



PAROLE BOARD

OF THE NORTHERN TERRITORY



ANNUAL REPORT

2018



The Hon Natasha Fyles MLA

Attorney-General and Minister for Justice

I am pleased to provide this report on the activities of the Parole Board of the Northern Territory during the year ending 31 December 2018, in compliance with section 3H of the *Parole Act 1971*.

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 section 3H of the *Parole Act 1971*; 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.



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YEAR IN REVIEW

Chairperson's Message

As can be seen from the Statistics at a Glance in this year's Annual Report, during 2018:

- fewer prisoners were released on parole than in 2017;
- about 40 percent of parole applications were refused by the Board;
- more than 23 percent of prisoners eligible for parole declined to apply for parole; and
- 90 parolees had their parole revoked.

Further:

- at any point in time, there are up to 300 prisoners or thereabouts in the Northern Territory who have passed their non-parole period but remain in prison (this constitutes about 19 percent of the prison population);
- the two correctional centres in the Northern Territory are at maximum capacity; and
- the imprisonment rate of Aboriginal men remains amongst the highest imprisonment rates in the world.

Alarming, not only are imprisonment rates in the Northern Territory incredibly high but, unlike the rest of Australia, about 60 percent of offenders are in prison and only 40 percent are being supervised in the community. Elsewhere in Australia it is the reverse – one third of offenders, or thereabouts, are in prison; and two thirds of offenders, or thereabouts, are being supervised in the community. This situation represents a significant cost to the Northern Territory community and has had no impact on reducing the overall rate of reoffending. Our overall rate of recidivism is amongst the highest in the country.

Something must be done to correct this most unfortunate situation. It is well established that more time in prison does not reduce the rate of reoffending. It does not make the community safer. In my opinion, the Parole Board should have a target of releasing approximately 250 prisoners a year on parole. If this target were to be achieved it is estimated that there would be a saving of about \$5 million per year for the Northern Territory Government.



One of the major factors restricting the number of prisoners released on parole is the reluctance of prisoners to apply for parole because of a fear of having their parole revoked for failing to comply with parole conditions. Revocation of a prisoner's parole often results in prisoners remaining in the corrections system for periods that are significantly greater than the prisoner's original head sentence which was imposed by the sentencing court. This is a major disincentive for prisoners who are considering applying for parole.

There are also the following additional constraints on the number of prisoners being released on parole.

1. The Ministerial Directions which preclude certain categories of prisoners obtaining low (unrestricted) and open security ratings.
2. Limited access to rehabilitation programs within the prison.
3. Insufficient transitional accommodation.
4. Prisoners' lack of understanding of parole.
5. Inadequate preparation of prisoners for parole before the expiry of their non-parole period.
6. The number of parole conditions imposed by the Parole Board.

To address the above issues the Parole Board of the Northern Territory has recommended that the *Parole Act 1971* be amended to:

- (i) make the loss of "street time" upon revocation of parole discretionary. (The Board has recommended that the Victorian provisions in this regard should be adopted); and
- (ii) make it automatic for prisoners who have been sentenced to a term of imprisonment for three years or less,

with a non-parole period, to be granted parole immediately upon the expiry of their non-parole period. (The Parole Board has recommended that the New South Wales provisions in this regard with some amendments should be adopted).

Such provisions are not unique. They have already been introduced in a number of other jurisdictions in Australia. The Northern Territory is one of the few remaining jurisdictions where the "loss of street time" is not at least discretionary. It is most important that these amendments are made to the *Parole Act 1971*.

The Parole Board and NT Correctional Services have established a committee to look at better ways of educating and preparing prisoners for parole and reducing the number of parole conditions that are placed on low risk offenders.

It is also important that the Transitional Accommodation Program be fully implemented. This program is an outstanding program which has the potential to significantly reduce recidivism. Most regrettably, lack of community education about the program and a lack of sufficient leadership has severely impeded the implementation of this program.

I thank the members of the Parole Board, the Parole Board Secretariat, and all the probation and parole officers for their outstanding work in 2018. The work done by the Board and everyone else involved constitutes an extremely important part of the criminal justice system. The volume of work undertaken remains high and everyone involved has made a very significant contribution to fulfilling the functions of the Board in a highly professional, conscientious and diligent manner.

Statistics at a Glance

Number of matters before the Parole Board	1317
Number of distinct prisoners with matters before the Parole Board	530
Number of initial parole applications	341
Number of parole applications granted	158
Number of parole applications refused	134
Number of parole applications where prisoners declined parole	79
Number of parole orders revoked	90



PROFILE

The Parole Board of the Northern Territory (the Board) is an independent statutory body established under section 3A of the *Parole Act 1971*. 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:

1. grant a prisoner release on parole;
2. deny a prisoner release on parole;
3. defer consideration of a prisoner's application for parole until a later date;
4. amend or vary a parole order;
5. order a prisoner serve a prison sanction for non-compliance with their order; or
6. revoke a parole order.

The Board makes decisions in relation to both adult and youth offenders and its 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 reoffending. It may also make recommendations to the Chairperson about the revocation of parole for either:

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

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

Board members are supported by the Secretariat of the Parole Board and operational and administrative staff within Northern Territory Correctional Services (NTCS).

Parole Board Members

Section 3B(1) of the *Parole Act 1971* 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) and (f) 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 2018 the Minister did not appoint any acting members to 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 2018 the Board was chaired by the Honourable Justice Stephen Southwood. The Honourable Justice Judith Kelly acted as the Chairperson from 22 April to 1 May 2018, however; was not required to chair any meetings of the Board. The NT Police were represented by Acting Superintendent Peter Kennon on 17 occasions, Commander Travis Wurst on two occasions, Acting Commander Neil Hayes on two occasions, Detective Senior Sergeant Patrick Carson on 3 occasions, Commander Kris Evans on two occasions, and Detective Senior Sergeant Meghan Funnell on two occasions.



As at 31 December 2018, membership of the Board comprised:

Hon Justice Stephen Southwood	Chairperson
Mr Scott McNairn	Commissioner Northern Territory Correctional Services
A/ Superintendent Peter Kennon	NT Police representative*
Ms Kathryn (Kate) Crawley	Psychologist
Mr Paul Rysavy	Psychologist
Ms Susan Crane	Victims of crime representative
Ms Sue Lowry	Victims of crime representative
Mr John Brears	Community member
Mr Mark Coffey	Community member (Alice Springs)
Mr John Flynn	Community member
Ms Selina Holtze	Community member
Mr Harold Howard	Community member (Tennant Creek)
Ms Frances Kilgariff	Community member (Alice Springs)
Ms Patricia (Jane) Lloyd	Community member (Alice Springs)
Professor Leonard Notaras	Community member
Mr Mark McAdie	Community member
Mr Ken Middlebrook	Community member

**No second Police member nominated at this time.*

Northern Territory Community Corrections

Secretary

The Secretary of the Parole Board is a statutory role providing administrative support and strategic advice to the Board. This role was conducted by the Director of Northern Territory Community Corrections (NTCC), Ms Tracy Luke. Ms Luke commenced working as a probation and parole officer in Victoria in 1998, she holds a Bachelor of Social Work and relocated to the Northern Territory in 2008 to undertake a management position within NTCC.

Parole Board Secretariat

The Parole Board Secretariat is comprised of the Manager of the Parole Board Secretariat and the Parole Board Administrators.

The Manager of the Parole Board Secretariat provides 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.

The work of the Parole Board Secretariat continues to increase as a result of new practices designed to enhance the provision of procedural fairness and improve the decision making of the Board, and the increasing emphasis on the continuing education of Board members.

Probation and Parole Officers

The functions of probation and parole officers under section 3R of the *Parole Act 1971* are to:

- supervise persons released on parole as assigned by the Parole Board;
- prepare reports as required by the Parole Board;
- maintain case records and statistics as required by the Parole Board;
- carry out the directions of the Parole Board in relation to a parole order;
- investigate and make reports to the Parole Board on the employment and place of living available to each person applying for release on parole; and
- perform such other duties as directed by the Parole Board or the Chairperson.

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



UNDERSTANDING PAROLE

The *Sentencing Act 1995* 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 Australian 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 Board has full authority to decide if and when a prisoner is released on parole after the expiry of the NPP. The Board may decide a prisoner is not to be granted parole and should serve the whole of their sentence in prison.

Unless parole is revoked prior to release, a prisoner who is released on parole is supervised in the community by a probation and parole officer for the balance of the term of the prisoner's sentence of imprisonment. The prisoner is supervised in accordance with conditions fixed by the Board. The purpose of parole is to assist the prisoner re-integrate into the community and live a lawful life.

COMMIT Parole

In 2017 the *Parole Act 1971* was amended to allow for swift, certain and proportionate sanctions to be imposed for acts of non-compliance with parole conditions while supporting a parolee through their order and transition into the community. The aims of the COMMIT parole are to:

- reduce prisoner numbers by increasing the number of community based offenders;

- reduce the time offenders spend in prison and in the corrections system;
- reduce the rate of reoffending;
- change the behaviour of offenders so they are capable and willing to make appropriate life choices and lead a lawful life;
- help parolees through their orders rather than see a revocation of parole and the loss of street time;
- improve offender compliance; and
- reduce drug and alcohol misuse.

COMMIT parole is made available to higher risk offenders who have a history of non-compliance with conditions of supervision in the community and of substance misuse. The idea of COMMIT parole is to impose a short yet certain sanction (2 to 30 days in custody) for a bad decision immediately after the violation is detected. A parolee cannot ignore the cost of a parole violation today if he or she is in prison tomorrow, particularly if that is going to happen every time there is a parole violation. However, once the sanction is served the parolee is released to continue working with his or her probation and parole officer.

Delivering relatively modest sanctions certainly, swiftly and consistently is likely to be more effective than sporadically lowering the boom.

It is now widely recognised that in order to be deterred by a sanction, an offender must:

- realise there is a sanction for the act being contemplated;
- know the sanction that is to be imposed;

- take into account the risk of incurring the sanction when choosing to offend or not offend;
- believe there is a real likelihood of being caught;
- believe the sanction will be applied; and
- be willing (and able) to alter their choice to offend in light of the sanction.

For deterrence to work effectively, the conditions above must be satisfied. Knowledge of penalties logically precedes perceptions of certainty and severity of penalties. For deterrence to influence the decision-making process, the offender must have knowledge of the punishment for the breach and the likelihood of it being imposed so an informed choice is made about whether or not to engage in that behaviour.

COMMIT parole incorporates these principles. The prisoner is informed that:

- there will be a sanction imposed on the prisoner for each parole violation (unless there are extenuating circumstances);
- the specific sanction that will be imposed for each particular breach of parole conditions. The sanctions are perceived to be fair and reasonable and are designed to correct the parolee's behaviour;
- compliance with conditions of parole will be rigorously monitored and therefore all violations will be immediately detected;
- the sanction for each parole violation will be swiftly enforced. Parolees are to be held accountable for their actions and decision making;

- how much time a parolee spends in prison is dependent on the choices made by the parolee. It is only if the parolee makes a bad decision that the parolee will be returned to prison; and at the time the parolee makes the bad decision, the parolee clearly knows the cost of the bad decision;
- the COMMIT regime will persist for the duration of the parole period. The prisoner knows that neither the Board nor his/her probation and parole officers will give up on the prisoner. The system is going to be in place for the duration of the prisoner's time on parole.

Under COMMIT parole, a parolee receives swift, predictable and modest sanctions of a short term in prison for each detected violation of their parole conditions. Throughout the period of parole, bad behaviour is tied to a known, swift and certain consequence so parolees can learn from their bad choices. The idea is to make a parole violation an illogical and costly choice for the parolee.

COMMIT parole sends a consistent message to parolees about personal responsibility and accountability and includes a consistently applied and timely mechanism for dealing with parole violations. The sanctions are structured in such a way that parolees receive a lesser sanction if they take responsibility for their actions.

COMMIT parole is solution focussed. It involves the cooperation of the parolee, probation and parole officers, through-care workers, the police, the legal aid agencies, prosecutions and the Local Court to ensure that any parole violation is dealt with swiftly.



Parole Process

Board meetings

The table below sets out the frequency of meetings of the Board, the quorums that are required to constitute a meeting of the Board, and the number of votes required for the Board to make a decision about parole for prisoners serving a life sentence for the crime of murder and for all other sentences of imprisonment with a NPP.

LIFE IMPRISONMENT

Meetings held quarterly

Quorum requires the Chairperson and seven other members

Decisions require a unanimous vote

ALL OTHER SENTENCES

Two meetings held monthly

Quorum requires the 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; and
- notification of a formal transfer to another jurisdiction.

Attendance of prisoners at Board meetings

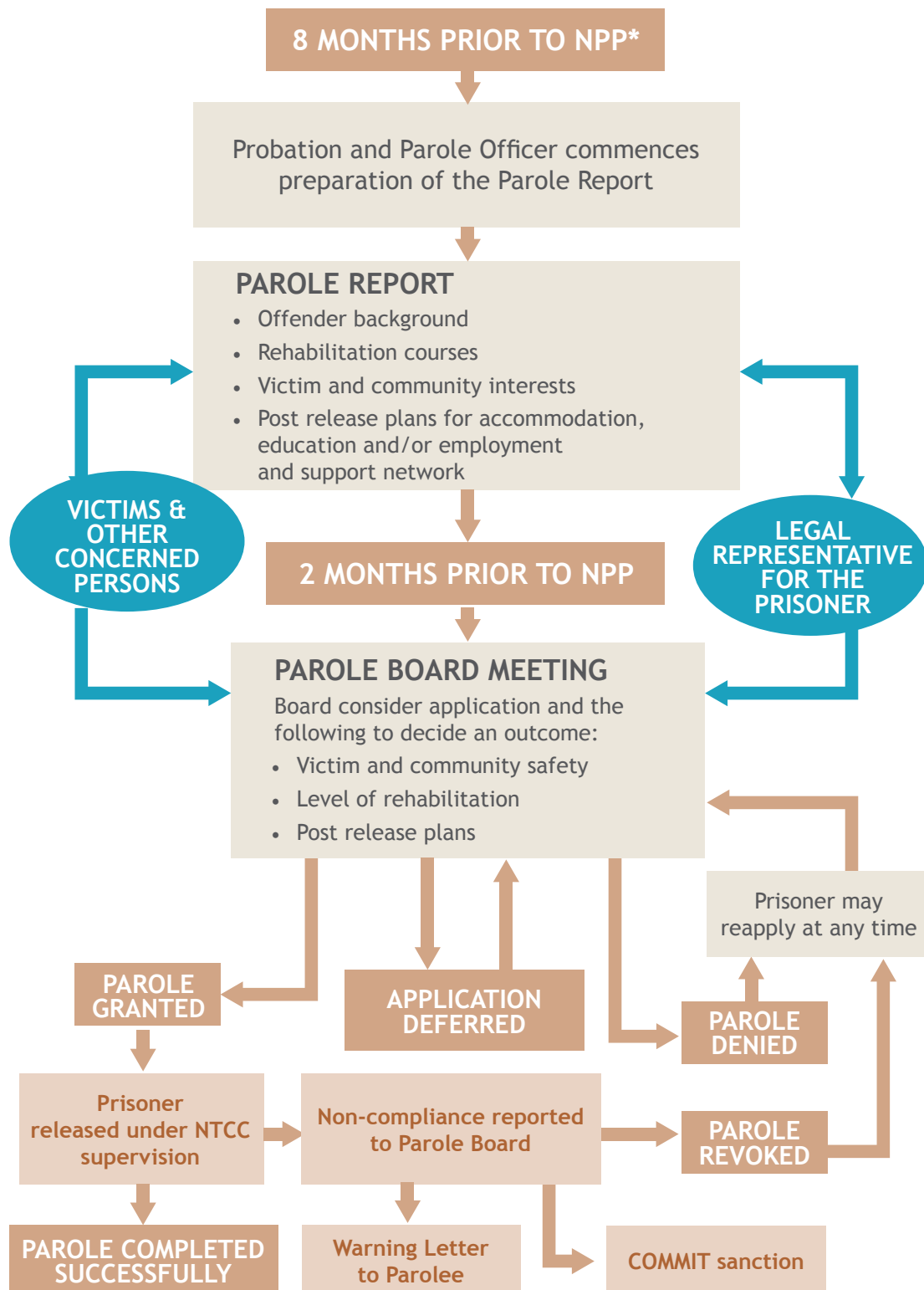
It is the practice of the Board to decide parole matters on the relevant documents without the prisoner being present. The Board is of the view that the materials received or obtained by the Board provide a fair and comprehensive basis to decide whether a prisoner should or should not be granted parole.

The Chairperson may, however, require a prisoner to be brought before the Board pursuant to section 3G of the *Parole Act 1971*.

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

Mr Jeff Prosser of the North Australian Aboriginal Justice Agency (NAAJA) provided numerous detailed written submissions to the Board on behalf of prisoners seeking parole.

Representatives from Territory Families attended several meetings of the Board when youth matters were considered to provide advice and answer questions of the Board.



*non-parole period (NPP)



Prisoners serving a life sentence for the crime of murder

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.

Furthermore, where relevant, the Board must not release a life sentenced prisoner to parole unless the Board considers that the prisoner has cooperated satisfactorily in the investigation to identify the location, or last known location, of the remains of the victim(s) of the offence. This is often referred to as 'no body, no parole'. The Board considers a report from the Commissioner of Police outlining the level of cooperation when making this assessment.

Section 4B(8) of the *Parole Act 1971* 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

Section 5B of the *Parole Act 1971* provides the Chairperson with the authority to amend a parole order by varying, adding or revoking one or more conditions at any time before the expiration of the order. Under section 5B(2) 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

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

- reoffending – this means that the parolee has committed a new 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. However, it is the practice of the Chairperson in non-urgent matters, to consult board members at scheduled meetings about revocations and accept the recommendations of the members. If a parole order is revoked, the parolee is arrested by police and brought before the Local Court. The Local Court must commit the parolee to prison if satisfied that parole has been revoked.

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 Local Court for cancellation of the parole order. Submissions may then be made on behalf of the parolee about why parole should not be revoked. The Local Court has discretion to cancel or refuse to cancel parole on such occasions.

Ordering of sanctions - COMMIT Parole

With the introduction of COMMIT parole in 2017, the Board now has the option to

order a parolee serve a prison sanction for an act of non-compliance with their parole order. Importantly, the sanction does not extend the sentence as a revocation of parole would.

Once the sanction is served the prisoner is released and the same parole order continues to run.

Considerations for the Parole Board

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 reoffending while on parole and the likely nature of the reoffending;
- the risk of harm to the community and the victim;
- release plans, including accommodation and employment;
- reports, assessments and recommendations made by a variety

of professionals, including medical practitioners, psychiatrists, psychologists, custodial staff and/or community corrections 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.

The Board has an unfettered discretion and 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 material provided to the Board will always include:

- a parole report prepared by the assigned probation and parole officer;
- an institutional report prepared by staff of the correctional centre or detention centre where the prisoner or detainee is held;
- the facts of the prisoner's offending;



- a record of the prisoner's prior convictions; and
- the remarks of the sentencing judge if the prisoner was sentenced in the Supreme 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 exit reports about violent offender programs, sexual offender programs, alcohol and other drug 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 shall 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 probation and parole officer, appointed in accordance with this parole order, and shall obey all reasonable directions of the probation and parole officer appointed;

3. the parolee shall report to the probation and parole officer, or other person nominated by the probation and 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 probation and 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 probation and parole officer;

5. the parolee shall enter into employment arranged or agreed upon by the probation and parole officer and shall notify the probation and 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 probation and parole officer;

6. the parolee shall reside at an address arranged or agreed upon by the probation and parole officer and shall notify the probation and 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 probation and parole officer;

7. the parolee shall not associate with any person specified in a direction by the probation and parole officer to the parolee;

8. the parolee shall not frequent or visit any place or district specified in a direction by the probation and parole officer to the parolee;

The Board frequently places additional conditions upon the release of a prisoner. These conditions are tailored to maximise protection of the community, facilitate the

prisoner's successful reintegration and reduce the risk of reoffending.

The primary purpose 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, possess or purchase alcohol or drugs;
- breath testing, oral drug 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 to engage in conduct that might lead to a domestic violence order being made;
- curfew;
- be subject to electronic monitoring;
- be subject to the COMMIT program

Transfer of Parole Orders

The *Parole Orders (Transfer) Act 1984* was enacted 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 2018 two parolees were transferred out of the Northern Territory. Four parolees transferred their period of parole to the Northern Territory.

Extradition

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

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

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

In 2018 no parolees were extradited to the Northern Territory.

Victims of Crime

The Board takes the view that victims and the community are entitled to be kept safe. Therefore a prisoner should not be granted parole if they cannot be managed in the community in a manner which keeps the victim safe throughout any period that the prisoner is on parole.

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



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

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

Probation and parole officers liaise with the victims, 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 2006*.

SUPPORTING SERVICES & INITIATIVES

Supporting Aboriginal Offenders

NTCS have formal arrangements with NAAJA to operate the Throughcare Support Program.

The program aims to support successful reintegration and prevent recidivism by:

- providing education to individuals, their families and communities about parole;

- assisting Aboriginal prisoners throughout the parole process by raising their awareness of the factors that have contributed to their offending behaviour and help them identify relevant rehabilitative programs while in custody;
- assisting Aboriginal prisoners to develop sustainable and effective post-release plans in collaborations with their families, communities and NTCS; and
- assisting Aboriginal parolees to successfully complete their parole orders and reintegrate into the community through the provision of targeted interventions and supported case management post release.

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

- the Secretary of the Board provides the relevant Throughcare case manager 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. The Throughcare case manager 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 probation and parole officer, a meeting may be held with the officer, the Throughcare 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 facilitated by the Throughcare case manager and any such

application will be considered on its merits. Further, NAAJA have been advised the Board will consider any written submissions that are made on behalf of a prisoner about parole. The Board also regularly refers Aboriginal prisoners who would be assisted by legal representation or additional throughcare support to NAAJA.

italk Studio

italk Studio, a Northern Territory media production and training company, in partnership with NTCS have set up an industry training course at the Alice Springs Correctional Centre. The training course uses italk methodology and software to

train prisoners in multimedia production. Prisoners in the training course completed a parole training story, which was then illustrated and animated to enable prisoners to have a better understanding of parole and conditions they may be subject to.

COMMIT Funded Treatment Services

In mid-2017 the Department of the Attorney-General and Justice was provided two years funding for alcohol and drug treatment beds at residential rehabilitation facilities and other counselling and related support services.

Organisation	Description
Banyan House Darwin	Four dedicated beds at Banyan House for COMMIT and Community Corrections clients.
BRADAAG Tennant Creek	Twelve additional dedicated beds at BRADAAG for COMMIT and Community Corrections clients. Available to Aboriginal and non-Aboriginal participants.
Central Australian Aboriginal Congress Alice Springs	An additional clinical psychologist and social worker to expand and enhance services to COMMIT and Community Corrections clients with AOD and mental health concerns, including outreach support to clients in Amoonguna, Hermannsburg, Wallace Rockhole, Santa Teresa, Areyonga and Mutitjulu communities. Available to Aboriginal and non-Aboriginal participants however non-Aboriginal participants will not have access to other health or wellbeing services provided through Congress.
Drug & Alcohol Services Australia (DASA) Alice Springs	Case management service, intensive harm minimisation sessions and ongoing support for up to 15 COMMIT and Community Corrections clients who are heavy drug users. The program is non-residential and offer out of hours services with a strong focus on building pro-social peer groups, recreational activities and attitudes.
FORWAARD Darwin	Nine additional dedicated beds at FORWAARD for COMMIT clients. Available to Aboriginal and non-Aboriginal participants. Also the provision of education and training support for families and friends of COMMIT clients, so they have the tools required to best support their loved ones as they transition away from substance misuse.
Tangentyere Aboriginal Corporation Alice Springs	Dedicated case worker within the Intensive Support Program to apply assertive outreach and intensive case management to assist COMMIT and Community Corrections clients in achieving agreed goals. Available to Aboriginal participants only.
Wurli Wurlinjang Katherine	Specialist AOD counsellor to work with COMMIT and Community Corrections clients. Available to Aboriginal participants only who reside within a 40km radius of Katherine.



Oral Drug Testing

In 2018 NTCC implemented oral drug testing in an effort to improve the management of offenders subject to drug testing conditions. The expansion of drug testing has enabled drug testing of offenders in remote locations where urinalysis was not feasible, and aims to assist offenders to remain drug free and increase community safety.

NTCC staff who hold a national certification as 'Collectors' maintain the chain of custody for collected specimens and adhere to the Australian Standards. Results are then confirmed by a laboratory to ensure a fair process is maintained.

Where possible, a combination of both oral fluid and urine drug testing is used to manage a parolee's compliance.

Electronic Monitoring

In 2014 NTCS introduced the use of electronic monitoring. Electronic monitoring has been an effective tool for managing offenders on parole. The Board has welcomed electronic monitoring as an additional tool to enhance the ability of NTCC staff to monitor specific conditions relating to an offender's movements and location. Electronic monitoring can provide timely notification of non-compliance and 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;
- create exclusion zones that protect the victims of crime; and
- reduce the need for intrusive surveillance methods such as late night home visits.

PERFORMANCE

PAROLE APPLICATIONS

Outcome of the initial hearing	Number	%
- Parole applications deferred	114	33.4%
- Parole applications refused	97	28.5%
- Parole applications granted	76	22.3%
- Prisoner declined parole	54	15.8%
No. of initial parole applications made in 2018	341	100%

SUBSEQUENT APPLICATIONS

Outcome of subsequent hearings	Number	%
- Subsequent applications deferred	64	29%
- Subsequent applications denied	37	16.8%
- Subsequent applications granted	82	37.1%
- Subsequent applications prisoner declined parole	25	11.3%
Other*	13	5.8%
No. of subsequent applications made in 2018	221	100%

*Amended Order, Noted, Parole Revoked



PAROLE APPLICATIONS FROM LIFERS

Outcome of the initial hearing	Number	%
- Parole applications deferred	2	66.7%
- Parole applications refused	0	0.0%
- Parole applications granted	1	33.3%
- Prisoner declined parole	0	0.0%
No. of initial LIFERS applications made in 2018	3	100%

SUBSEQUENT LIFERS APPLICATIONS

Outcome of subsequent hearings	Number	%
- Subsequent applications deferred to 2018	3	60.0%
- Subsequent applications deferred to 2019	2	40.0%
- Subsequent applications refused	0	0.0%
- Prisoner declined parole	0	0.0%
No. of subsequent LIFERS applications made in 2018	5	100%

NUMBER OF PAROLE APPLICATIONS DETERMINED (GRANTED / REFUSED IN 2018)

Matter Type	Denied	Granted	Grand Total
- Parole Application	97	76	173
- Supplementary report	37	82	119
Grand Total	134	158	292

NUMBER OF PRISONERS WHO DECLINED AND WHY*

Reason	Number	%
- Has employment	5	6.3%
- No conditions/full time	43	54.4%
- Other	16	20.3%
- Participation in programs	6	7.6%
- Reduce security rating	3	3.8%
- Wants employment	3	3.8%
- Wants to attend work camp	3	3.8%
Grand Total	79	100%

**Noting that reasons for declining parole are vast, varied and often overlap*



PAROLE ORDERS VARIED

No. of parole orders varied

73

REVOICATIONS

No. of reports received by Parole Board documenting non-compliance

261

Outcomes

- Amended parole order	10
- Parole revoked at the Board meeting	26
- Parole revoked out of session (Chairman)	64
- COMMIT Sanction	105
- Warning letter	36
- Stern warning letter	3
- No action	17

NUMBER OF COMMIT SANCTIONS

Sanction Length	Up to 7 days	14 days	30 days	Grand Total
No. of sanctions issued	32	54	19	105
Grand Total	32	54	19	105

FREEDOM OF INFORMATION APPLICATIONS

No. of freedom of information -applications	3
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PAROLE ORDERS TRANSFERRED TO/FROM ANOTHER JURISDICTION

No. of parole orders transferred to another jurisdiction	2
No. of parole orders transferred from another jurisdiction	4
Total	6

PERIOD ON PAROLE PRIOR TO REVOCATION - CONDITIONAL AND RE-OFFENDING 2018

Time on Parole	Number
<3 months	45
- Conditional	43
- Reoffending	2
3-6 months	18
- Conditional	17
- Reoffending	1
6-12 months	13
- Conditional	11
- Reoffending	2
1-3 years	3
- Conditional	3
- Reoffending	0
Revoked prior to release	11
Grand Total	90

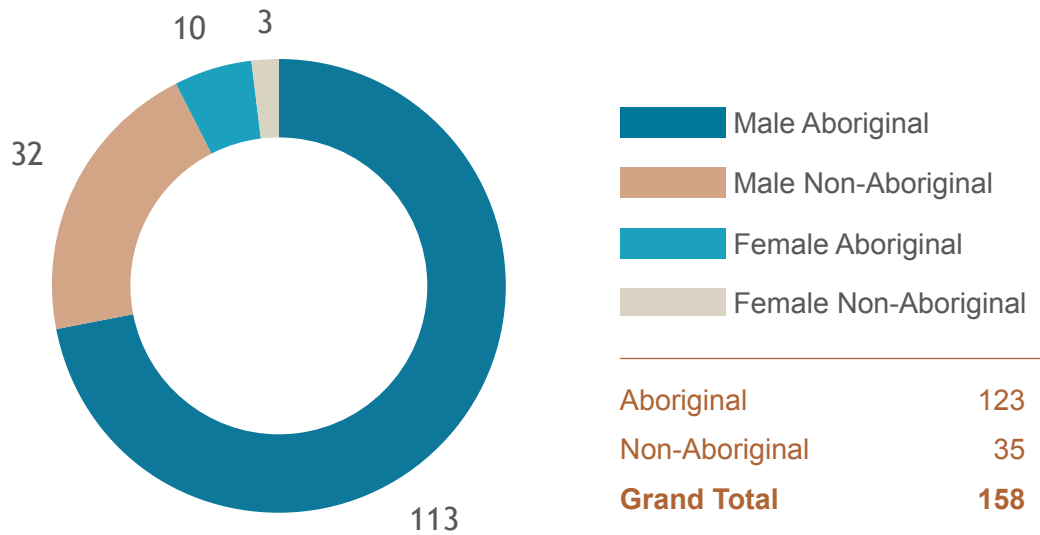


ADDITIONAL PAROLE CONDITIONS SET

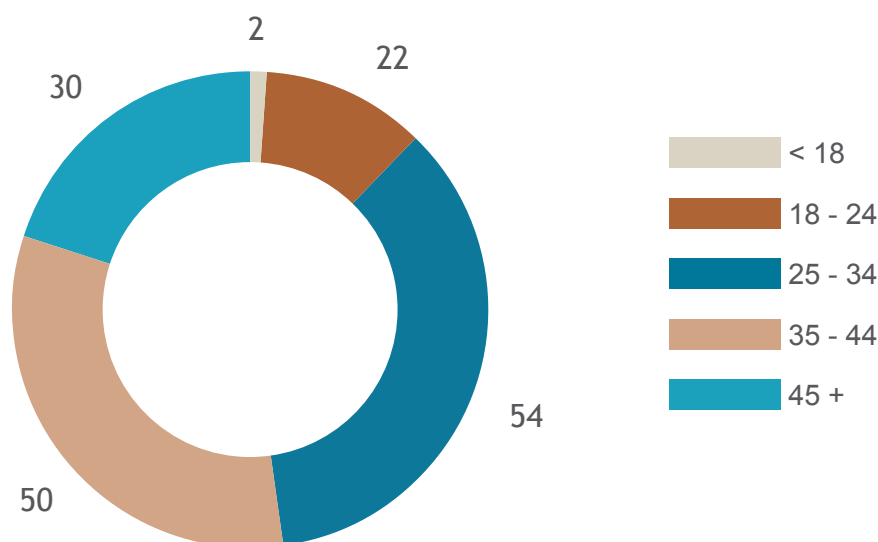
Alcohol abstinence	195
Drug abstinence	176
Attend residential rehabilitation / treatment program	118
Reside at community or outstation	42
Nil contact children	3
Nil threaten victim	40
Electronic monitoring	170
No firearm	115
No volatile substance abuse	1
COMMIT Sanctions Regime	90
Breath testing	195
Drug testing	174
General counselling as directed	174
Specific Counselling as directed (eg. AOD, Mental health, Family Violence Program)	34
Nil contact victim	83
Curfew	135
Make available for checks	100
No DVO	117
Other **	38 (Multiple Items)

** Includes: not visit specific communities, not associate with specific persons, not attend specific premises.

CHARACTERISTICS OF PRISONERS RELEASED TO PAROLE DURING 2017 BY SEX AND ABORIGINALITY

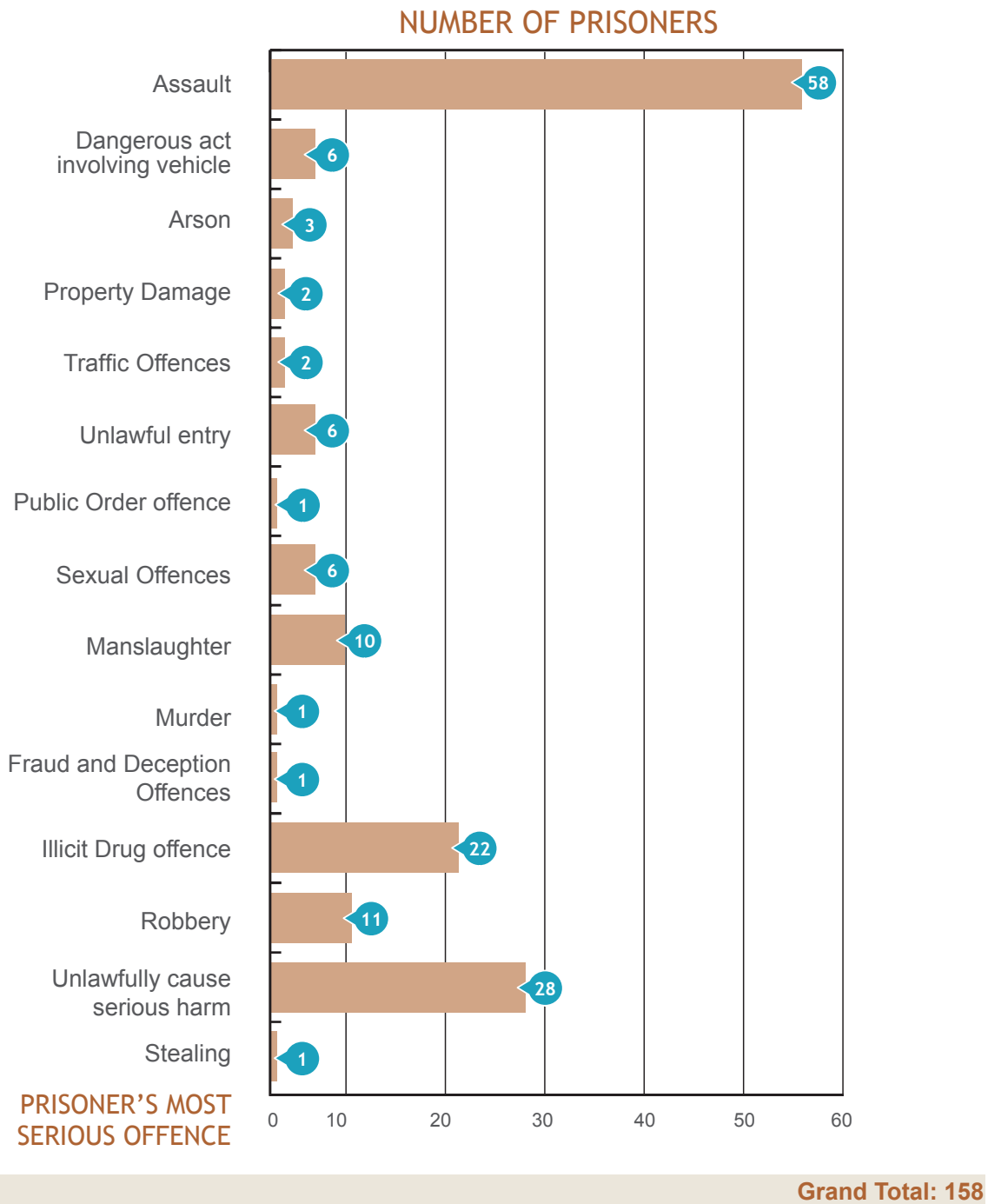


PRISONERS RELEASED TO PAROLE DURING 2018 BY AGE

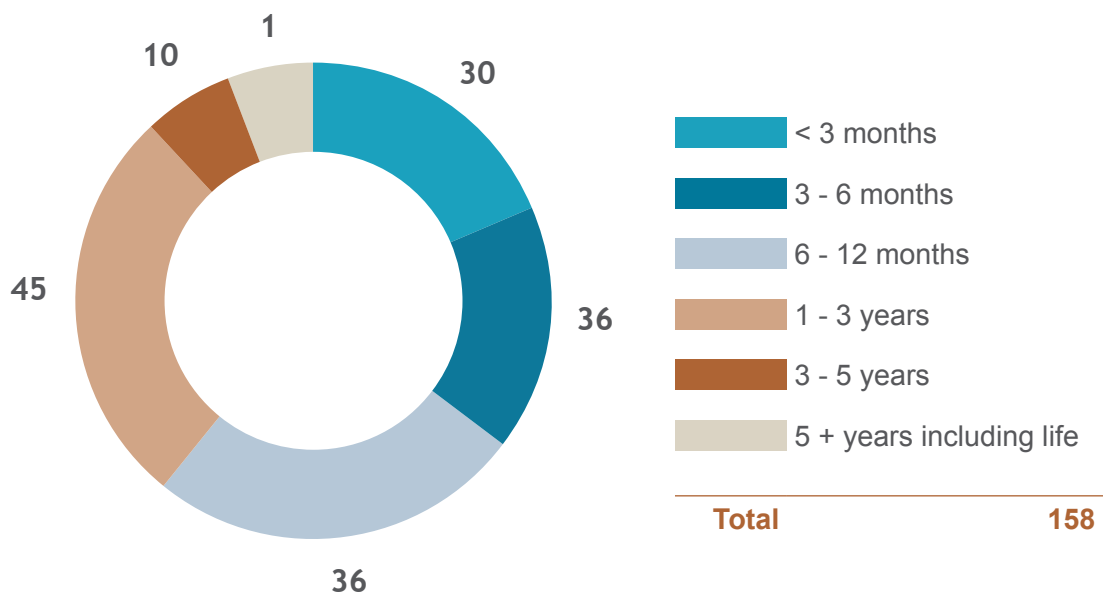




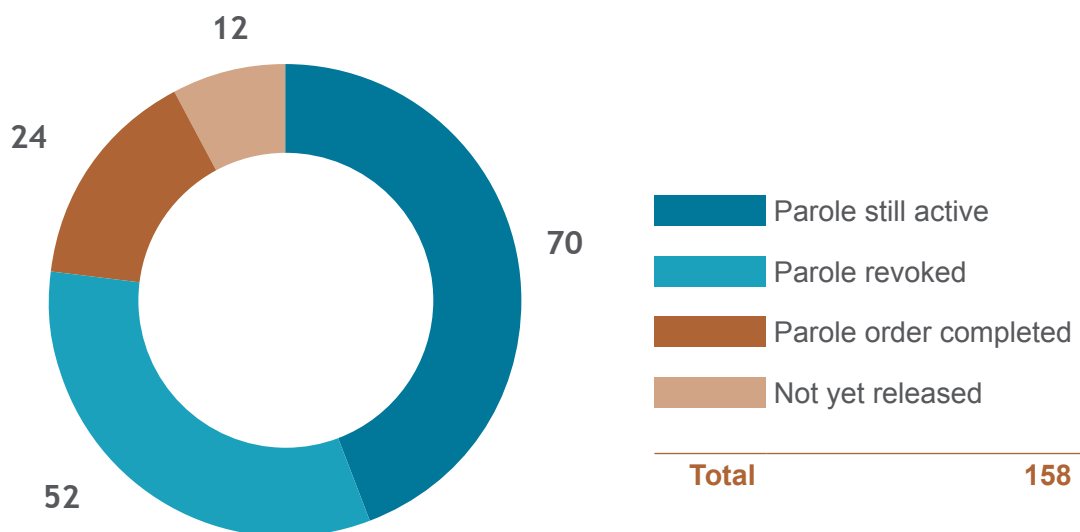
PRISONERS RELEASE TO PAROLE DURING 2018 BY THE MOST SERIOUS OFFENCE CATEGORY



LENGTH OF PAROLE ORDER FOR PRISONERS RELEASED DURING 2018

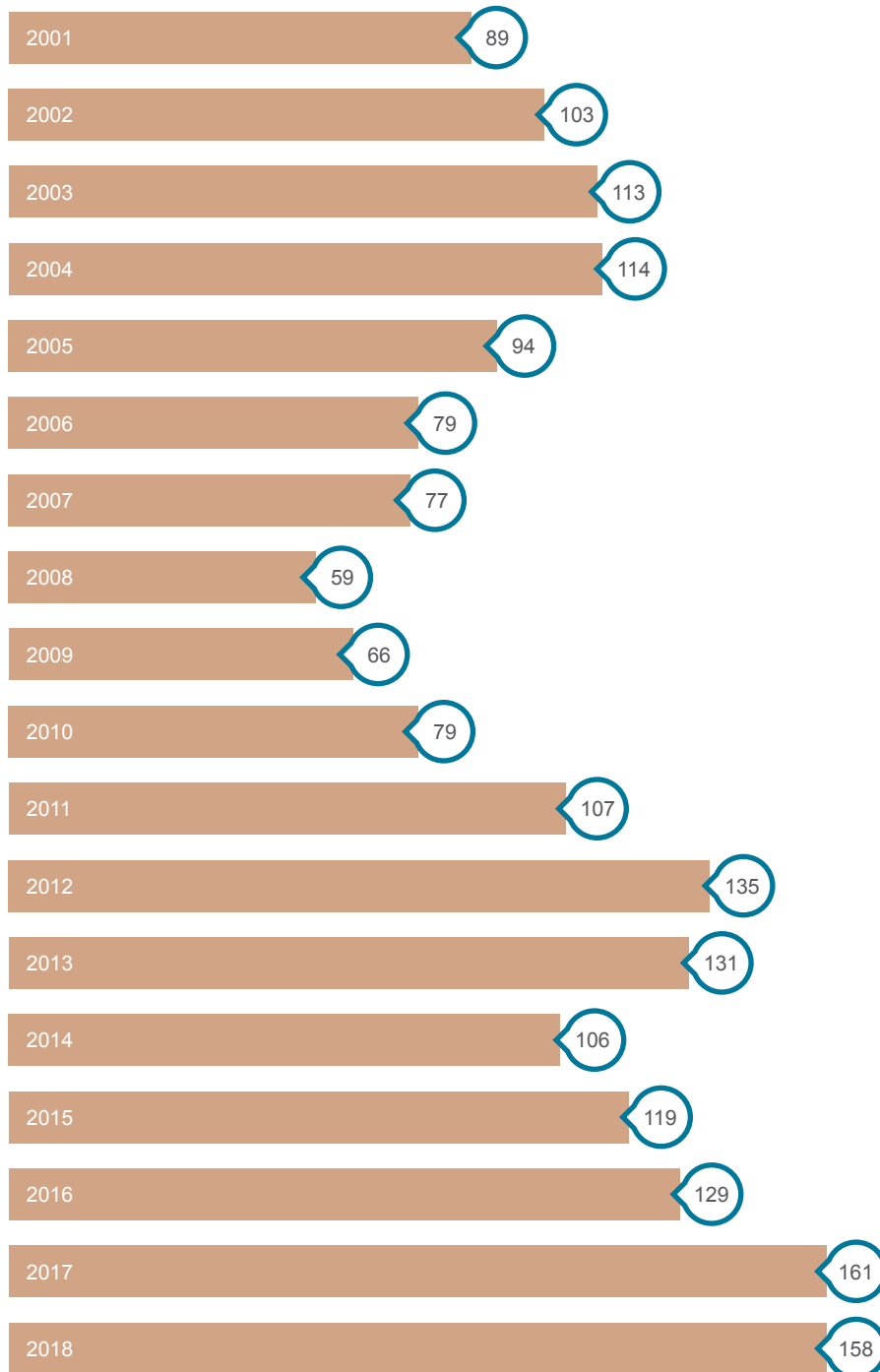


OUTCOMES OF PRISONERS GRANTED PAROLE DURING 2018 AS AT 31 DEC 2018

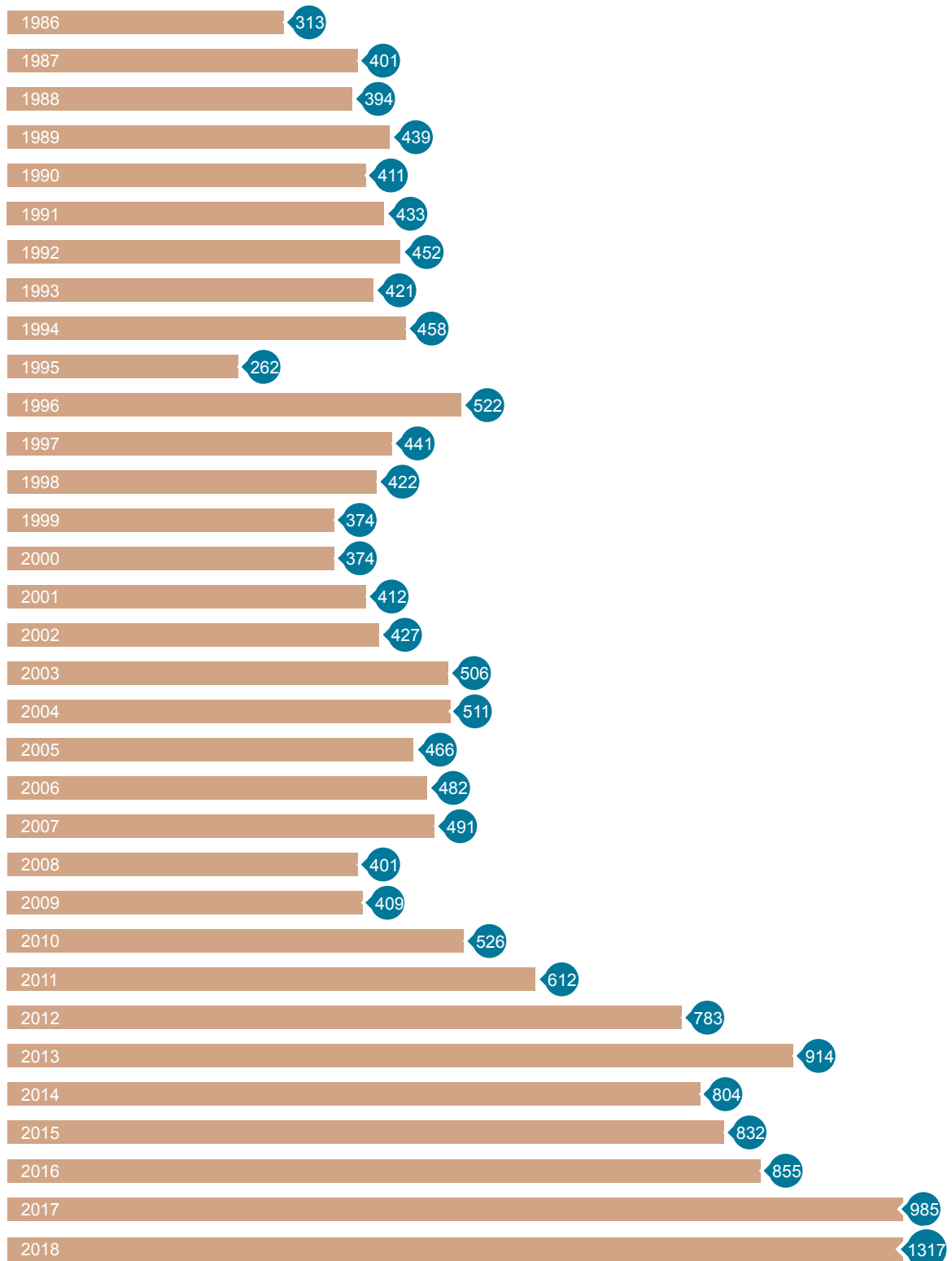




PRISONERS RELEASED TO PAROLE 2001 - 2018



ANNUAL TOTAL OF ITEMS OF BUSINESS 1986 - 2018





TRAINING AND DEVELOPMENT

Parole Board Training workshop

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

Workshops provide an opportunity to:

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

A workshop was held on 10 February 2018. The one day workshop saw presentations from Correctional Services staff, the Department of the Attorney-General and Justice, Offender Services and Programs, and external organisations who work closely with both the Board and the Department.

Presentation topics for the 2018 workshop included:

- Risk assessments for parolees
- Management of prisoners
- COMMIT parole
- Treatment programs
- FORWAARD
- Women of Worth
- DriveAbout- Learners Licence App

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 reoffending, including difficulties securing accommodation and employment.

To try and overcome the barriers to reintegration, NTCS 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 NTCC.

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's Indigenous Throughcare Program started in 2009. It has two prison-based case workers who provide parole related information, advice and assistance to prisoners and detainees; and case managers who provide case management support to up to 15 Aboriginal and Torres Strait Islander clients.

The role of the prison-based case workers includes:

- educating participants, their families and communities about parole;
- assisting participants to successfully obtain parole by raising their awareness of the factors that have contributed to their offending behaviours and helping them identify relevant rehabilitative programs while in custody;
- assisting participants to develop sustainable and effective post-release plans in collaboration with their families, communities, and NTCS; and
- assisting participants to successfully complete their parole orders through the provision of supported case management post-release.

The role of the case workers includes:

- accepting referral of participants, including from the Darwin Correctional Centre, Territory Families, the NAAJA Prison-based case workers, external service providers or the family of Aboriginal and Torres Strait Islander prisoners;
- engaging participants willing to work with NAAJA on a voluntary basis six months prior to their release to assess their transitional needs including but not limited to rehabilitation, accommodation, family support and employment;



- working alongside participants to help them identify their post-release risks and goals, and develop a corresponding case management plan;
- assisting participants to identify and access relevant services and programs that can be accessed to achieve their transitional goals post-release; and
- providing participants with case management support post-release for a mutually agreed period of time that emphasises participant empowerment and individual responsibility.

Bachelor Institute of Indigenous Tertiary Education (BIITE)

BIITE has been engaged as the main provider for education at Darwin Correctional Centre and Alice Springs Correctional Centre under a Service Level Agreement for the delivery of Vocational Education and Training (VET) courses between 2015 until 2022. This partnership provides, where practical, continuity of VET based education for individuals entering and leaving NTCS correctional facilities irrespective of where that training commenced.

University of Southern Queensland (USQ)

USQ offer eleven Tertiary Preparation Programs (TPP) to prisoners. Courses are completed over three trimesters. Approved students are provided with an Offline Personal Device (laptop), supplied by USQ, which has restricted use with certain functions disabled.

Students who have successfully completed TPP requirements can enrol to complete an Associate degree, Certificate, Diploma or Bachelor in a number of courses. HECS debts are incurred.

University of New England (UNE) - QuickSmart

QuickSmart is a literacy and numeracy intervention program that supports the development of basic literacy and numeracy facts. The program has focused on a peer tutor delivery model and NTCS has been supported by UNE to train suitable prisoners to deliver tutoring sessions to less capable prisoners. This not only builds concepts around learning of literacy and numeracy but has also provided positive educational experiences and development of associated skills such as confidence and self-esteem in participants as tutors and students.

Work Camps

Datjala and Barkly Work Camps provide prisoner education through local agreements with providers such as Safety Training Services and Anglicare at Datjala and Charles Darwin University and Group Training NT at Barkly Work Camp.



PAROLE BOARD

OF THE NORTHERN TERRITORY

CONTACT DETAILS

For more information on the Parole Board please contact the Secretary of the Parole Board:

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Web: www.paroleboard.nt.gov.au

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PAROLE BOARD
OF THE NORTHERN TERRITORY