



PAROLE BOARD

OF THE NORTHERN TERRITORY



ANNUAL REPORT

2021

Acknowledgment of Country

The Parole Board of the Northern Territory acknowledges the Traditional Custodians of country throughout the Northern Territory and their connections to land, sea and community. We pay our respect to the Elders – past, present and emerging – for they hold the memories, traditions, the culture and hopes of Aboriginal peoples and Torres Strait Islander peoples across the Territory.



The Hon. Chansey Paech, 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 2021, in compliance with section 3H of the Parole Act 1971.

Rex Wild AO QC

Acting 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

Acting Chairperson's Message

These introductory remarks need be read in conjunction with the Annual Report for 2020 and, in particular, the Chairperson's Message reviewing that year.

His Honour Justice Stephen Southwood of the Supreme Court provided that message following more than 10 years as Chairperson of the Parole Board. If I may so, he provided outstanding leadership to the Board and service to the community during that period.

His last meeting at the Board was on 30 April 2021. From then until 8 October 2021, the Board remained under the control of the Supreme Court and The Hon. Chief Justice Michael Grant presided over the Board's affairs.

This was pending the implementation by Government of the formal request by the Chief Justice that the Parole Act 1971 be amended to remove the requirement that the Chairperson of the Board be the Chief Justice or another Supreme Court Judge nominated by the Chief Justice.

The request was founded on the understanding that it was not appropriate for a permanent superior court judge to also hold office as a Chairperson of a parole board. This is partly because the decisions of parole boards are open to judicial review by the superior courts (which may be a perceived conflict).

Further, parole boards may be required in their determinations to implement legislative policy in a way that is in some respects incompatible with a judge's judicial functions. For example, a judge is generally required to provide a person natural justice, a matter which is specifically excluded as a function of a parole board.

The Parole Amendment Bill 2021 addressed this issue by replacing the requirement for the Chief Justice or his nominee to be a member of the Board, with a requirement for the appointment to the Board of a lawyer who had been admitted to the legal profession for at least 10 years. Section 3C of the Act remained unchanged which means that the lawyer member of the Board will be the Chairperson of the Board.

The requirement that the lawyer member be admitted to the legal profession for at least 10 years is equivalent to the minimum level of experience required for appointment as a Judge of the Supreme Court. This recognises that important issues are dealt with by the Board, with questions of law before it being determined by the Chairperson.

The amending legislation came into operation on 8 October 2021. Accordingly, the Chief Justice ceased to be the Chairperson and was replaced on that date by the person appointed



by the Minister, as the acting Chairperson, pursuant to sections 3D(1)(a) and 3B(1)(a) of the Parole Act. That appointment was made to me for the period of 12 months specified in the Act. The document of appointment was dated 8 October 2021 and will expire on 7 October 2022.

At the time of my appointment to the acting position I was informed that it was for an interim period to ensure the continued operation of the Board while a permanent appointment was progressed by the Northern Territory Correctional Services. I was specifically asked to consider the powers, functions and role of the Chairperson and provide my thoughts on these matters and the time (in terms of hours or days each week or month) required to properly fulfil the function. These issues were in the course of discussion with the Chief Executive Officer of the Department of the Attorney-General and Justice at the end of the year under review. It is anticipated that these matters will be further considered during the first part of 2022, and the role of the Chairperson with appropriate remuneration, infrastructure and the like resolved. It is important that this occurs in a timely fashion so that a permanent appointment can be made. This obviously needs resolution well before my present acting appointment is completed as applications will need to be called for and an appropriate selection made by October 2022.

It is unnecessary to canvass these matters further in these remarks, save to say that the position of Chairperson is an important and responsible one. It has a great number of duties and tasks inherent in the role that do not immediately reveal themselves. The way in which the deliberations pan out during 2022 can be the subject of comment in the report to be presented at the end of the year.

In his remarks, Justice Southwood summarised, to some extent, the work and contributions made by the Members of the Board, by the Secretariat and Community Corrections in parole matters, during the period of his Chairpersonship. He described it, in general terms, as outstanding. He specifically mentioned a number of people who had

played a significant part. I will not repeat his comments, save to say that in the short time I have had to review the contributions by Members and staff, I have been truly impressed. There is a genuine desire by Members to carry out their functions in a meaningful way; to best serve the community, victims and the rehabilitation of the offenders. I was made welcome by them, collectively and individually, as the new kid on the block. The same can be said for the members of the Secretariat. Led by the acting Secretary, Allie [Alexandra] Potter, herself relatively new to the position, but with a strong background in Corrections, I was delighted with their dedication, attention to detail and knowledge of their area. Allie was ably supported by the Secretariat Manager, Michaela Beattie, and two Parole Board Administrators, Andrea Coggan and Emma Spencer.

John Flynn has been a Board Member for well over 40 years. He received specific commendation by Justice Southwood in his Remarks. I expect this was partly in anticipation of John's suspected imminent retirement from the Board. I was aghast at this possibility and was delighted that John accepted my encouragement to stay for just one more year. I have already found his great experience and wise counsel of great assistance in feeling my way. In the same spirit, I also thank Members Paul Rysavy, Kathryn Crawley and Selina Holtze for their contributions to the work of the Board over periods of some years in each case. We were able to farewell Paul at a pleasant lunch held in November. The continuing Members are listed later in this Report. Without exception, I have found them to be dedicated, committed and interested in their work on the Board.

Although I have suggested this report be read in conjunction with last years (2020) report prepared by Justice Southwood, it is important that sight be not lost of the comments and recommendations he made. I repeat them here in a slightly modified form for ease of access by the reader. I accept his remarks as something akin to guidelines which I should, and will follow.

1. *The work of the Board will continue to increase. In 2001, the Board considered 412 matters. In 2021, the Parole Board considered 1326 matters. In 2001 the Parole Board granted 89 prisoners parole. In 2021 the Parole Board granted 228 prisoners parole.*
2. *The number of prisoners in the Territory continues to remain higher than ever before. As at 31 December 2021, there were 1891 adults and youths in prison and detention in the Territory. As at 31 January 2022, there were 1953 adults and youths in prison and detention in the Territory.*
3. *The pandemic made the management of the two correctional centres in the Territory very difficult. From time to time the management of the two correctional centres in a pandemic has increased the number of hours that prisoners remain locked down and reduced the opportunity for them to engage in paid employment outside of the two centres.*
4. *It is becoming increasingly difficult to provide sufficient rehabilitation services to prisoners in the two correctional centres.*
5. *From time to time, the restrictions placed on members of the community during the pandemic made it difficult for Community Corrections to supervise parolees in the community.*
6. *There seems to have been a reduction in the number of prisoners declining parole. However, this number is still too high.*
7. *Prisoners still have a fear of failing while on parole and a concern about the number of parole conditions imposed on them.*
8. *Recidivism in the Territory remains very high.*

In the above circumstances, it is important that the Board does not become totally risk adverse. The Board should: (i) adopt the plain English parole conditions that have been prepared; (ii) on a case-by-case basis, consider reducing the number of parole conditions imposed on prisoners; and (iii) continue to receive monthly parole statistics in the same format that the

Secretary provided those statistics to the Board. Corrections should be encouraged to maintain and expand the Paid Employment Program, education and vocational education programs within prison, and to review the manner of delivery of rehabilitation services in prison.

In addition, the Preparation of Prisoners for Parole Steering Committee should be revitalised. Arrangements should be developed and implemented to ensure that:

- *Corrections staff focus on managing prisoners for release on parole.*
- *Prisoner management plans are designed to prepare prisoners for release on parole.*
- *Corrections staff encourage prisoners to invest in, and take ownership of, the process of working towards parole.*
- *Corrections staff receive training about parole.*
- *Prisoners are educated about parole and their obligations on parole.*
- *Prisoners are supported to apply for parole.*
- *Prisoners' families are educated about parole.*

Further consideration still needs to be given to amending the Parole Act 1971 to make the loss of "street time" discretionary and to the introduction of automatic parole for prisoners who have committed low level offences and have received sentences of imprisonment with non-parole periods.

I wish to add some comment of my own. Although I am very new to the Board, there are some issues which are immediately obvious and confronting.

It has been some 14 years since the release of the Little Children are Sacred report with many of the fundamental issues raised in the report still existing today. Of most concern is the overrepresentation of Aboriginal people in custody and the sheer volume of offences relating to domestic and family violence.

It is imperative the Government support and empower Aboriginal people to address these



issues. I am pleased to hear the Northern Territory Aboriginal Justice Agreement has been established to help tackle a number of these important issues. They have my full support.

I look forward to working with the Members of the Parole Board and its Secretariat in 2022. Hopefully we can continue the good work done by our predecessors and develop strategies that will promote the successful release of prisoners on parole.

Rex Wild AO QC

Acting Chairperson



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;

The Chairperson may:

1. amend or vary a parole order;
2. order a prisoner serve a prison sanction for non-compliance with their order;
3. 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 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 Parole Board Secretariat and operational and administrative staff within Northern Territory Correctional Services (NTCS).

On 1 July 2021, Chief Justice Michael Grant in his capacity as Chairperson delegated his functions under sections 5B, 5C and 5F (namely revocations, variations and sanctions) of the Parole Act to the following positions:

- Deputy Chief Executive, Department of the Attorney General and Justice;
- Commissioner Correctional Services; and
- Assistant Commissioner, Community Corrections.

As a result of the delegation, all recommendations for variations and COMMIT sanctions were referred to the Deputy Chief Executive Officer of Department of the Attorney-General and Justice or Commissioner of Northern Territory Correctional Services for consideration.

The majority of matters recommending revocation of parole were referred to Police or the Director of Public Prosecutions in accordance with Section 5G of the Parole Act for determination by the local court.

This impacted the total number of matters considered by the Board during 2021.

Parole Board Members

Section 3B(1) of the Parole Act 1971 stipulates that the Board must have 18 members who are to be:

- (a) a lawyer who has been admitted to the legal profession for at least 10 years; 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 (a), (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 (a), (d), (e) or (f), the Minister may appoint a person to act as a member of the Board. In 2021, the Minister did not appoint any acting members to the Board with the exception of the Acting Chairperson.

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 2021, the Board was chaired by the Honourable Justice Stephen Southwood, Chief Justice Michael Grant and Mr Rex Wild AO QC.

The NT Police was represented by:

Member Name and Rank	No. of Meetings
Detective Superintendent Kerry Hoskins	12
Acting Commander Craig Garland	5
Acting Superintendent Stefan Herold	1
Superintendent David Moore	7



Statistics at a Glance

	2019	2020	2021
- Number of matters before the Parole Board	1351	1546	1326
- Number of distinct prisoners with matters before the Parole Board	569	587	644
- Number of initial parole applications	376	386	405
- Number of parole applications granted	155	231	228
- Number of parole applications refused	123	123	180
- Number of parole applications where prisoners declined parole	109	64	33
- Number of parole orders revoked	81	113	100

As at 31 December 2021, membership of the Board comprised:

Name	Position	Ministerial Appointment	Expiry
Mr Rex Wild AO QC	Acting Chairperson	8/10/2021	7/10/2022
Mr David Thompson	A/Commissioner	Ex officio	N/A
Mr David Moore	Police Representative	Ex officio	N/A
Mr Daniel Shean	Police Representative	Ex officio	N/A
Ms Susan Lowry	Victim Representative	11/02/2019	10/2/2022
Mr John Flynn	Community Member	11/02/2019	10/2/2022
Dr Leonard George Notaras	Community Member	28/06/2019	27/6/2022
Mr Ross Coburn	Community Member	30/11/2020	29/11/2023
Ms Jo-Anne Sivyer	Community Member	15/10/2019	14/10/2022
Ms Susan Crane	Victim Representative	15/05/2020	14/05/2023
Mr John Brears	Community Member	15/05/2020	14/05/2023
Ms Patricia Jane Lloyd	Community Member	15/05/2020	14/05/2023
Mr Harold Howard	Community Member	15/05/2020	14/05/2023
Mr Mark Coffey	Community Member	15/05/2020	14/05/2023
Ms Frances Mary Kilgariff	Community Member	17/07/2020	16/07/2023

The following members resigned in 2021:

Mr Paul Rysavy effective 30/11/2021

Ms Kathryn Crawley effective 3/08/2021

Ms Selina Holtze effective 17/12/2021

Northern Territory Community Corrections

Secretary

The Secretary of the Parole Board is a statutory role providing administrative support and strategic advice to the Board. The Secretary is not a member of the Board.

In August 2021, Ms Alexandra Potter became acting Secretary of the Parole Board. Ms Potter brings eight years of experience with Community Corrections.

Parole Board Secretariat

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

The Manager 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 especially with regard to higher needs offenders;
- initiatives being developed to encourage and support prisoners apply for parole;
- the increasing emphasis on the continuing education of Board members; and
- the COMMIT sanctions regime and an increase in interviews for prisoners who are being considered for COMMIT parole.

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, service providers and victims to ensure that Board members are provided with comprehensive, timely and reliable information.

UNDERSTANDING PAROLE

Authority to release

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 to be 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.

Community Supervision

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 support and assist the prisoner re-integrate into the community and live a lawful life.

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.

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.

Revocation of Parole

The Chairperson has the authority to revoke a parole order.

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.

Where an order is revoked the offender is returned to prison to they must serve the balance of the sentence that was remaining when they were released to parole.

The prisoner does not get 'credit' for the period of time they were in the community on parole – often referred to as 'street time'. If a prisoner is subject to a COMMIT parole order and serves a sanction, they receive credit for this, if parole is later revoked. Refer COMMIT Parole below.

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 scheme is referred to as COMMIT parole. The aims of 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.

Generally speaking, COMMIT parole is considered for higher risk offenders who:

1. have a history of non-compliance with conditions of supervision in the community;
2. substance misuse; and
3. been convicted of a violent offence.

The effect of COMMIT parole is to impose a short yet certain sanction (2 to 30 days in custody) for a breach (or 'poor choice') immediately after the violation is detected.¹

A parolee cannot ignore the cost of a parole order breach today if he or she is in prison tomorrow, particularly if that is going to happen every time there is a breach of parole. 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 in a certain, swift and consistent manner is likely to be more effective than unexpectedly 'lowering the boom' and revoking parole after numerous warnings.

It is now widely recognised that in order for a sanction to have a deterrent effect on breach behaviour, 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 engage in breach behaviour/s;
- 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 is solution focussed. It involves the cooperation of the parolee, probation and parole officers, through-care workers, the police, prosecutions and the Local Court to ensure that any parole violation is dealt with swiftly.

The COMMIT Sanction Matrix is published in the Government Gazette and can also be accessed from the Parole Board website:

https://paroleboard.nt.gov.au/_data/assets/pdf_file/0007/666133/COMMIT-Parole-Sanctions-Matrix.pdf

In 2021, the COMMIT parole program underwent an evaluation by the Criminal Justice Research and Statistics Unit. The evaluation looked at a cohort of 108 individuals who entered into the COMMIT program between October 2017 to October 2019.

The evaluation analysed revocation data relating to the 108 COMMIT parolees noting the aim of COMMIT parole was to assist high-risk offenders successfully complete parole without being revoked. The report focused on whether COMMIT is more effective at assisting community based offenders to complete their parole order without being revoked than non-COMMIT supervision.

Exactly half of the 108 COMMIT participants from October 2017 to October 2019 had their parole revoked, with a median time to revocation of 428 days.

At present, it does not appear that the COMMIT program is more successful at assisting offenders to successfully complete their parole orders without being revoked and returning to custody. For this to occur, the likelihood of COMMIT parolees being revoked for conditional breaches would need to be substantially reduced.

¹ Noting that the Chairperson retains the authority to revoke parole.



It is possible that if COMMIT participants are subject to more intense monitoring, for example in the form of more frequent drug testing, then their frequency of breaches is simply a consequence of this. However, it is also possible that COMMIT participants have a higher frequency and/or seriousness of breaches under a similar intensity of supervision to non-COMMIT parole, or that authorities are responding more harshly to breaches by COMMIT parolees.

Further research is required to determine the cause of revocations due to conditional breaches among COMMIT participants, and appropriate policy responses developed on this basis.

The full version of the evaluation can be found here:

[COMMIT Parole - An analysis of program effectiveness in assisting offender parole completion \(nt.gov.au\)](https://www.nt.gov.au/parole/commit/evaluation/)

A steering committee had been established with the Chairperson of the Parole Board chairing the committee to review the COMMIT process and the sanctions matrix. This review did not progress during 2021; however, it is intended that this process will be reviewed in 2022.

Parole Process

Preparing for parole takes time and careful consideration over many months, if not years, by many people, including:

- The prisoner seeking to apply for parole
- Prison officers and the Sentence Management Team
- Treatment and Programs staff and clinicians
- Community Corrections Probation and Parole Officers
- The prisoner's family and community support networks

A parole application to the Parole Board requires input from all of the people above.

Sentence Management Team and Offender Management Plan

Planning for parole commences once a prisoner has been sentenced. Prisoners will have an offender management plan (OMP) that outlines their plan for skills development and pre-release job planning. The OMP is developed when the prisoner first commences their sentence, and is regularly reviewed and monitored throughout the period of their sentence.

The OMP includes a plan for education and training which will support work readiness, and a plan for an employment pathway prior to their release (whether that be on parole or at the end of their full time sentence). Post-release support including job opportunities, accommodation and other support will trigger the discussion for pre-release planning with the prisoners, family members, Aboriginal Elders and Community Corrections.

Offender Management Framework and parole applications

A prisoner with a non-parole period is scheduled for a parole application two months prior to the expiration of the non-parole period. A probation and parole officer will engage with a prisoner 6 months prior to the application going before the Parole Board to work with the prisoner to develop the prisoner's plan. The probation and parole officer will also provide information to the Board with regard to the prisoner's level of risk, needs and responsiveness.

WHAT PRISONERS SAY TO THE PAROLE BOARD WHEN APPLYING FOR PAROLE

Family Be with my kids Support my family
 Persistence Learn to say no
 No to violence Job
 Trust Do the right thing
 Residential rehabilitation
 Self-worth My mum will be my support
 Strong minded Job
 Family Will come together
 Be with my kids
 Support my family
 Values Trust
 Learn to say no
 Stay out of trouble
 No to violence Persistence
 Get employment Job
 Will come together
 Work towards positives
 Do some study
 Want to get back to family and community
 Health
 No to drugs
 Job
 Play sport
 Keep away from people
 Very sorry
 Stable routine
 Friends
 You will not see me again
 Values
 Friends
 See the error of my ways
 Health
 Will come together
 Take full responsibility
 Achieve for my kids
 Play sport is enough
 Trust Enough
 No to drugs
 Family

WHY PRISONERS DECLINE PAROLE

Will do my full time Too many conditions
No humbug
Just want to be free Breach
Too hard Got a job and money



PAROLE

Deciding to grant, deny
or defer parole

Parole Outcome

PAROLE BOARD

PAROLE BOARD

NT CORRECTIONAL SERVICES

NT POLICE

VICTIMS REGISTER/NAAJA

PRISONER

The Parole Board considers the prisoner's parole application or notes that the prisoner declined to be considered. Community safety is the paramount consideration for the Parole Board

The prisoner is supervised by PPO

PPO provides progress reports to the Board on a scheduled and adhoc basis to keep the Board informed on prisoner's reintegration and progress on parole

Generally speaking, the Board assesses the application on the papers. To assist with its decision for higher risk offenders the Board may interview the prisoner or PPO. The Board also takes into account vicim submissions

Through case management and compliance checks PPO notifies the Board about a prisoner's breach of conditions or escalating risk

The Board decides to grant or deny parole to the prisoner or defer consideration for additional information. The Board may impose the sanction regime (COMMIT parole) as a condition of the parole order

If police have reasonable belief that a prisoner has beached certain conditions they can arrest the prisoner and bring the prisoner before the Court

The Chairperson may issue a warning or issue a sanction (if subject to COMMIT parole), vary the conditions, or revoke parole and return to prison

The Board sets targeted parole conditions to manage the prisoner's ongoing needs in the community

The Chairperson considers all breaches of parole and risk escalation

The prisoner completes their parole

If a prisoner's parole is revoked the prisoner can re-apply for parole. The prisoner does not get any credit for 'street time'



Board meetings

The table below sets out the frequency of meetings of the Board for 2021, 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

Three meetings held monthly

Quorum requires the Chairperson and three other members

Decisions require a majority vote

The December 2021 meeting was cancelled and matters referred for consideration at the November 2021 or January 2022 meeting.

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

Generally speaking, 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*. In 2021, 10 prisoners provided verbal submissions to the Parole Board.

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.

Probation and parole officers and team leaders attended several meetings of the Board when higher risk matters were considered to provide advice and answer questions of the Board.

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

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.



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.²

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 the 'no body, no parole' policy. The Board considers a report from the Commissioner of Police outlining the level of cooperation when making this assessment.

REASONS FOR PAROLE WHERE PRISONER SERVING LIFE IMPRISONMENT

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.

The Board must record the reasons in the record of its proceedings; however, the

² Refer section 4B(3) of the Parole Act.

publication of information concerning parolees and parole decision-making is prohibited by the Information Act.

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, 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.

Parole Conditions

The standard parole conditions attached to a 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 risk 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;
- Be subject to curfew;
- Be subject to electronic monitoring;
- Be subject to the commit program.

It has been conceded that the standard parole conditions are unnecessary lengthy in number and complicated in language. Plain English parole conditions have been prepared but their



use has not yet commenced. It is intended during 2022 to proceed with the simpler conditions as drafted subject to some slight modifications.

Transfer of Parole Orders

The Parole Orders (Transfer) Act 1981 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 2021 four 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.

In 2021 no parolees were extradited to the Northern Territory.

Youth detainees seeking parole

As previously noted, the Parole Board of the Northern Territory is also responsible for the grant of release to parole for young people. The administrative responsibility for Youth Justice matters falls within the auspices of Territory Families. Youth Outreach and Re-engagement Officers (YOREOs) are responsible for the supervision and management of young people on parole.

When considering a young person's application for parole, the Board:

1. Makes its decisions about the parole of youths in accordance with the core principles of youth justice, in particular:
 - The youth should be dealt with in a way that acknowledges his or her needs and will provide him or her with the opportunity to develop in socially responsible ways; and
 - A youth should be kept in custody for the shortest appropriate time period.
2. Requests the supervising YOREO is present at Board meetings where youths are considered for parole to provide any further information the Board requests; and
3. Endeavours to release youths on parole directly upon the expiry of their non-parole period. The most frequent cause of any delay is the lack of suitable accommodation for the youth.

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 collaboration with their families, communities and ntps; 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.

Unfortunately NAAJA throughcare scheme lost funding from mid 2020. However, received renewed financial support in 2021. The NAAJA throughcare parole specific case manager role resumed its functioning in late 2021.

Preparing Prisoners for Parole

In January 2020, a steering committee was formed which comprised of the Chairperson of the Parole Board, the Secretary of the Parole Board, the Deputy Commissioner of Corrections, the Assistant Commissioner Community Corrections, Assistant Commissioner Offender Services and Programs, Director Offender Services and Programs and Acting Director Aboriginal Strategy and Coordination to consider steps to be taken to educate prisoners about parole and improve the ways in which prisoners are being prepared for parole.

The work done by this committee is most important with the aim to reduce the number of prisoners declining parole, increase the number of prisoners being granted parole and reduce conditional breaches of parole orders.

Projects initiated by the steering committee included:

- Training modules for custodial based staff to ensure a consistent understanding of parole and its purpose;
- Review of Parole Order Conditions to use plain language to assist prisoners and parolees better understand their obligations when considering and subject to parole;
- Creation of 'Parole Stories', an audio-visual parole story that engages prisoners to better understand the purpose, conditions, process etc. of parole.



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.³ Results are then confirmed by a laboratory to ensure a fair process is maintained.

Where necessary, 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 NT Community Corrections staff to monitor specific conditions relating to an offender's movements and location. Electronic monitoring can provide timely notifications 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.

³ AS 4760:2006 Procedures for specimen collection and the detection and quantitation of drugs in oral fluid outline the procedures required for a laboratory to demonstrate its technical competency.

WORKING COLLABORATIVELY WITH STAKEHOLDERS

Community Corrections

The Board continues to foster a close working relationship with NT Community Corrections that is collaborative, respectful and effective. The Parole Board Secretariat, who support the Board on a daily basis and ensure that all matters are properly prepared and presented for Board consideration, comprise of Community Corrections staff.

The Chairperson regularly communicates with the Commissioner of Correctional Services and the Assistant Commissioner, Community Corrections. The Board relies on the information it receives from the Correctional Centres and Community Corrections, including Institutional Reports and Parole Applications, to make its decisions. The Board may be assisted by the attendance of probation and parole officers / YOREOS at Board meetings to provide information and answer questions, including when the Board interviews a prisoner about parole.

The Board will continue to work with NT Correctional Services and the Secretariat to provide opportunities for the Board to inform NTCS staff of issues that have been identified and hear directly from NTCS about the impacts of Board practices and decisions.

Victims of Crime Considerations and Victims Register

The Board has two victims representative members appointed under section 3B(1)(e) of the *Parole Act 1971* who represent the interests of victims of crime.

Furthermore, the Crime Victims Services Unit, established under section 5 of the *Victims of Crime Rights and Services Act 2006* manages the Northern Territory Victims Register. The Crime Victims Services Unit is responsible

for maintaining contact with victims of violent crime⁴ who have registered to receive information about a prisoner or detainee.

The Board and the Victims Register work closely in relation to operational and policy issues. The Board provides information to the Victims Register about victim-related conditions, meeting dates and release information. The Victims Register is then able to provide victims of crime with timely, relevant and accurate information about the release of a prisoner on parole.

The Parole Board Secretariat aims to provide information to the CVSU not less than 14 days from a prisoner's release date to ensure that a victim has sufficient preparation notice.

The Parole Board has concerns regarding the lack of victims not registered with the Victims Register. The Chairperson and Secretary plan to undertake work in this space to help increase the number of registered victims.

Victim submissions

All victims, including those on the Victims Register have the right to send a written submission to the Board when the prisoner for whom they are registered is being considered for parole. All submissions from victims are read by the Board and the issues and concerns raised are carefully considered as part of the decision-making process. Each submission is treated with strict confidence.

Northern Territory Police

The Board and NT Police have a memorandum of understanding for the exchange of information and cooperation. The NT Police are responsible for the timely and safe arrest of prisoners who have had their parole revoked and a warrant issued for their arrest.

Parole Board Workshop

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

⁴ Including serious sexual offending.

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 number of factors impacted the ability to have a workshop in 2021. The chairperson and board are eager to correct this disappointing circumstance in 2022.

Reducing Barriers to Parole

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 NTCS.

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 prisoners 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.

Privacy and information

Appropriate use, management and communication of Parole Board records

There are strict rules governing the release of information by the Northern Territory Parole Board. The disclosure of 'personal information' and 'sensitive information' is governed by the *Information Act 2002 (NT)*. The Parole Board is a public sector organisation within the meaning of this Act.

It is an offence for Board members or staff to use or disclose personal or confidential information unless the disclosure is authorised: section 148 of the *Information Act 2001* and **section 76 of the Criminal Code (NT)**.

Information contained in an offender's file is treated as confidential and ensures that information can be provided to the Board with complete frankness by clinicians and intelligence. It also ensures that prisoners can write to and speak to the Board without reservation.

There are limited circumstances where information given to the Board may be disclosed. For example, to prevent, detect, investigate, prosecute or punish the commission of an offence against a law of the Territory or any other offence or breach of a law imposing a penalty or sanction for a breach.

The Parole Board and the Media

There is, however, no requirement or authorisation at law for release of information by the Parole Board to the media unless the individual consents to its release. The Board may provide information of a generic nature to the public or the media – about the nature of parole, decision making and the management of offenders on parole or where a person's identity is not reasonably identifiable.

Registered Victims

Under the Victims of Crime Rights and *Services Act 2006* the Crime Victim Services Unit must provide a registered person with the offender's earliest release date and actual release date, certain victim-related conditions as well as the revocation of the parole order, but otherwise registered victims are not provided information on an offender's file. Registered victim submissions are treated with strict confidentiality.

Due to the sensitive information contained in many Parole Board records it is important that all staff who have possession and control of these documents ensure the appropriate use, management and communication of these records.

The Parole Board Policy and Procures Manual can be found at: https://paroleboard.nt.gov.au/_data/assets/pdf_file/0011/666758/Policy-and-Procedures-Manual.pdf

Freedom of Information (FOI) Requests

The NTCS Professional Standards & Intelligence Unit coordinated FOI requests for the Parole Board during 2021. Freedom of Information requests for Parole Board records are directed to the Parole Board Secretariat and the Chairperson of the Parole Board.



PERFORMANCE

PAROLE APPLICATIONS

No. of initial parole applications made in 2021	405
Outcome of the initial hearing	
- Parole applications granted	159
- Parole applications deferred	85
- Parole applications refused	133
- Prisoner declined parole	26

SUBSEQUENT APPLICATIONS

No. of subsequent applications made in 2021	166
Outcome of subsequent hearings	
- subsequent applications granted	69
- subsequent applications deferred	27
- subsequent applications refused	47
- prisoner declined parole	7
Other*	16

*Amended Order, Noted, Parole Revoked

PAROLE APPLICATIONS FROM LIFERS

No. of initial Parole applications made in 2021	2
Outcome of the initial hearing	
- Parole applications granted	1
- Parole applications refused	0
- Parole applications deferred	1
- prisoner declined parole	0

SUBSEQUENT LIFERS APPLICATIONS

No. of subsequent applications made in 2021	2
Outcomes of subsequent hearing	
- subsequent application granted	1
- subsequent application denied	1
- subsequent applications deferred to 2021	0
- subsequent applications deferred to 2022	0
Other*	0

*Amended Order, Noted, Parole Revoked



NUMBER OF PAROLE APPLICATIONS DETERMINED (GRANTED / REFUSED IN 2021)

Parole Applications determined (granted or refused)	292
Subsequent applications determined (granted or refused)	116
Grand Total	408

NUMBER OF PRISONERS WHO DECLINED AND WHY*

Reason	No.
Wants to complete full time and be released without conditions	20
Obtained employment with the Sentenced to a Job Program	6
Participate in program	1
Other	1
Wants to attend work camp	1
Wants employment	2
Wishes to reduce security rating	2
Grand Total	33

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

PAROLE CONDITIONS VARIED

No. of parole orders varied	71
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REVOCATIONS

No. of reports received by Parole Board documenting non-compliance	289
Outcomes	
- Parole revoked by the Board	6
- Parole revoked out of session (Chairperson)	94
- Warning letter sent	54
- No Action	33
- Amend parole order	11
- Deferred	-
- COMMIT sanction	91

FREEDOM OF INFORMATION APPLICATIONS

No. of freedom of information applications	14
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PAROLE ORDERS TRANSFERRED TO ANOTHER JURISDICTION

Parole Orders Transferred to another jurisdiction	4
Interstate Parole Orders Transferred to the NT	4



PERIOD ON PAROLE PRIOR TO REVOCATION - CONDITIONAL AND RE-OFFENDING 2021

Time on parole prior to revocation	Conditional	Re-offend	Other	Grand Total
<3 months	38	1		39
3-6 months	34	2		36
6-12 months	11	0		11
1-3 years	3	1		4
Revoked prior to release	9	1		10
Grand Total	95	5	0	100



ADDITIONAL PAROLE CONDITIONS SET

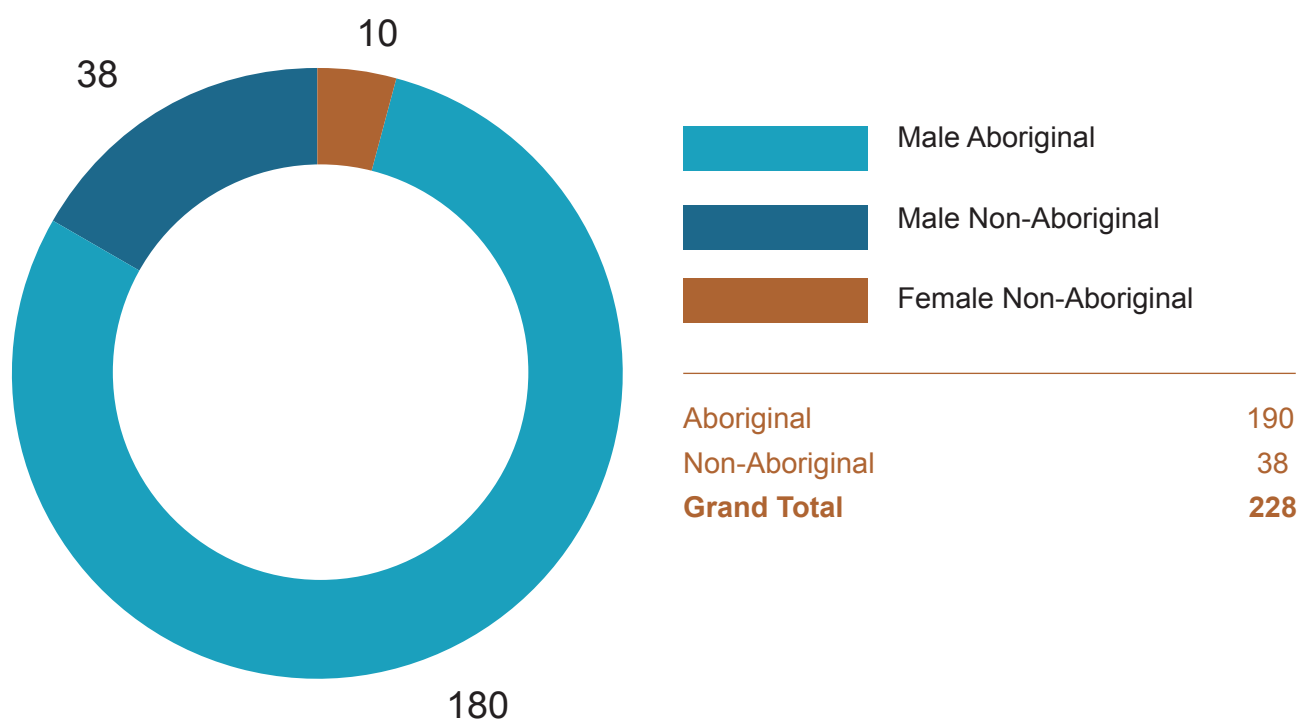
	Granted Parole	Amended Parole Order
Non-consumption of alcohol	228	71
Breath Testing	205	34
Non-consumption of dangerous drugs	161	26
Urinalysis	158	24
Reside at particular address or community / outstation	53	8
Attend Treatment/Program	150	32
General assessment, treatment and/or counselling	181	26
Specific assessment, treatment and/or counselling*	33	6
Nil Contact – Victim	76	24
Nil threats – Victim	98	17
Nil Contact – Children	4	1
Curfew	146	43
Available for checks	62	15
Nil possession of firearm	104	14
Not engage in conduct that results in DVO	127	25
Electronic Monitoring	155	23
COMMIT parole / Sanctions Regime	66	40
Other **	56	

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

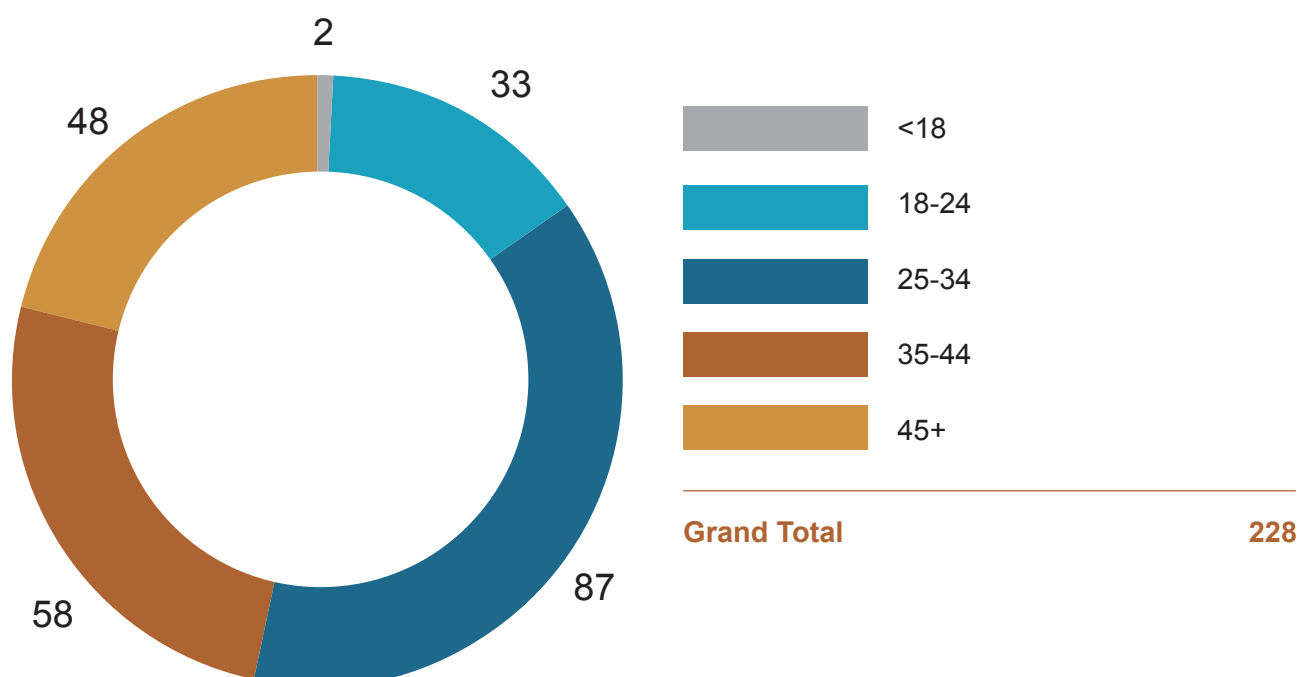
** **Includes:** not visit specified communities; comply with medication regime; not drive a motor vehicle; maintain employment;



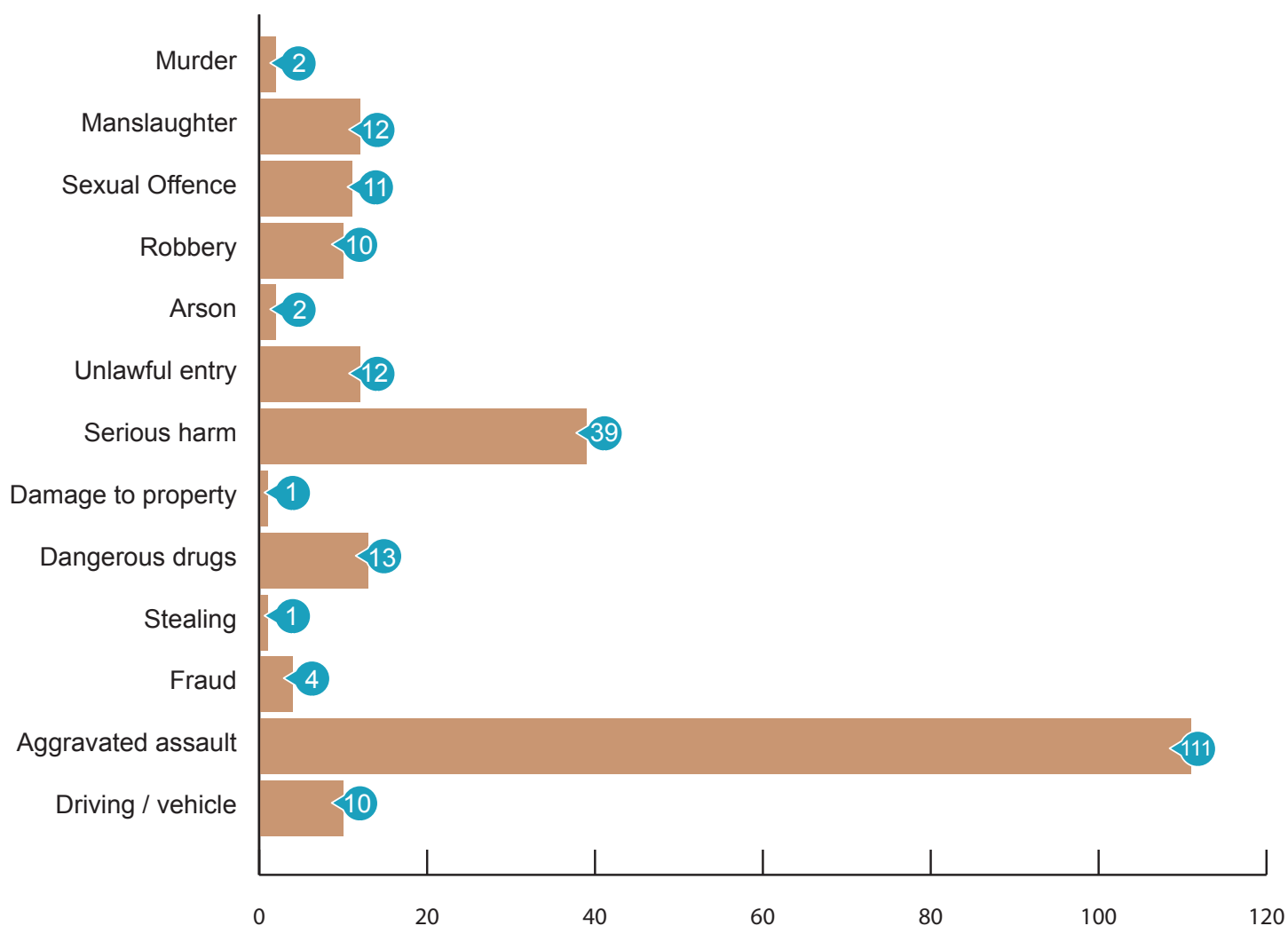
CHARACTERISTICS OF PRISONERS RELEASED TO PAROLE DURING 2021 BY SEX AND ABORIGINALITY



PRISONERS RELEASED TO PAROLE DURING 2021 BY AGE



PRISONERS RELEASED TO PAROLE DURING 2021 BY MOST SERIOUS OFFENCE CATEGORY

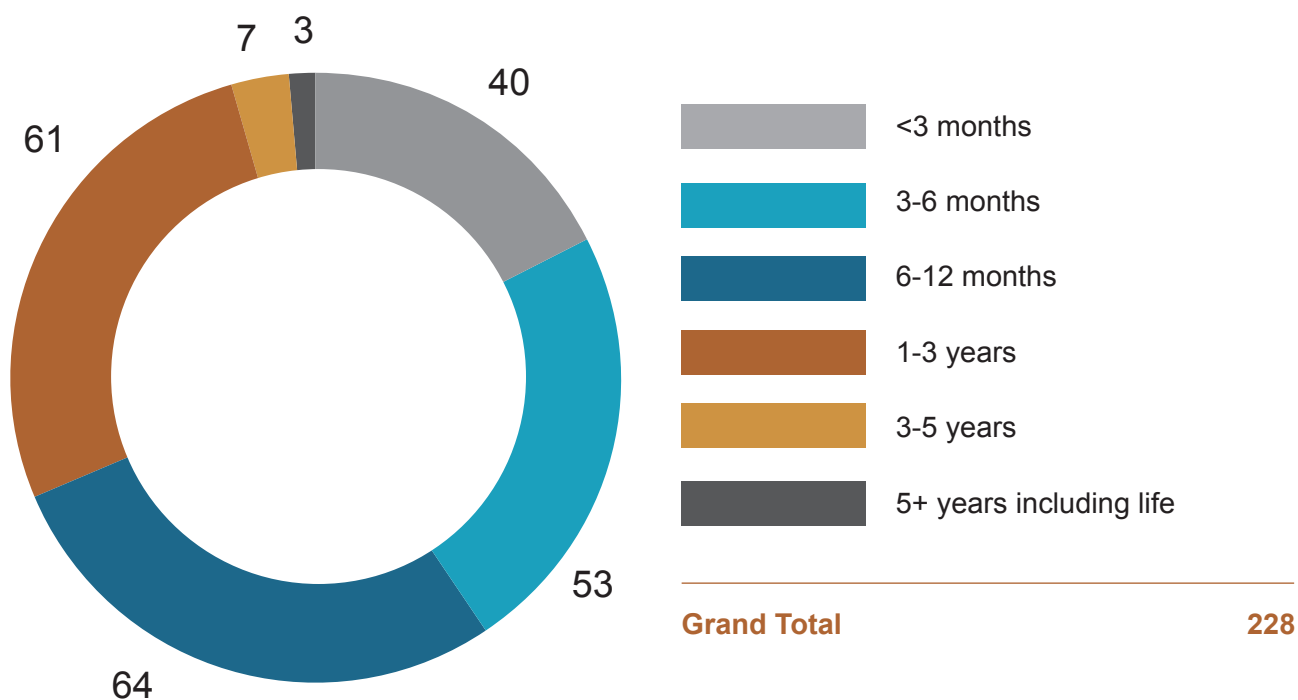


**PRISONERS MOST
SERIOUS OFFENCE**

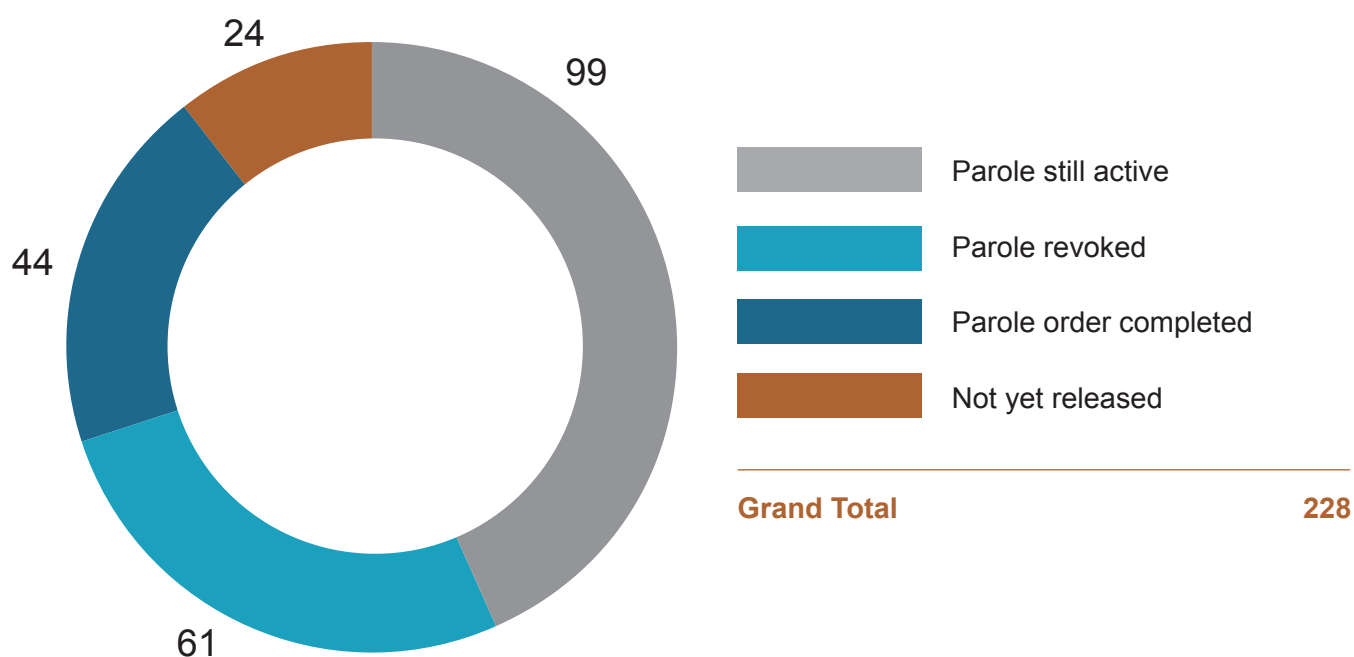
Grand Total: 228



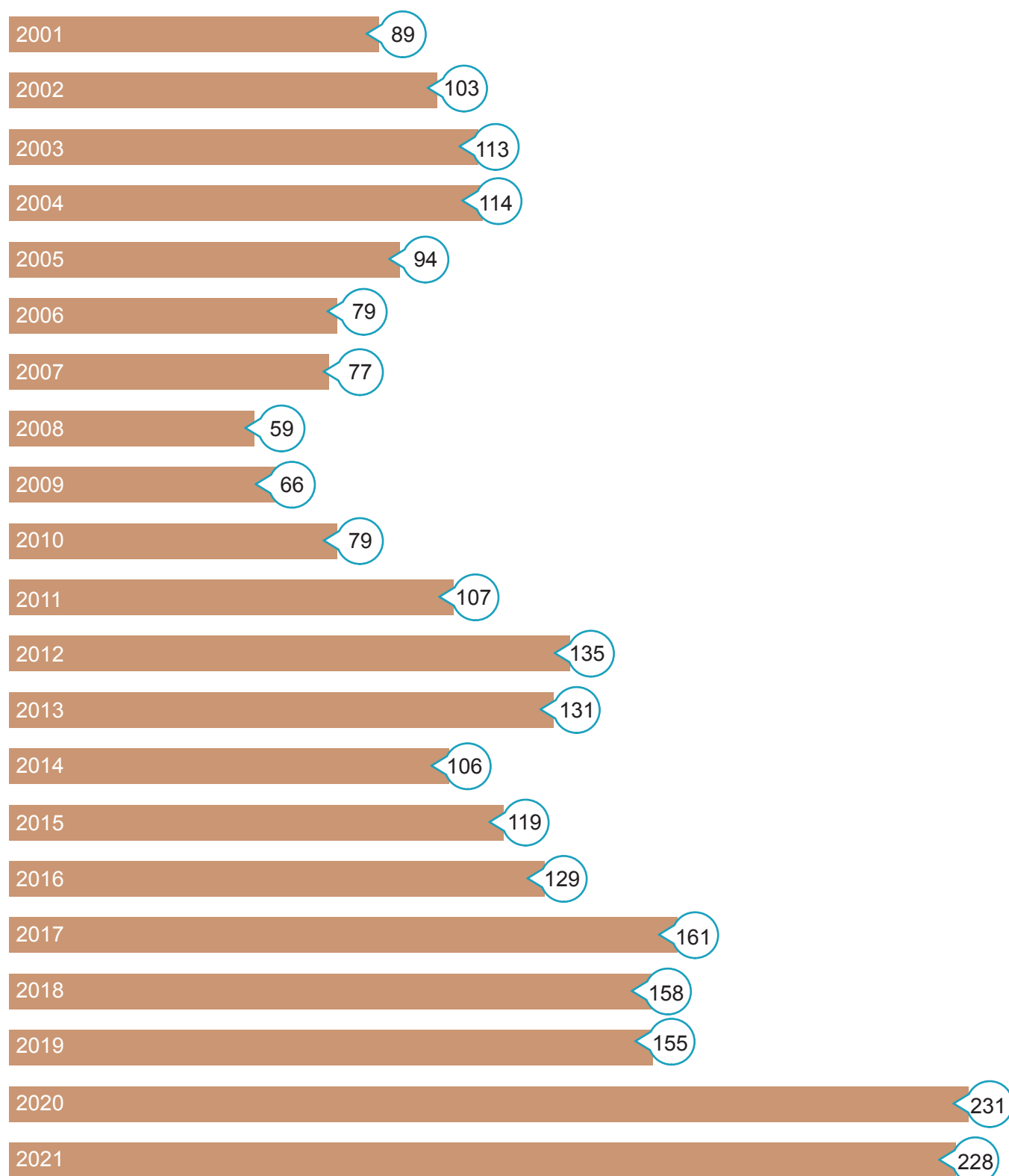
LENGTH OF PAROLE PERIOD FOR PRISONERS RELEASED TO PAROLE DURING 2021



OUTCOMES OF PRISONERS GRANTED PAROLE DURING 2021 AS AT 31 DECEMBER 2021

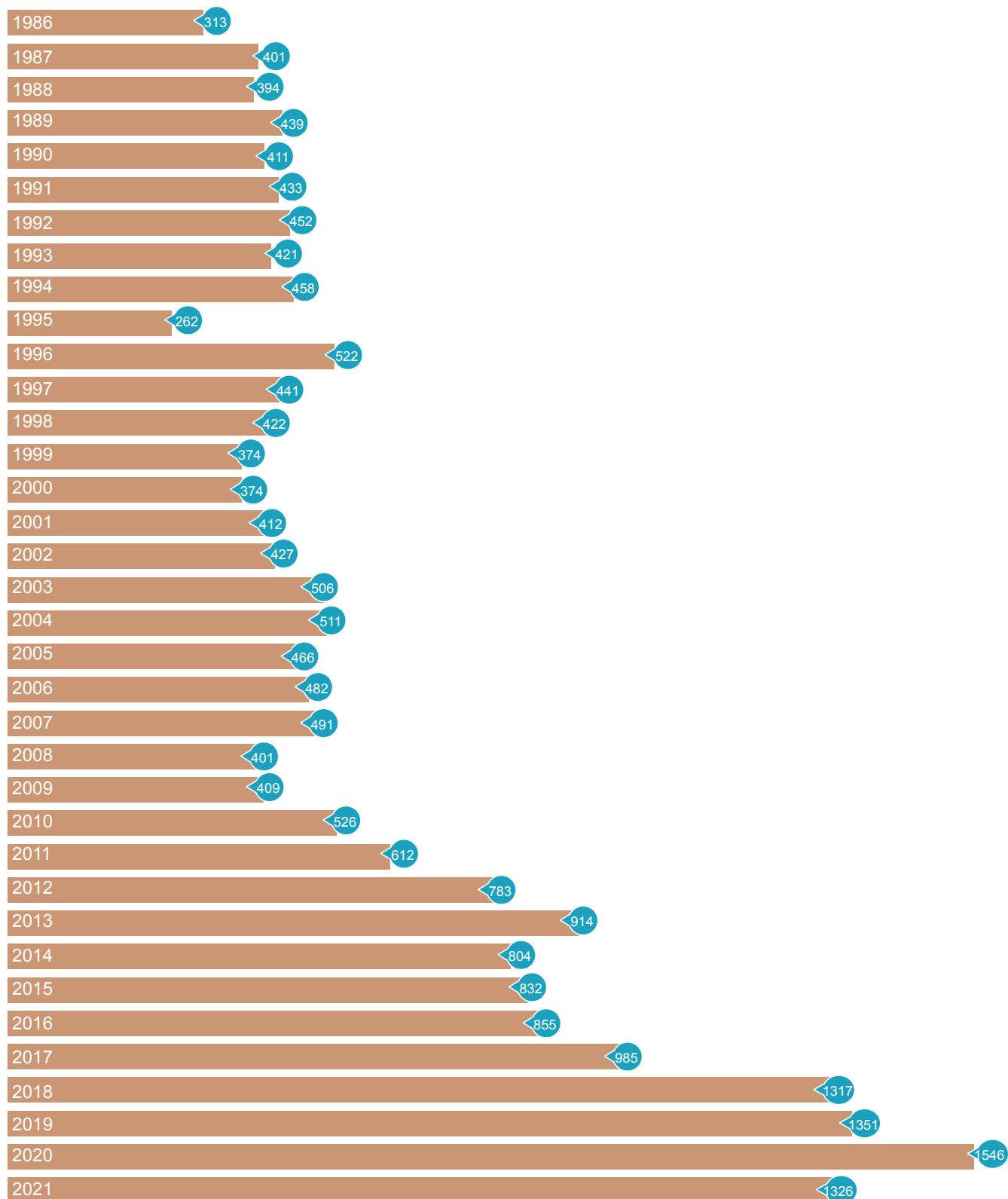


PRISONERS RELEASED TO PAROLE 2001 - 2021





ANNUAL TOTAL OF ITEMS OF BUSINESS 1986 - 2021



(*) in 2021, the total number of matters considered by the Board were reduced due to Chief Justice Michael Grant delegating his functions as explained on page 9.



PAROLE BOARD

OF THE NORTHERN TERRITORY

CONTACT DETAILS

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