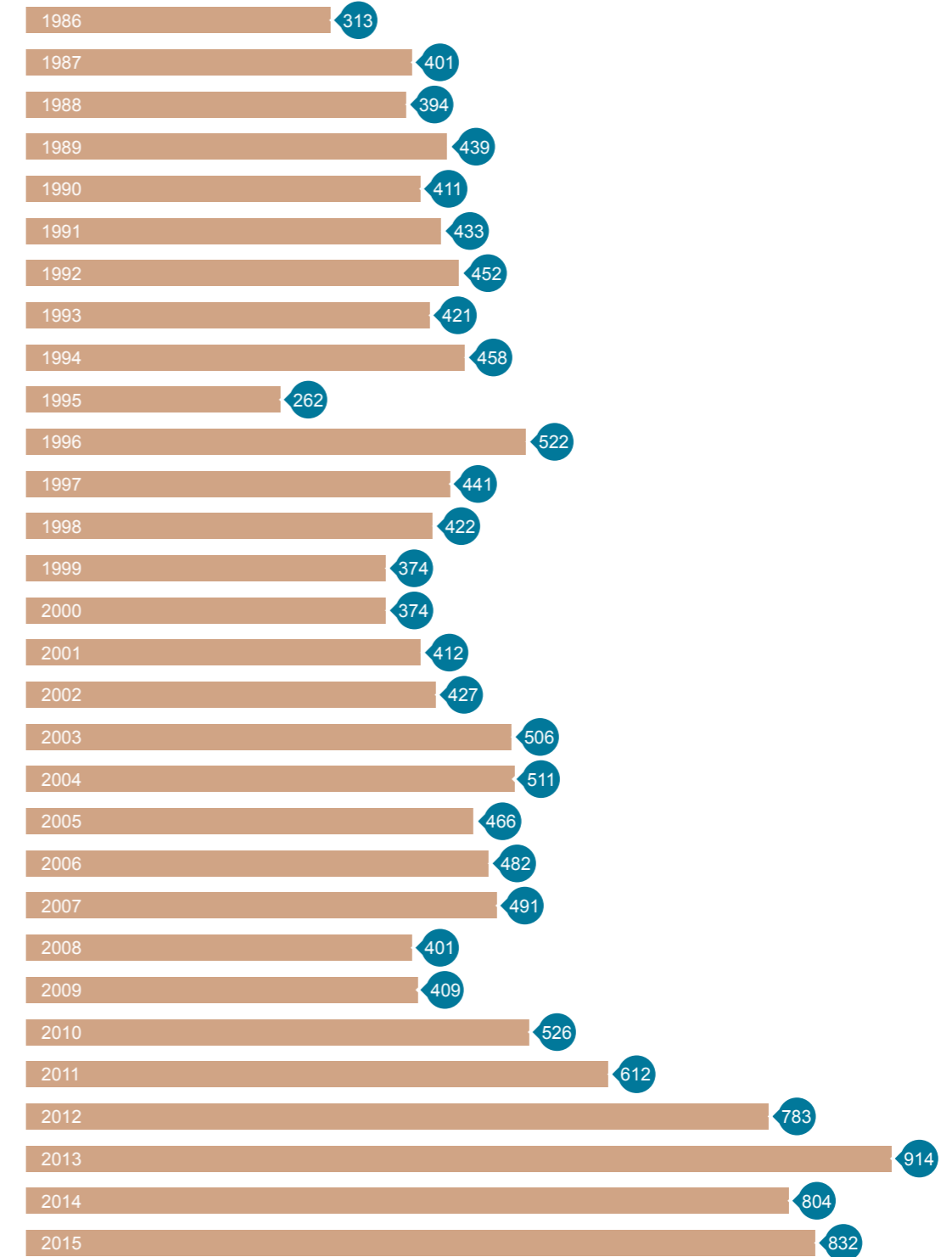


*Includes prisoners who had their parole revoked prior to release from prison

PRISONERS RELEASED TO PAROLE 2001 - 2015



ANNUAL TOTAL OF ITEMS OF BUSINESS 1986 - 2015



PAPERLESS BOARD MEETINGS

The Northern Territory Parole Board is a paperless Board as all material is provided to Board members on an iPad. The use of iPads and the eScribe system has proven to be a much more efficient way for members to receive and access all of the documents which they must consider at each meeting of the Board.

Paperless meetings are now business as usual for the Parole Board and will continue to be into the future.

HAWAII'S OPPORTUNITY PROBATION WITH ENFORCEMENT (HOPE) PROGRAM

On 14 August 2015, Judge Steven Alm, Circuit Court Judge from Hawaii, met with members of the Parole Board and senior staff from across the Department of Correctional Services to present the Hawaii's Opportunity Probation with Enforcement (HOPE) program.

The HOPE program is an intensive supervision program that aims to reduce crime and drug use while saving money spent on incarceration and prison costs. It provides the Hawaiian Parole Authority and Judges with the ability to return offenders to prison for short periods of time in the case of minor breaches without having to completely revoke their order.

The HOPE program provides evidence that a swift, consistent response to these minor breaches has the ability to reduce the likelihood of the offender breaching or reoffending in the future. The presentation

by Judge Alm was well received by Board members and NTDCS staff.

Currently, the NT Parole Board has the following options to deal with non-compliant parolees:

1. a warning letter;
2. a further and final warning letter; and
3. revoke parole.

A sanction-based model of parole for the NT

Therefore, in November 2015, the Department of Correctional Services (NTDCS), in consultation with the Parole Board, sought approval from the Minister for Correctional Services to consider amendments to the Parole Act to provide the Board with increased options to deal with non-compliance with conditions of parole by parolees.

The Minister for Correctional Services supported this proposal and NTDCS and the Parole Board continue to explore the workings of a sanction based model with the assistance of the Department of the Attorney-General and Justice.

These changes are in their infancy and, as such, no timeframe has been set.

Parole Board Training Workshop

Training workshops are an essential element of the professional development of Parole Board members.

Workshops provide an opportunity to:

- share information about current developments in the Department that impact on prisoners;
- deliver training and share information on contemporary practices and research in relation to offender management and the work of the Parole Board; and
- receive feedback from members on the current operations of the Parole Board and any matters that may be of concern for them.

A workshop was held on 7 November 2015. The one day workshop saw presentations from Correctional Services staff, the Department of the Attorney-General and Justice, the Department of the Prime Minister and Cabinet and external organisations who work closely with both the Board and the Department.

Presentation topics for the 2015 workshop were:

- Drug and Alcohol Testing of Correctional Services staff
- Electronic Monitoring
- Safety is Everyone's Right – Whole of Government Domestic Violence Reduction Strategy 2014-2017
- Drive Safe and Motor Traders remote initiatives
- Sentence Management Update
- Learn to Work, Work to Learn

- Women of Worth
- Youth Detention Operations and Rehabilitation Programs
- Community Development Programme and the Work Condition

The presentations provided Board members with relevant and important information that will assist them when considering matters of parole. They also provide the Board with a greater understanding of particular programs and services available to offenders both whilst in custody or serving their period of parole in the community.

PARTNERSHIPS

Parolees face many barriers to successful reintegration in the community that place them at risk of re-offending, including difficulties securing accommodation and employment.

To try and overcome the barriers to reintegration, the Department of Correctional Services entered into a partnership with NAAJA aimed at expanding the amount of throughcare available to prisoners and parolees. NAAJA has developed their own throughcare programs which complement and supplement the throughcare provided by the Community Corrections Division of the Department of Correctional Services.

A similar partnership existed with CAALAS but CAALAS ceased to be funded to provide such services.

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

North Australian Aboriginal Justice Agency (NAAJA)

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

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

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

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

- Accepting referrals of clients, including from the Darwin Correctional Centre, the NAAJA Prison Support Officer, external service providers or the family of Aboriginal prisoners.
- Assessing the transitional needs of Aboriginal prisoners prior to their release, interviewing Aboriginal prisoners individually to determine their needs for rehabilitation,

accommodation, family support and employment prospects.

- Developing individual case management plans in partnership with the prisoners who will have identified their goals upon their release.
- Identifying relevant services that can be accessed to achieve their transitional goals upon release.
- Working in partnership with key stakeholders to provide the essential services to contribute to the success of transition from prison back into the community. These include community groups and government agencies.

Bachelor Institute of Indigenous Tertiary Education (BIITE)

NTDCS and Bachelor Institute are committed to the ongoing education and training of prisoners and offenders to provide an underlying foundation that may lead to meaningful employment opportunities upon release. Bachelor Institute also deliver an in-reach education service to Indigenous communities that will allow a throughcare approach for prisoners both pre and post release.

BIITE have campuses at both Darwin and Alice Springs Correctional facilities, where they deliver VET training alongside industry officers which replicates an 'on the job' training approach. Course being delivered include Certificate I in Engineering, Certificate I in Agrifoods and Certificate I in Food Processing.

Motor Trades Association (NT) Project

NTDCS and Motor Trades Association Northern Territory (MTA) have an agreement with NTDCS to deliver training and employment outcomes in the automotive sector for Indigenous prisoners from Darwin and Alice Springs Correctional Centres. The specific occupation focus is on tyre fitting and accessory fitting, but also includes other skill sets from the automotive related sectors. The project aims for the participants include:

- The provision of training in Certificate I and II in Automotive Vocational Preparation;
- Sourcing of work experience; and
- Paid employment.

ASIA PACIFIC CONFERENCE OF PAROLE AUTHORITIES 2015

The Asia Pacific Conference of Parole Authorities is held annually and is hosted by different states and territories each year. The conference is intended to allow attendees to exchange ideas and information concerning current issues regarding parole.

The aim of the annual conference is to facilitate proactive discussion between parole authorities in order to determine both best practice and innovative ways of addressing emerging common issues.

The 2015 conference was held in Adelaide, South Australia, with the overarching theme 'Community Safety: A multi-agency approach'.

Delegates from across Australia, New Zealand and Vanuatu attended the conference to hear speakers such as the Hon Justice John Sulan, Professor James Ogloff AM, Senior members of SA Police and Community Corrections and Senior Medical Professionals on a range of topics such as:

- expectations of a Sentencing Judge regarding the provision of support programs;
- Structured decision making and risk management;
- Offender Management Plan, parole supervision and community safety;
- Interface between parole supervision and child protection.

The Northern Territory was represented by three members of the Parole Board, Mr Mark McAdie, Ms Kate Crawley and Ms Jane Lloyd, and the then Manager of the Parole Board Secretariat, Ms Gabrielle Mappas.

At the 2015 conference it was determined that going forward, these conferences will now be every 2 years to allow for quality presenters to be arranged, assist with funding restraints, allow the development of policies and inquiries including outcomes of any investigations or inquiries to be implemented by the next meeting, giving more meaningful updates amongst jurisdictions. This will start with NSW moving theirs to 2017.

It is intended that jurisdictions will keep in contact via teleconferencing through the year for continuity.

CONTACT DETAILS

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

Postal Address: GPO Box 3196, Darwin NT 0801

Phone: (08) 8935 7477

Web: www.paroleboard.nt.gov.au

Email: ParoleAdministrator.NTDCS@nt.gov.au



PAROLE BOARD
OF THE NORTHERN TERRITORY