

NSW STATE PAROLE AUTHORITY



ANNUAL REPORT 2013



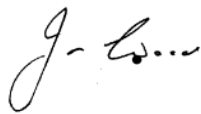
Letter to the Minister

The Hon. Brad Hazzard MP
Attorney General,
and Minister for Justice
Governor Macquarie Tower
Level 31, 1 Farrer Place
SYDNEY NSW 2000

Dear Minister

In accordance with Section 192 of the *Crimes (Administration of Sentences) Act, 1999*, I have the pleasure in submitting to you, for the information of Parliament, the report of the NSW State Parole Authority for the period 1 January 2013 to 31 December 2013.

Yours faithfully



J R T WOOD, AO, QC
20 June 2014

NSW State Parole Authority

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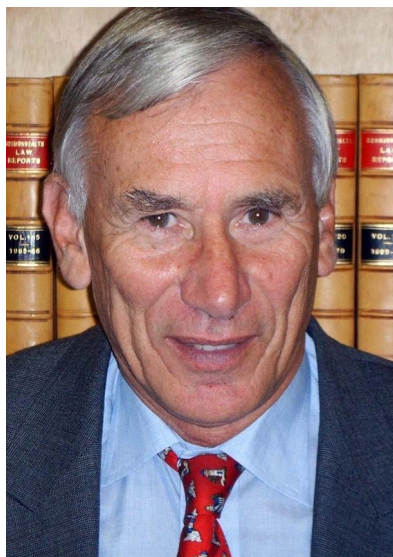
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CONTENTS

<i>Chairpersons' Forewords</i>	3
<i>Secretary's Review</i>	5
FUNCTION	7
Purpose of Parole	7
SPA vs Court Based Orders	7
Key to Acronyms	7
Periodic Detention and Intensive Correction Orders	8
Manifest Injustice	8
Suspension of Parole Orders	8
Victim's Interest	9
Serious Offenders	9
Who We Are	10
What We Do	10
How We Do It	10
What We Consider	11
How is Parole Revoked	11
2013 Snapshot	12
ACTIVITY	13
Cases Considered	13
Parole Ordered	14
Parole Refused	14
Parole Revoked	15
Parole - Other Matters	16
Serious Offenders	19
Appeals	20
Intensive Correction Orders	21
Home Detention Orders	22
Periodic Detention Orders	22
MEMBERSHIP	23
Membership	23
Staff	27
GUIDING PRINCIPLES	28
Corporate Governance	28
Operating Guidelines	29
Terms & Conditions	37

CHAIRPERSON'S MESSAGE



“...the Parole Authority has demonstrated an ongoing commitment to the safety of the community and providing a robust, transparent and professional approach to the system of parole in New South Wales...”

My predecessor Ian Pike, and the Director and Secretary, Robert Cosman have more than adequately summarised in their reports the activities of the State Parole Authority for the year 2013.

I wish to take this opportunity, however, to express my deep appreciation for the untiring efforts and contribution of Ian Pike to parole in general and to the Parole Authority.

His dedication over the past eleven years was a continuation of his exemplary record in the magistracy and his valuable service to the State of New South Wales over many years which culminated with his appointment as Chief Magistrate.

Ian Pike leaves the Parole Authority with assurance that he is held in high regard in this State, as well as nationally and internationally and his contribution has been very important in enhancing the reputation of the Authority.

I would be remiss not to mention the exceptional contribution over 10 years by the Alternative Chairperson, Judge Terry Christie QC. I wish him well for the future and thank him for his valuable input to the work of the Authority.

I am looking forward to my term at the Parole Authority and I am grateful for the appointment and for opportunity to participate in the demanding role which it performs in securing the effective administration of justice. I also look forward to working with my colleagues in the membership of the Authority and the dedicated staff of the Secretariat.

The past year has been a difficult year for parole and those involved in the release of offenders to conditional liberty. However, the Parole Authority has demonstrated an ongoing commitment to the safety of the community and be providing a robust, transparent and professional approach to the system of parole in New South Wales.

I support and concur with Ian Pike's recognition of the fine contribution throughout 2013 of the members and staff of the NSW State Parole Authority.

JAMES WOOD, AO QC
Chairperson

FORMER CHAIRPERSON'S MESSAGE



***"I leave the
Authority with
a feeling of
gratitude and
privilege for the
opportunity of
having occupied
this office for
such a length of
time"***

This is my last foreword to the State Parole Authority's Annual Report.

During 2013 we welcomed the appointment of Rod Harvey and Ken Marslew and the re-appointment of Ken Moroney as Community Members.

We were also pleased to note the re-appointment of Paul Cloran as a Judicial Member and welcomed the appointment of Judge Terry Christie QC as Alternate Chairperson in lieu of the Honourable Deirdre O'Connor.

During the year a serious offender while on parole was charged with committing a sexual assault on a young woman waiting at a bus stop. Unfortunately this event occurred at the same time as Parole was generally under media criticism following the tragic murder of Jill Meagher in Melbourne by a parolee.

Although the circumstances in New South Wales were entirely different, the two matters were regarded in the media as similar. The State Parole Authority came under enormous criticism for having granted parole to the serious offender. The Attorney General ordered a review of the grant of parole and that review was conducted by the Honourable James Wood AO QC. While that review found no error in the making of the parole order, it was regrettable that the report was not made public and the Authority itself was not provided with a copy of that review. Accordingly in the public mind there remains unfairly, some suggestion that the Authority was in error in granting parole.

At the end of October I joined Robert Cosman, Lloyd Walker, Yair Miller, Martha Jabour and Jason Wills in attending the Australasian Paroling Authorities Conference in Perth. It was an excellent conference and undoubtedly a report will be given to the members at the next Policy Day.

I record my gratitude to Robert Cosman, Director and Secretary, his Deputy Amy Manuell and all the staff of the Authority over the last twelve months. They provide outstanding service to this Authority. I also record my thanks to my fellow judicial officers, Terry Christie QC, Paul Cloran and Allan Moore for their support and dedication to their duties and the Official and Community members for their conscientious attention to their duties.

The Authority is greatly privileged to have the Honourable James Wood AO QC appointed as the Chairperson to replace me and Judge David Freeman to replace Judge Christie. I trust that they have the same satisfaction that I have had during the eleven years of my tenure.

I leave the Authority with a feeling of gratitude and privilege for the opportunity of having occupied this office for such a length of time.

IAN PIKE, AM
Former Chairperson

SECRETARY'S REVIEW



I am pleased to present the Secretary's Report of the NSW State Parole Authority for the 2013 calendar year

This year has provided challenges to the Authority members who have undertaken their important responsibilities with dedication, professionalism and diligence. There was an increase in the number of matters considered which was boosted by the significant increase in the matters relating to Intensive Corrections Orders.

Parole Authorities around Australia have, more than ever, been subject to close public scrutiny and the NSW Authority was no exception. The unfortunate tragedy in Victoria with the murder of Ms Jill Meagher in September 2012 by a Victorian parolee, Adrian Bayley; his sentencing on 20 June 2013; and the arrest of Terrence Leary, on parole in NSW for murder, on 19 June 2013 following a serious incident in Hunters Hill, have resulted in official reviews at the request of the respective governments.

It must be said that in the case of Leary, both the circumstances of his release to parole and his subsequent supervision in the community were not criticised.

Our hardworking staff continued to meet the statutory requirements and provide quality administrative support to the Parole Authority throughout 2013. Despite the onerous circumstances – and maintaining the same level of resources for the past 8 years - the staff were successfully able to manage a case load that exceeded over 12 000 matters, a first for the Authority.

I therefore acknowledge the efforts of our dedicated staff and in particular I thank my deputy, Ms Amy Manuell, for her support and valuable contribution during 2013. Also, the Secretariat has continued to have the assistance of Deputy Superintendent Nigel Lloyd, whose contribution, as usual, goes above and beyond the expectations of his position. I am also appreciative of the support and assistance of David Huskins, the Director of Statewide Administration of Sentences and Orders.

The Senior Administration Officer in the Secretariat, Ms Krista Jimenez, has been of great assistance to the members, the staff and to me. Krista continues to efficiently and competently assist members of the Parole Authority, particularly in the area of computers and electronic management of files.

Krista also deserves accolades for the production of this annual report. The formatting, printing and editing of the annual report are usually outsourced. However Krista has been able to produce in-house a report that compares favourably with past publications and at a minimum cost.

"This year has provided challenges to the Authority who have undertaken their important responsibilities with dedication, professionalism and diligence."

After 11 years, the term of the Chairperson, Mr Ian Pike AM came to an end in December 2013. He is a highly respected and regarded judicial officer and his term at the Parole Authority was an extension of his distinguished service to the State of NSW.

In the justice system over many years. His untiring contribution to the Parole Authority was significant. As was his assistance to the officers of Community Corrections via his input to the Brush Farm Academy.

I also acknowledge the contribution and assistance of Judge Terence Christie QC, the Alternate Chairperson of the Authority whose appointment also expired in December 2013. Judge Christie served the Parole Authority as a judicial officer for 10 years and his expertise and commitment in the area of parole was highly regarded.

I take this opportunity to welcome the new Chairperson, the Honorable James Wood AO QC, who was appointed in December 2013. All at the Parole Authority feel privileged to have His Honour as the head of our jurisdiction.

Welcome is also extended to Judge David Freeman who was appointed in December 2013 to replace Judge Christie as the Alternate Chairperson. I am sure the judge will enjoy his appointment and find this area of the criminal justice system both interesting and challenging.

One of the Deputy Chairpersons, Judge Paul Cloran, was re-appointed by the Attorney General for a further 3 year term from December 2013. Judge Cloran brings to the Authority valuable expertise as a judge of the Drug Court of NSW and he has extensive knowledge of the relatively new sentencing option, Intensive Corrections Orders.

There were 3 new Community Members who commenced appointments to the Parole Authority in 2013. Mr Rod Harvey APM was appointed in November 2012 but commenced duties in 2013. Ms Catriona McComish was appointed in January 2013 and Mr Ken Marslew was appointed in July 2013. It is also pleasing to report that Mr Ken Moroney AO APM was re-appointed for a further 3 year term from September 2013.

The Official Members of the Authority, and their deputies, are Community Corrections Officers or members of the NSW Police. They deserve credit for their worthwhile contribution and expertise. A new police representative, Detective Sgt Jason Wills, was appointed in 2013. He is a welcome addition to the panel of police representatives, which now consists of three officers.

It is appropriate to acknowledge the service of Ms Christie Lanza, whose appointment as an Official Member representing Community Corrections expired in December 2013. Ms Lanza was highly regarded by the members and staff of the Parole Authority and she represented her fellow Community Corrections Officers with distinction.

I also acknowledge and congratulate the WA Prisoners Review Board for their successful conference held in Perth at the end of October 2013. The theme of the conference was Innovation Towards Rehabilitation and Reintegration and was attended by Mr Pike, Mr Lloyd Walker, Mr Yair Miller, Ms Martha Jabour, Det.Sgt Jason Wills and myself.

During 2013 a panel of members of the Authority attended workshops and prepared submissions for the NSW Law Reform Commission. The LRC is conducting an inquiry with the aim to improve the system of parole in NSW. I record my appreciation for the considerable input to this process by the members concerned.

In closing, I once again acknowledge and thank the contribution and assistance of various stake-holders including the Attorney General and Minister of Justice and the staff of his office; the Commissioner and staff of Corrective Services and in particular Community Corrections; the Director-General and staff of the Attorney Generals Department; the Crown Solicitors Office; Prisoners Legal Service; and the Aboriginal Legal Service.

Robert Cosman
Secretary

WHAT IS THE PURPOSE OF PAROLE?

Parole is the release of an offender from custody to serve the balance of their sentence in the community.

The purpose of parole is to supervise and support the reintegration of offenders before the end of their total sentence while providing a continuing measure of protection to the community.

Parole does not mean that offenders are free, as an offender is still considered to be under their sentence. Release to parole is not leniency or a reward for good behaviour, but an extension of the sentence that provides the opportunity to assist and monitor an offender's adaption to a normal, lawful community life.

Parole serves the public interest by ensuring offenders are supervised and supported during reintegration, and reduces the likelihood of recidivism. It provides a more effective way of protecting the public than would a more sudden release of an offender at sentence expiry, without assistance and supervision.

As a bridge between custody and liberty, parole is a form of conditional release that involves a thorough review of information and assessment of risk. Parolees must abide by the conditions of their release. If the conditions of parole are not met, parole may be revoked and the offender returned to custody.

State Parole Authority verses Court Based Orders

A non-parole period is a minimum term of imprisonment during which an offender is not eligible to be released from a correctional centre to parole.

The NSW State Parole Authority (SPA) considers the release to parole of all offenders who have total sentences of more than three years with a non-parole period specified by the Court.

The Crimes (Sentencing Procedures) Act 1999 prescribes that if a court sentences an offender to a term of imprisonment of three years or less with a non parole period, they must issue a parole order and set the parole conditions. Dependent upon appropriate post release plans being approved by Community Corrections, an offender is released from custody 'automatically'.

Key to Common Acronyms

CSNSW	Corrective Services NSW
SPA	NSW State Parole Authority
SORC	Serious Offenders Review Council
ICO	Intensive Correction Order
VCSS	Video Conferencing Scheduling System
OIMS	Offender Integrated Management System

Periodic Detention and Intensive Correction Orders

On 1 October 2010, periodic detention ceased being a sentencing option in NSW and Intensive Correction Orders were substituted for this sentencing option. An offender sentenced to a periodic detention order prior to 1 October 2010 continues to serve this order to completion.

Intensive Correction Orders (ICO) are a community based sentence of two years or less (without a parole period), that involves supervision of an offender by Community Corrections and requires offenders to complete a compulsory work component.

Manifest Injustice

Manifest injustice only applies to offender's who have been refused parole on the first occasion ie. the earliest release date, sometimes known as their eligibility date. There is no such provision for parolees who have had their order revoked while on parole.

Upon an offender being refused release to parole, the Crimes (Administration of Sentences) Act 1999 states that parole consideration cannot occur for another 12 months.

Early consideration of a case may occur in circumstances prescribed by clause 233 of the *Crimes (Administration of Sentences) Regulation 2001* and are matters that constitute manifest injustice. These include a decision to refuse parole being based on incorrect or incomplete information, or an offender meeting requirements that were previously beyond their control such as the completion of relevant programs, external leave, availability of suitable accommodation, health services or the withdrawing of further charges.

Suspension of Parole Orders

If circumstances exist where a division of the Parole Authority cannot meet on a matter requiring urgent attention, the Commissioner of CSNSW may apply to a Judicial Member of the Parole Authority to suspend an offender's parole order and issue a warrant for their arrest and return to a correctional centre.

Such circumstances may occur when an offender presents as a serious and immediate risk and concerns exist that the offender will abscond, harm another person or commit an indictable offence.

A suspension order remains in force for up to 28 days after the offender is returned to custody. During this period, a full panel of the Authority has the opportunity to review the situation and determine whether it is appropriate to revoke the parole order or allow time for an inquiry to be conducted into the allegations that led to the suspension.

Victims' Interest

It is a fundamental belief of the New South Wales Government that victims should be treated with courtesy and compassion and respect for their rights and dignity.

The New South Wales Government enacted the Victims Rights Act 1996 to establish the Charter of Victims Rights. This requires State Agencies to have regard to the Act in the administration of justice and other relevant affairs of the State.

The NSW Government enacted legislation now contained in the *Crimes (Administration of Sentences) Act 1999* to establish the Victims Register which requires that victim submissions be taken into consideration when considering the release of an offender to parole.

Written notice is given to victims registered on the Victims' Register prior to the preliminary consideration of an offender's release. This is coordinated through the Victims Register of CSNSW. Victims are then able to lodge a written submission and provide the SPA with their input into the decision making process.

A registered victim of a serious offender also has an opportunity to make verbal or written submissions to the Authority at the public review hearing before a final decision is made about the serious offender's release to parole.

Serious Offenders

Section 3 (1) of the *Crimes (Administration of Sentences) Act 1999* defines serious offenders and the Serious Offenders Review Council (SORC) as a statutory authority that is responsible for managing serious offenders as well as being the name given to an umbrella organisation with three sub-committees whose functions are not necessarily related to serious offenders.

One role of the Council is to provide advice to the State Parole Authority concerning the release on parole of serious offenders as they become eligible for release on parole advising, in particular, whether or not it is appropriate for the inmate to be considered for release on parole by the Authority.

Except in exceptional circumstances, the Parole Authority must not make a parole order for a serious offender unless the SORC advises that it is appropriate for the offender to be considered for release on parole (s.197(2)(b) and 135(3) of the Act.).

If the Authority forms an intention to grant parole, the Authority lists the matter for a public hearing. This allows for the State or registered victims to make submissions to the Authority regarding the release of the offender prior to the Authority granting parole or refusing parole.

FUNCTION

Who We Are

The NSW State Parole Authority (SPA) is an independent statutory authority governed primarily by the *Crimes (Administration of Sentences) Act 1999*. The SPA considers the release to parole of offenders who have total sentences of more than three years with a non-parole period.

What We Do

The SPA's role is the protection of the community through risk assessing offenders to decide whether they can be safely released into the community. The Authority make decisions in relation to:

- ◇ the supervised, conditional release of offenders from custody
- ◇ the conditions of release
- ◇ the revoking of parole orders for non-compliance and return to custody
- ◇ the revoking, substituting or reinstating of periodic detention, home detention or intensive correction orders

How We Do It

Release to parole is not an automatic right at the end of the non-parole period. Section 135(1) of the *Crimes (Administration of Sentences) Act 1999* states that "the Parole Authority must not make a parole order for an offender unless it is satisfied, on the balance of probabilities, that the release of the offender is appropriate in the public interest".

The SPA considers at a private meeting whether or not an offender should be released on parole based on the written material provided by the relevant authorities.

If parole is granted, a parole order is issued and the offender is released on the due date. In the case of serious offenders, the matter is adjourned to a public hearing to provide the opportunity for registered victims and the State to make submissions before a final decision is made.

If parole is refused, the offender is able to apply for a public hearing to review the decision where they can appear personally by audio/video link and be legally represented. If the offender declines a hearing, or does not convince the SPA that a hearing is warranted, the decision to refuse parole is confirmed.

When specifying reasons for intending to refuse parole, great care is taken to include all the issues and concerns at the time of consideration so that the offender or their representative can fully address those issues at a public hearing.

The next time the offender is eligible for parole is the anniversary date of the earliest release date. If there is less than 12 months remaining on the offender's sentence, they will be released on the date the sentence expires.

The release of an offender before the expiry of a sentence or non-parole period may also be considered if the offender is dying or there are other exceptional, extenuating circumstances.

What We Consider

In reaching its decisions, the SPA considers the safety of the community, matters that affect the victims of the crime committed, factors that affect the offender and the intentions of the sentencing court.

It takes into account a broad range of material to determine if the offender is able to adapt to normal lawful community life. This includes:

- ◇ Nature of the offence
- ◇ Sentencing authority comments
- ◇ Offender's criminal/supervision history
- ◇ Potential risk to the community and the offender
- ◇ Post-release plans
- ◇ Reports and recommendations from medical practitioners, psychiatrists and psychologists
- ◇ Reports and recommendations from Community Corrections Officers
- ◇ Representations made by the victim or by persons related to the victim
- ◇ Submissions by the offender's support network (family/friends/potential employers or other relevant individuals)
- ◇ Representations made by the offender or others with an interest in the case

In all cases, strict conditions are imposed on the offender and additional conditions may be specifically tailored to address the underlying factors causing their offending behaviour. These may include:

- ◇ Assessment, treatment and testing for alcohol or drug addiction
- ◇ Assessment, treatment and counselling for medical, psychiatric or psychological issues
- ◇ Restricted contact with individuals
- ◇ Restrictions on places the offender is able to visit

How is Parole Revoked

The SPA considers the revocation of parole orders, including those issued by courts, if parolees fail to comply with conditions of their order. It may consider the revocation of a court-based parole order before release if the offender shows an inability to adapt to normal lawful community life or does not have suitable post release accommodation. It is also responsible for revocation of home detention orders upon breaches of conditions and revocation of intensive correction orders or periodic detention orders upon unauthorised absences or evidence of unsuitability.

If an order is revoked, a public hearing is held to review the decision. When the revocation of a parole order is confirmed, the offender is not eligible for re-release for 12 months, or at the end of the sentence if the balance of parole remaining is less than 12 months.

When the revocation of a home detention, periodic detention or intensive correction order is confirmed, the detainee remains in fulltime custody but can be reinstated, subject to a suitable assessment, after serving at least three months in the case of periodic detention and home detention orders and one month for intensive correction orders. Alternatively, the balance of periodic detention or intensive correction orders may be served, if approved, by way of home detention.

SNAPSHOT 2013

Items	2011	2012	2013	%
Matters Considered	11,093	11,422	12,045	5.4
SPA Meeting Days	381	347	346	- 0.3
- Private	97	99	100	1.0
- Public	187	171	169	- 1.2
- ICO/HD/PD Division *	47	27	27	0
- Secretary Sitting	50	50	50	0
Total Parole Releases	5,447	5,470	5,574	1.9
- SPA Orders	1,036	1,051	971	- 7.6
- Court Based Orders	4,411	4,419	4,603	4.2
Total Parole Refused	254	265	340	28.3
Total Parole Orders Revoked	2,059	2,261	2,334	3.2
- SPA Orders	493	479	492	2.7
- Court Based Orders	1,566	1,782	1842	3.4
Total Revocations Rescinded	336	361	346	- 4.2
Variations to Parole Orders	255	269	198	- 26.4
SPA Formal Warnings	1,829	2,118	1,799	- 15.1
State Submissions	8	12	15	25.0
Overseas Travel Approved	43	35	25	- 28.6
Victim's Submissions	64	58	112	93.1
Interstate Transfers (to NSW)	22	30	30	0
Matters heard via Video Conference	2,905	2,381	2,451	2.9
Appeals	10	5	10	100
*Meetings of ICO/HD/PD Division	47	27	27	0
- ICO - Revoked	67	114	283	148.2
- ICO - Reinstatement Ordered	8	10	58	480
- ICO - Reinstatement Declined	10	16	36	125
- ICO - Overseas Travel Approved	n/a	9	10	11.1
- HD - Revoked	20	20	15	- 25
- HD - Reinstatement Ordered	2	4	1	- 75
- HD - Reinstatement Declined	1	2	2	0
- PD - Revoked	50	11	1	- 90.9
- PD - Reinstatement Ordered	43	9	6	- 33.3
- PD - Reinstatement Declined	8	1	0	- 100

* This number is included in public meeting day figures

ACTIVITY

Cases Considered

The SPA meets weekly to deal with its significant workload. Each week there are two private meetings (principally for consideration of release to parole and revocation of parole), three public review hearings (to review decisions) and two extra public hearings per month to specifically deal with ICO matters.

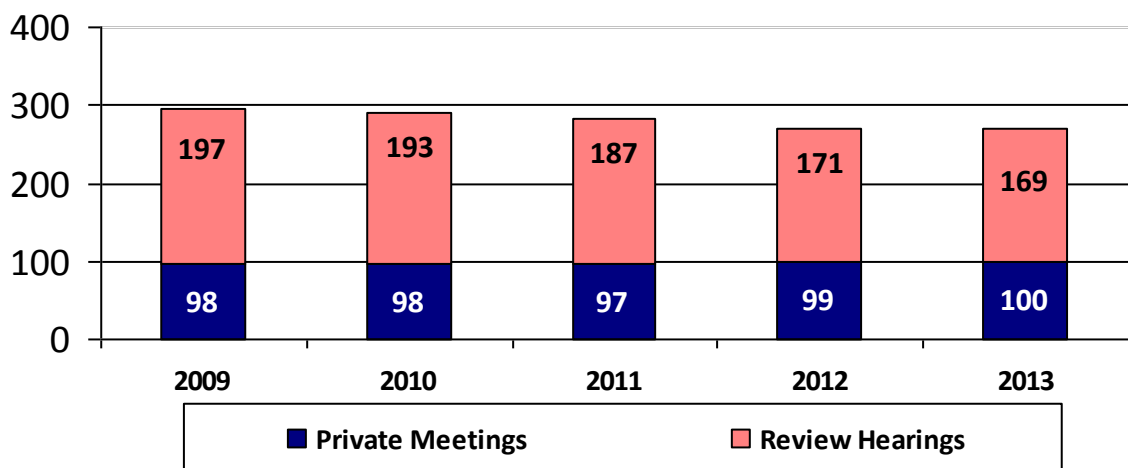
In the case of private meetings and review hearings, the matters are distributed to the members one week prior to the meeting for reading and consideration.

A single matter is often considered on more than one occasion. This is particularly the case with public review hearings for the refusal or revocation of parole, and also where a matter is held over for the receipt of additional reports or to await the finalisation of ongoing court matters.

346 meetings held 12,044 cases.

There were also 50 secretary sittings to make various administrative decisions for cases under consideration. Examples of these include the registration of interstate parole orders and standing a case over to a future date to allow for a report submission or the finalisation of court results.

SPA Meeting Days 2009 - 2013



SPA Volume 2009 - 2013

	2009	2010	2011	2012	2013
Cases Considered	11,703	11,657	11,093	11,422	12, 044
Meeting Days	295	291	284	270	269

Parole Ordered

The Parole Authority ordered release to parole in 971 cases in 2013, representing 17.4% of the 5,574 releases in the 2013 calendar year. Of the 971 matters, six offenders were granted parole pursuant to Section 160 of the *Crimes (Administration of Sentences) Act, 1999*, which permits parole to be ordered before the expiry of the non-parole period if the offender is dying or there are other exceptional circumstances.

The balance of 4,603 releases were court based orders subject to an automatic release from custody.

Serious offenders

Of the 971 parole orders determined by SPA in 2013, 24 of these related to serious offenders.

Of the six offenders granted parole pursuant to Section 160 of the *Crimes (Administration of Sentences) Act, 1999*, one was a serious offender.

Parole Refused

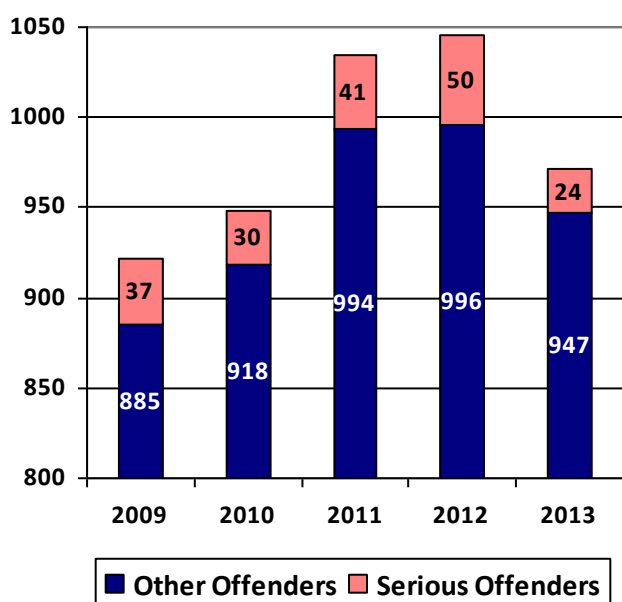
In 2013, parole was refused in 340 cases, a 28% increase from the 265 matters refused in 2012.

The SPA does not automatically release offenders to parole at the end of the non-parole period for sentences in excess of 3 years. Section 135 (1) of the *Crimes (Administration of Sentences) Act, 1999*, states that “the Parole Authority must not make a parole order for an offender unless it is satisfied, on the balance of probabilities, that the release of the offender is appropriate in the public interest”.

Serious offenders

Of the 340 parole matters refused by SPA in 2013, 62 cases were related to serious offenders.

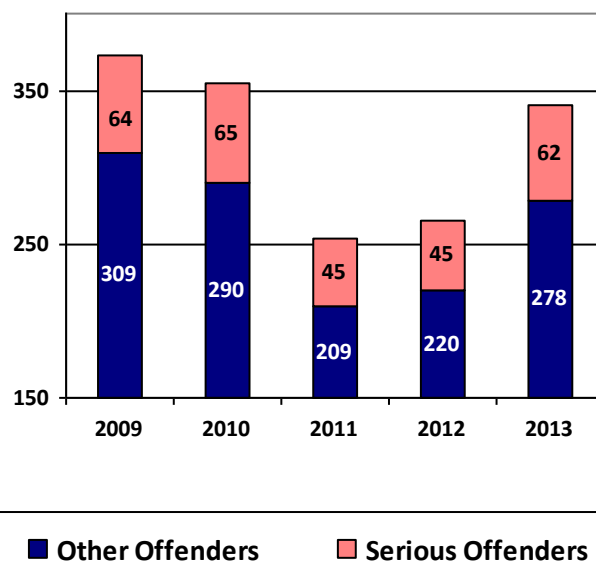
Parole Ordered 2009 - 2013



Parole Ordered Totals 2009 - 2013

2009	2010	2011	2012	2013
922	948	1,035	1,046	971

Parole Refused 2009 - 2013



Parole Refused Totals 2009 - 2013

2009	2010	2011	2012	2013
294	309	290	254	340

Parole Revocations

The SPA revoked a total of 2,334 parole orders in 2013 of which approximately 78.9% were court based orders.

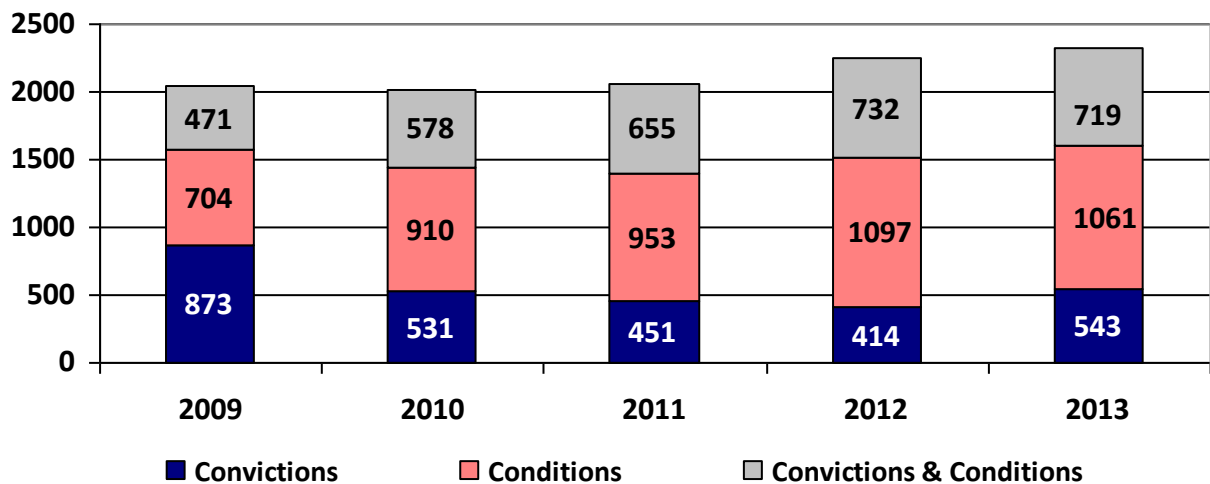
Of these, 1,066 were the result of a breach of conditions other than the commission of further offences. These breaches included the failure to maintain contact with Community Corrections, changing address without permission, leaving the State without permission, failure to attend for appointments with service providers and failure to abstain from drug and/or alcohol use.

The total number of breaches that were as a result of outstanding charges or further convictions was 546. While 722 revocations were for both a breach of conditions and further conviction/s.

Serious offenders

Five serious offenders had their parole order revoked for breach of conditions that were not related to re-offending. Of the three serious offenders who had the parole revoked for outstanding charges, all three had their parole rescinded, with two receiving non custodial sentences and the other entering bail supervision for matters before the Court. While 722 offenders were revoked for breach of supervision conditions and further conviction/s, three were serious offenders.

Parole Revocations 2009 - 2013

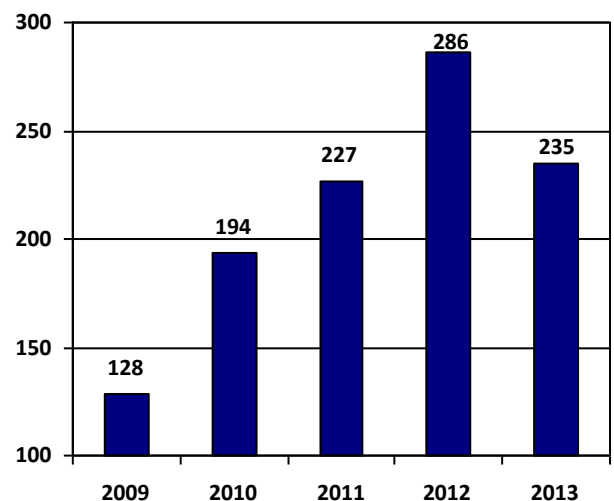


Parole Revocations Prior to Release

The Authority may also consider the revocation of a court-based parole order before release if the offender demonstrates by some action in custody that they are unable to adapt to a normal lawful community life upon release or does not have suitable post release accommodation or does not wish to be released at their earliest release date, the Authority can also revoke the parole order prior to release.

In 2013, SPA revoked 235 parole orders prior to release.

Parole Revoked Prior to Release 2009 - 2013



Parole Revocations Rescinded

Once an offender is returned to custody on a parole revocation warrant, they have the right of review in a public hearing before the SPA.

This provides the opportunity for SPA to determine whether incorrect information was relied upon on the initial consideration of the case or whether there are circumstances that would support rescission.

In 2013, 346 parole revocations were rescinded and a further 161 revocations of parole prior to release was also rescinded in 2013.

Serious offenders

Of the 346 parole revocations, three of these related to serious offenders.

Warnings

Formal warnings are issued to parolees who are at risk of having their parole orders revoked for breaching their conditions.

Parolees are advised in writing by the SPA that their continued failure to comply with the conditions of parole may result in revocation of their parole order.

1,799 SPA warnings were issued in 2013.

Serious offenders

Serious offenders made up 15 of the 1,799 warnings issued in 2013.

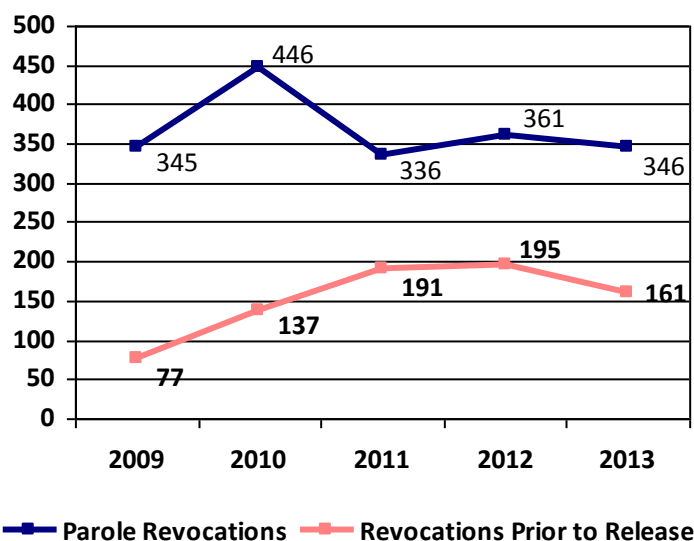
Variation to Parole Orders

In some instances, it is necessary to vary the conditions of a parole order to ensure the conditions are relevant and appropriate to the offender, or to assist with the supervision of a parolee.

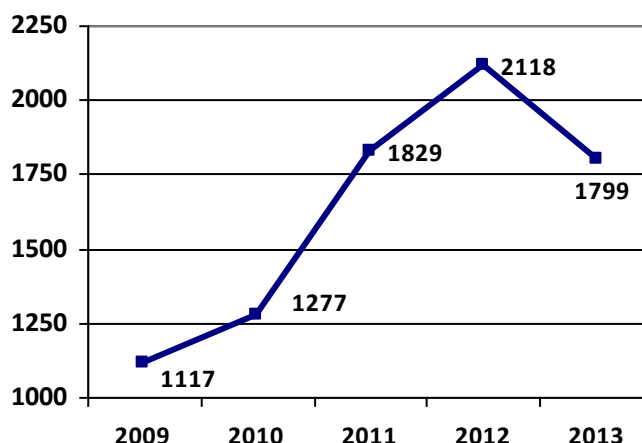
In most cases, Community Corrections request that the conditions of a court based parole order be varied in relation to attendance at relevant programs. Orders can also be varied to restrict contact between offenders and victims.

198 variations to parole orders were made in 2013, approximately 60.6% of parole order variations related to court based parole orders.

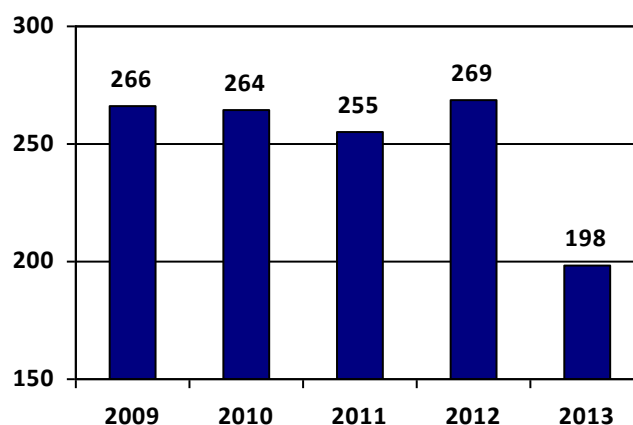
Parole Revocations Rescinded 2009 - 2013



SPA Warnings 2009 - 2013



Parole Orders varied 2009-2013



Serious offenders

There were variations made to five serious offender parole orders in 2013.

Overseas Travel

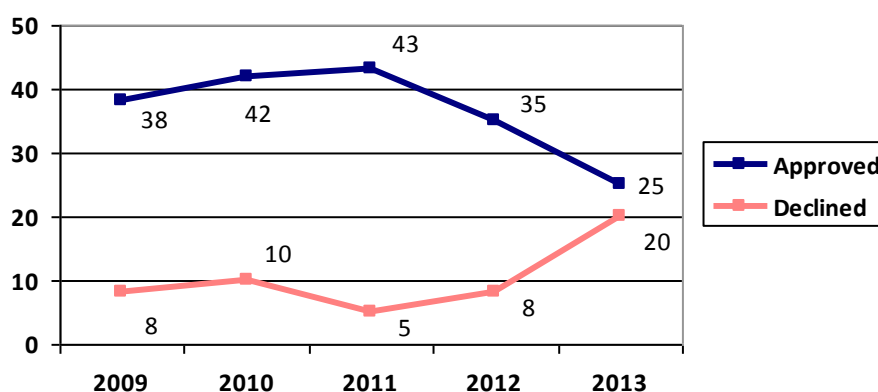
Parolees must seek approval from SPA prior to travelling overseas providing evidence for the reason. Applications for travel should also be supported by a report from Community Corrections indicating the parolee's compliance with the parole conditions and stability in the community. It is unlikely that such stability could be demonstrated in less than six months from the date of release to parole. In general, travel for recreational purposes is not approved.

In 2013, the Authority considered 45 applications for overseas travel and of these, 25 were approved to travel, while the other 20 applications were declined. All parolees who travelled overseas returned and reported as directed.

Serious offenders

4 applications to travel overseas were received by the Authority. Two applications were approved to travel overseas, while the other two applications were refused.

Overseas Travel Applications 2009 - 2013



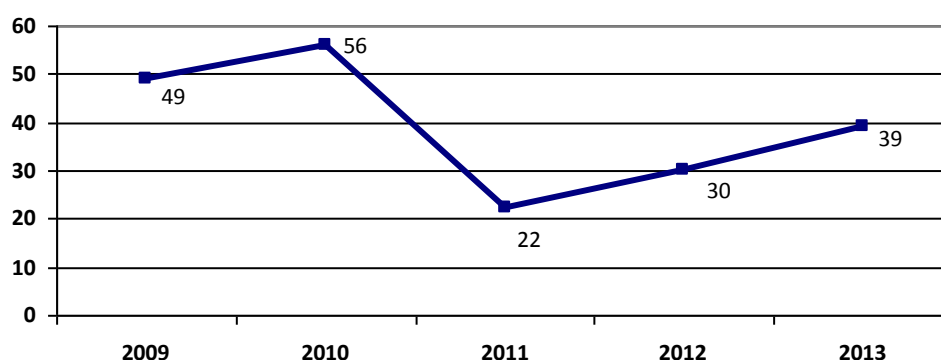
Interstate Transfers

Complementary state and territory legislation and protocols provide for the transfer of state and territory parole orders for reasons such as family responsibilities or to pursue work or study opportunities.

Under the complementary scheme the parole order, once registered ceases to have effect in the original state or territory as does the related sentence of imprisonment. The laws of the receiving State or Territory then apply as if the sentence of imprisonment had been imposed and served, and the parole order made, in that jurisdiction.

Where the State or Territory offender breaches the conditions of parole, the order can be legally enforced in the receiving jurisdiction. There were 39 registrations of interstate parole orders in NSW in 2012.

Interstate Transfers 2009 - 2013



State Submissions

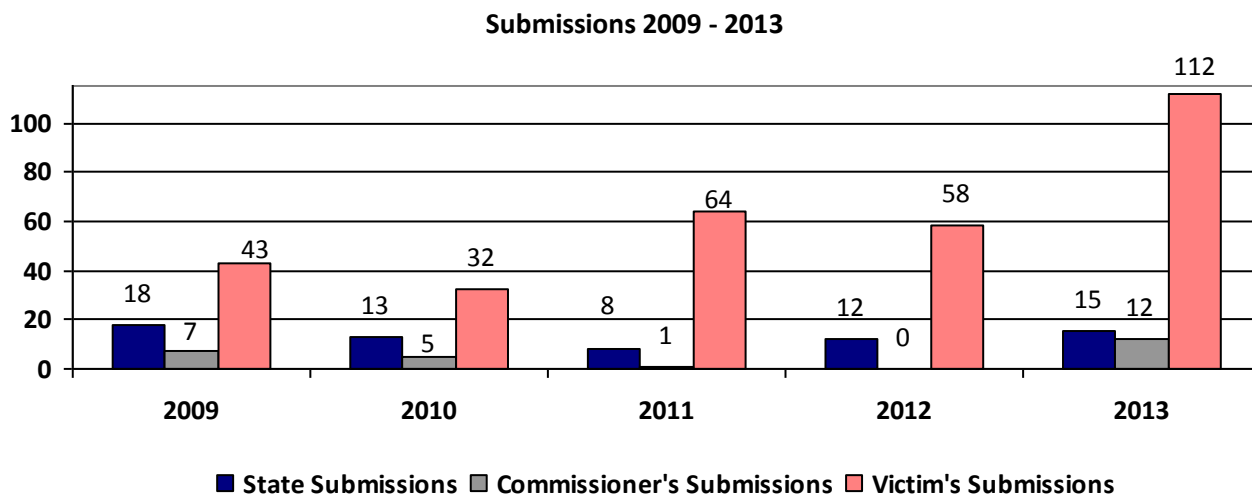
Section 153 of the *Crimes (Administration of Sentences) Act 1999*, provides the opportunity for the State to make submissions to the SPA at any time concerning the release on parole of a serious offender. In 2013, 15 State Submissions were received by the Authority.

Commissioner's Submissions

Section 141A of the *Crimes (Administration of Sentences) Act 1999* provides the opportunity for the Commissioner of CSNSW to make a submission concerning the release on parole of any offender. There were 12 submissions in 2013.

Victims Submissions

The *Crimes (Administration of Sentences) Act 1999* gives victims of crime the right to make submissions to the SPA when it is considering a decision about an offender that could result in release to parole. Written notice is given to victims registered on the Victims' Register prior to the preliminary consideration of an offender's release. 112 submissions were received from registered victims in 2013. 30 submissions were victims of serious offenders.



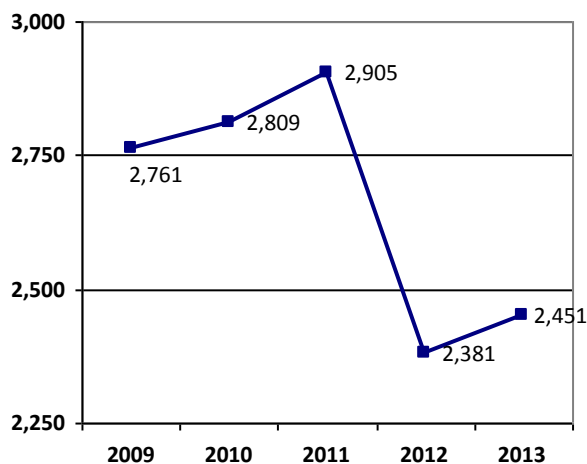
Video Conferencing

SPA participates in the Cross Justice Video Conferencing System, a joint initiative between CSNSW, the Attorney General and Justice, NSW Police Force and Juvenile Justice NSW. It was introduced to avoid transport and escort costs and reduce the risk of escapes during external movements.

76 video conferencing studios are available in 28 correctional centres across the State. The SPA has enthusiastically embraced the use of this technology and was the first court in Australia to undertake 100% of its hearing agenda via a video conferencing link for offenders in custody.

In 2013, 34,760 CSNSW matters were dealt with via the video conferencing network. There were 2,368 matters dealt with by the SPA which represents 6.8% of overall system usage.

SPA Video Conferencing 2009 - 2013



Serious Offenders - an overview

According to Section 135 (3) of the Act, except in exceptional circumstances, the SPA must not make a parole order for a serious offender unless SORC advises that it is appropriate.

Parole Granted—Of the 971 parole orders determined by SPA in 2013, 24 of these related to serious offenders. Of the six offenders granted parole pursuant to Section 160 of the *Crimes (Administration of Sentences) Act, 1999*, one was a serious offender. Of all offenders granted parole by the Authority, only 2.5% were serious offenders.

Parole Refused—Of the 340 offenders refused parole by SPA in 2013, 62 cases were related to serious offenders and this represents 18.2% of all offenders refused parole.

Victims Access to Documents— Section 193(A)(2) of the *Crimes (Administration of Sentences) Act 1999* allows the victim of a serious offender to access certain documents held by the SPA concerning the measures the offender has undertaken to address their offending behaviour. During the year, the SPA provided seven victims with access to such documentation.

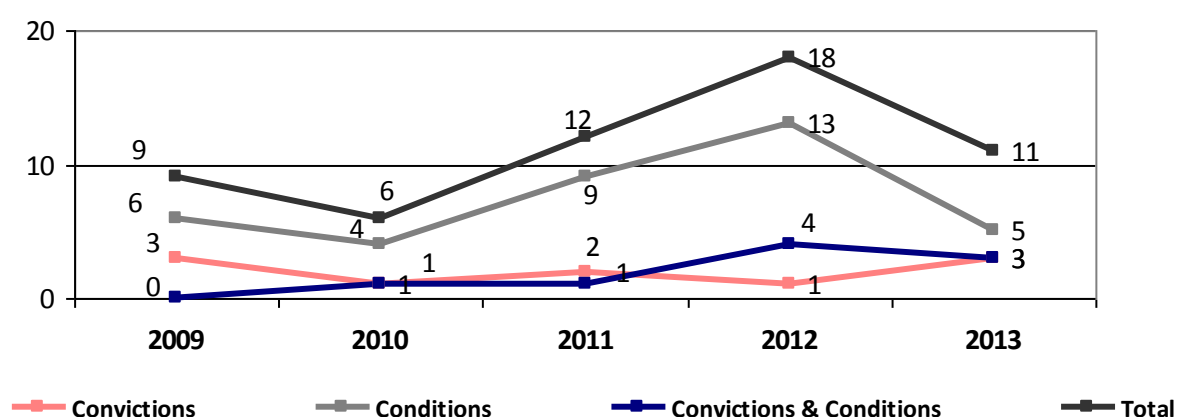
Victim Submissions—The Authority received 30 submissions from victims of serious offenders during 2013.

State Submissions— The Authority considered 15 State Submissions in relation to serious offenders in 2013.

Revocation of parole—Five serious offenders have their parole order revoked given breach of conditions that were not related to re-offending. Of the three serious offenders who had the parole revoked for outstanding charges, all three had their parole rescinded, with two receiving non custodial sentences and the other entering bail supervision for matters before the Court.

Three serious offender were revoked for breach of supervision conditions and further conviction/s, Of these, one was for the matter of Leary, who was arrested for offences allegedly committed at Hunters Hill. The two remaining were convicted of minor offences and sentenced to further imprisonment.

Parole Revoked Serious Offenders 2009 - 2013



Warnings— Serious offenders made up 15 of the 1,799 warnings issued in 2013.

Variation to Parole Conditions—There were variations made to five serious offender parole orders in 2013.

Overseas Travel—4 applications to travel overseas were received by the Authority. Two applications were approved to travel overseas, while the other two applications were refused.

Parole Activity - Overview 2009 - 2013

Overview 2009 - 2013								
Year	Parole Ordered	Parole Refused	Parole Revoked	Revocation Rescinded	Warnings	Variation of Parole Order	Overseas Travel Approved	State Submissions
2009	922	294	2,048	34	1,117	266	38	18
2010	948	309	2,019	446	1,277	264	42	13
2011	1,035	290	2,059	336	1,829	255	43	8
2012	1,046	254	2,261	361	2,118	269	35	12
2013	971	340	2,334	346	1,799	198	25	15

Appeals

The legislation permits an offender to appeal a decision of SPA.

Prior to the legislative amendments that came into effect on 10th October 2005, all appeals were made to the Court of Criminal Appeal. However, as a consequence of an amendment to Section 155 Part 6 of the *Crimes (Administration of Sentences) Act 1999*, appeals are now made to a single judge sitting in the Administrative Division of the NSW Supreme Court.

In such appeals, the offender usually alleges that the decision made on the basis of false, misleading or irrelevant information.

In 2013, there were 10 appeals to the Supreme Court of NSW.

Section 156 provides for applications by the State to the Supreme Court in respect of decisions regarding serious offenders.

There no such appeals in 2013.

Appeals 2009 - 2013							
Year	Number of Appeals	Abated	Dismissed	Withdrawn	Referred to SPA	Finding Against SPA	Ongoing
2009	13	0	4	3	4	0	2
2010	5	2	1	1	0	0	1
2011	10	1	0	0	6	0	3
2012	5	0	2	3	0	0	0
2013	10	0	1	3	0	0	6

Intensive Correction, Home Detention and Periodic Detention Orders

A separate division of SPA deals specifically with cases arising from Intensive Correction and Home Detention Orders. This division also deals specifically with the remaining Periodic Detention Orders still in force since its abolition as a sentencing option in October 2010.

In 2013, 27 meetings were held to consider 892 matters related to Intensive Correction, Home Detention and Periodic Detention Orders.

Intensive Correction Orders (ICO)

An ICO is a court sentence of two years or less which is served by way of intensive correction in the community under strict supervision of Community Corrections rather than in full-time custody in a correctional centre. An ICO is for a fixed period and does not have a non-parole period. The Court can sentence an offender to an ICO once an assessment for suitability has been undertaken.

ICOs consist of a supervision/case management component and a community service order component. The offender has to report to Community Corrections, perform 32 hours of community service each month, attend rehabilitative programs where required and are also subject to drug and alcohol testing. There is also provision for the offender to be electronically monitored. In 2013, 1,169 offenders commenced an ICO.

Community Corrections are responsible for the administration of these orders. If an offender does not comply with their order, a report is prepared and considered by the ICO Management Committee who can either take action on the breach or refer the matters to the SPA for the action.

The ICO Management Committee consists of five officers of CSNSW appointed by the Commissioner. Their function is to ensure consistency and fairness in the application of the orders, provide warnings to offenders and/or impose more stringent application of conditions where appropriate, as well as providing advice and recommendations to the SPA.

Once an offender's non compliance is referred to SPA, SPA may issue a letter of warning to the offender, impose sanctions on the order including seven days home detention or revoke the ICO.

In 2013, the ICO Management Committee referred 327 matters to the SPA for consideration including applications to travel overseas. 18 applications to travel overseas were considered by SPA in 2013. Of these 10 were approved to travel. All offenders who travelled overseas returned and reported as directed.

In 2013, 283 Intensive Correction Orders were revoked.

INTENSIVE CORRECTION ORDERS 2013	
Ordered by the Courts	1,169
Revoked	283
Revocations Rescinded	14
Reinstatement Ordered	58
Reinstatement Declined	36
Overseas Travel Approved	10
Conversion to Home Detention	7

If an offender's ICO is revoked, the offender can apply for reinstatement of their ICO upon serving a month in custody. They must satisfy the SPA that they can successfully complete the remaining period on their ICO and a reinstatement report must also assess them as suitable.

Alternatively, an offender could seek conversion of the remaining ICO to Home Detention. In 2013, seven home detention orders were given in lieu of an intensive correction order.

Home Detention Orders

Home Detention is a rigorously monitored, community supervision program aimed at the diversion of offenders from incarceration in prison.

The decision to allow an offender on the home detention program is based on the nature and circumstances of the offence, the degree of risk an offender poses to the community and the suitability of the residence where the home detention will be served.

A Home Detention Order is still a custodial sentence and strict guidelines apply. Offenders are required to remain within their residences unless undertaking approved activities and may be required to perform community service, enter treatment programs, submit to urinalysis and breath analysis and seek and maintain employment.

Community Corrections monitor offenders' compliance with conditions on a 24 hour-a-day basis utilising electronic monitoring.

Breaches of supervision conditions, further offences or unauthorised absences may result in revocation of the Home Detention Order and imprisonment in a correctional centre. If a detainee fails to comply with the order, Community Corrections prepares a breach report for the SPA's consideration.

In 2013, 15 detainees had their Home Detention Order revoked.

HOME DETENTION ORDERS 2013	
Revoked	15
Revocations Rescinded	1
Reinstatement Ordered	1
Reinstatement Declined	2
Warnings	15

Periodic Detention Orders

Prior to 1 October 2010, where an offender was sentenced to a term of imprisonment which exceeded three months but was less than three years, the sentence could be served by way of periodic detention. This generally required the offender to remain in custody for two consecutive days of each week for the duration of the Sentence, while also allowing offenders to maintain their ties to the community by remaining in employment and living with their families.

Periodic Detention ceased to be a sentencing option from 1 October 2010.

The SPA may revoke an order for Periodic Detention in a number of circumstances, including where an offender has not attended or failed to report for three detention periods without a reasonable excuse.

If the order is revoked, a warrant may be issued for the apprehension of the offender to serve the remainder of the sentence in full time custody or another action may be determined such as having the offender assessed for suitability for a Home Detention Order.

In 2013, one Periodic Detention Order was revoked.

PERIODIC DETENTION ORDERS 2013	
Revoked	1
Revocations Rescinded	0
Reinstatement Ordered	6
Reinstatement Declined	0
Conversion to Home Detention	2

Membership

The SPA is constituted under the provisions of Section 183 of the *Crimes (Administration of Sentences) Act, 1999*. At least four of the appointed members are judicial members; acting or retired magistrates or judges of a New South Wales or Federal Court. At least ten community members are appointed to reflect the community at large although only two may sit at any meeting.

The other three members do not require appointment by the Governor. They are a member of the New South Wales Police Force nominated by the Commissioner of Police, an officer of Community Corrections nominated by the Commissioner of CSNSW and the Secretary of SPA appointed by the Chairperson to dispose of routine business.

As of 31 December 2013, there were four judicial officers, 13 community members and five official members serving on the SPA.

Judicial Officers



Mr Ian Pike AM served as Acting Deputy Chairperson from 2 September 2002, until being appointed as Chairperson on 1 January 2003 and was reappointed on 1 January 2006, 12 December 2008, 12 December 2009, 12 December 2010, 12 December 2011 and 12 December 2012 for a 12 month period. Mr Pike's appointment expired on 11 December 2013.

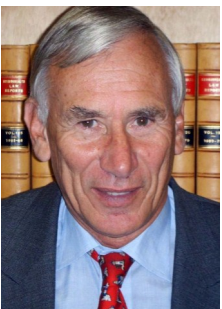
Mr Pike was appointed as a Magistrate in 1970 and retired as Chief Magistrate of NSW in 1997. Since his retirement he has acted as a consultant with the Judicial Commission of NSW. He has also acted as a consultant for AusAID carrying out judicial training and education in Sri Lanka and Papua New Guinea.



Judge Terence Christie QC was appointed to the position of Deputy Chairperson on 15 December 2003 and was reappointed on 15 December 2006, 15 December 2009, 15 December 2010 and 15 December 2012. Judge Christie's appointment expired on 14 December 2013.

Judge Christie was appointed as a Judge of the District Court of NSW in 1993. On 11 October 2006, Judge Christie was appointed to the Mental Health Review Tribunal as a part-time Deputy President and part-time member.

The appointments of both Mr Pike and Judge Christie ceased in December 2013.



His Honourable James Wood, AO QC was appointed a Justice of the Supreme Court of NSW in 1984, retiring in 2005. He was also appointed as the Chief Judge of Common Law and member of the Court of Appeal (1998 - 2005) and was a non-resident Judge of the Court of Appeal in Fiji (2004 - 2006). Judge Wood also served as the Royal Commissioner, leading an inquiry into corruption within the NSW Police Service and into Paedophilia (1994 - 1997), the Special Commissioner into an inquiry of the Child Protection System of NSW (2007 - 2008), Inspector at the Police Integrity Commission (2005 - 2007) and was a Member of the Customs Reform Board (2013 - 2014), the Independent Review Cycling Australia (2012 - 2013) and the Human Research Ethics Committee at the Sydney Children's Hospital (2005 - 2014). Judge Wood was also the Chairman of the NSW Law Reform Commission (2006 - 2013) and is currently the Chairman of the NSW Sentencing Council. Judge Wood was appointed as the Chairperson on 12 December 2013.

Judicial Officers continued...



Judge David James Freeman was a solicitor for 5 years, a barrister for 11 years and was appointed a Judge in 1980. He retired from the District Court in October 2011 having spent the last 15 years of his judicial career sitting on criminal matters only. After his retirement, he was appointed an Acting District Court Judge and in 2013 an Acting Supreme Court Judge. Judge Freeman brings to the Parole Authority considerable experience in the field of crime and punishment. Judge Freeman was appointed on 14 December 2013.



Judge Paul Cloran was appointed to the position of Deputy Chairperson on 15 July 2010. Judge Cloran was appointed a Magistrate in 1987 before retiring as Deputy Chief Magistrate of NSW in July 2010. Judge Cloran was also appointed an Acting Judge of the District Court and Judge of the Drug Court in July 2010. He presides at the Hunter Drug Court at Toronto. In September 2011, he was appointed a member of the Sentencing Council of NSW.



Mr Allan Moore was appointed to the position of Deputy Chairperson on 14 March 2012. Mr Moore was appointed a Magistrate in 1989 and maintained that appointment before retiring in December 2010. Mr Moore presided at Central Local Court during this time as Magistrate for a period of 11 years dealing primarily with the most serious of offences committed in the state of NSW. In February 2011, he was appointed as a Tribunal Member with the Victims Compensation Tribunal and was also appointed Acting Magistrate of NSW.

Community Members

Mrs Susan Carter is an experienced commercial solicitor having worked in a major commercial practice, as in-house counsel for a media company as well as being seconded for a period of government service. She is currently involved in legal education, lecturing at undergraduate and post-graduate levels at both Sydney and Macquarie Universities. Mrs Carter has used her legal expertise both in practical commercial applications and wider policy issues, especially those relating to strengthening families and building stronger communities. She served as the NSW Secretary and a National Executive member of the Australian Family Association for over 10 years; was a board member of the Australian Institute of Family Studies and as a member of the Family Law Council of Australia. She currently serves as a member of the Examinations Committee of the Legal Profession Admission Board. Mrs Carter was appointed on 21 October 2012.

Mr Barrie East has always lived and worked in Sydney, with the exception of two years working in Melbourne. Mr East is a professional manager for over 40 years, in various roles including; CEO, GM, National Manager and State Regional Manager, across several businesses, commercial and not-for-profit sectors. He has always gained much personal gratitude and satisfaction from helping and mentoring others in need of support and direction. Mr East was appointed on 23 May 2012.

Community Members continued...

Cr Douglas Eaton is the Mayor of Wyong Council. He is the longest serving councillor having been first elected in 1991. Cr Eaton is also a member of the Hunter / Central Coast Joint Regional Planning Board, Member of the Home Building Advisory Board, Board Member of the Wyong Chamber of Commerce and Board Advisor of the Central Coast Chinese Association. Cr Eaton is also a practicing solicitor and holds degrees in Commerce and Law. He was also a past Chair and Board Member of the Central Coast Group Training Ltd. Mr Eaton was appointed on 23 May 2012.

Ms Katie Fullilove is the Fertility Care Practitioner and Natural Fertility Educator for the Catholic Diocese of Broken Bay. She has a history of working both youth and aged care disability in the field of Occupational Therapy. Mrs Fullilove was appointed on 21 October 2012.

Mr Rod Harvey APM retired from the NSW Police in August 2001 at the rank of Detective Chief Superintendent after 35 years' service, the majority of which was devoted to the investigation of major crime and the management of major investigations. In recognition of his service to policing he received the Australian Police Medal, the NSW Police Medal, and the National Medal, along with several commendations. Since retiring as a police officer he has undertaken a range of consultancies including engagements with Corrective Services NSW. Mr Harvey was appointed on 28 November 2012.

Ms Martha Jabour is Executive Director, Homicide Victims Support Group (Aust.) Inc., a position she has held since 1993. She represents the Homicide Victims Support Group and the community on the Victims Advisory Board, the Sentencing Council of NSW and the Domestic Violence Death Review Team. Her interests are to further promote victims' rights and needs, with a special focus on crime prevention, particularly in the areas of domestic violence, mental health and juvenile justice. Ms Jabour was appointed on 4 October 2006 and was reappointed on 21 October 2009 and 21 October 2012.

Mr Ken B Marslew AM is CEO and founder of Enough is Enough Anti Violence Movement Inc., est. 1994. He is the recipient of The Order of Australia, the Advance Australia Award, The Australian Centenary Medal, Australian Heads of Government National Violence Prevention Award and National Crime and Violence Prevention Award, to name a few. He is a member of Attorney General's Victims Advisory Board, Victims of Crime Bureau Interagency, Corrective Services Restorative Justice Advisory Committee, and NSW Sentencing Council. Mr Marslew was appointed on 17 July 2013.

Ms Catriona McComish is the Director, Firefinch Consulting which provides clinical, forensic and organisational psychology services to public sector agencies, training groups and NGOs. She previously worked for 30 years in public sector education, health and justice services developing and leading the delivery of mental health and behaviour change policy and programs in WA and NSW. Additionally, she has held appointments in the university sector in psychology and criminology research and teaching. She finished her public sector employment in 2006 as Senior Assistant Commissioner Community Offender Services in Corrective Services NSW and established her own consulting group. Ms McComish was appointed on 23 January 2013.

Mr Yair Miller is a management consultant specialising in Disaster and Emergency Management. Mr Miller is President of the NSW Jewish Board of Deputies and a Member of the Ministerial Consultative Committee for the Jewish Community. Mr Miller is very active in Inter-Faith and Inter-Ethnic activities and sits on numerous Community Boards. Mr Miller was appointed on 11 July 2012.

Community Members continued...

Mr Ken Moroney AO APM retired as the Commissioner, NSW Police Force, on 31 August 2007 after completing 42 years service as a police officer. He is a recipient of both the National Medal with First and Second Class Clasps and the Australian Police Medal for Distinguished Service. He was made an Officer of the Order of Australia in 2007 for his services to law enforcement and national security. He was highly commended on several occasions for his service to the people of NSW. His other appointments include membership of a number of Boards including NSW Police Legacy and the Kid's Cancer Project (Oncology Children's Foundation). He is also a member of the World Bank /UN Project of Global Road Safety. Mr Moroney is Chairperson of the NSW Police Credit Union and representative of the Conduct Division of the Judicial Commission of NSW. Mr Moroney was appointed on 19 September 2007 and was reappointed on 19 September 2010 and 19 September 2013.

Mr Peter Walsh APM was formerly the Senior Assistant Commissioner of the NSW Police Force after 38 years within the Force. Awarded both the Centenary Medal in 2000 for Service to the Community and the Australian Police Medal in 1996 for distinguished police service, he completed the majority of his service throughout country NSW. Mr Walsh was appointed to the SPA on 17 January 2005 and was reappointed on 17 January 2008, 17 January 2011 and 22 January 2014.

Mr Lloyd Walker was once the Acting Coordinator for the Aboriginal Corporation for Homeless and Rehabilitation Community Services and has been an Official Visitor for Lithgow Correctional Centre. He is a former rugby union Australian Wallaby player. Mr Walker was appointed on 1 July 2000 and was reappointed on 1 July 2003, 1 July 2006, 1 July 2009, 1 July 2012 and 1 July 2013.

Mr Ron Woodham began his career in Corrective Services NSW (CSNSW) in 1966 as a Correctional Officer. In 2002, he was appointed as Commissioner of CSNSW and maintained that appointment for 10 years. Mr Woodham retired as the Commissioner in August 2012. He is also a member of the Sydney Olympic Park Authority and NSW TAFE Commission Board. Mr Woodham was appointed on 1 July 2012.

Official Members

Community Corrections Representatives

Ms Christie Lanza was appointed as a Community Corrections Representative on 7 November 2011. Mr Dan Mulvany was first appointed as a Deputy Official Member on 7 May 2012 and as an Official Member on 8 April 2013. Ms Jillian Hume, Ms Jo-anne Stapleton, Mr Luke Easterbrook, Ms Brooke Carter, Ms Charlene Simms, Ms Joanne Moore, Ms Nicole Cleary and Ms Sarah Gilmour act as deputies during leave by official appointees.

Police Representatives

Senior Sergeant Pettina Anderson was appointed as the Police Representative on 2 June 2009 and Chief Inspector Hamed Baqaie was appointed as the second Police Representative on 11 December 2009. Detective Sergeant Jason Wills was appointed as the third Police Representative on 8 October 2013. Inspector Helen Halcro, Senior Constable Greg Coulter and Senior Sergeant Catherine Urquhart act as deputies during leave by official appointees.

Secretary

Mr Robert Cosman, Director and Secretary

Ms Amy Manuell, Deputy Director and Assistant Secretary

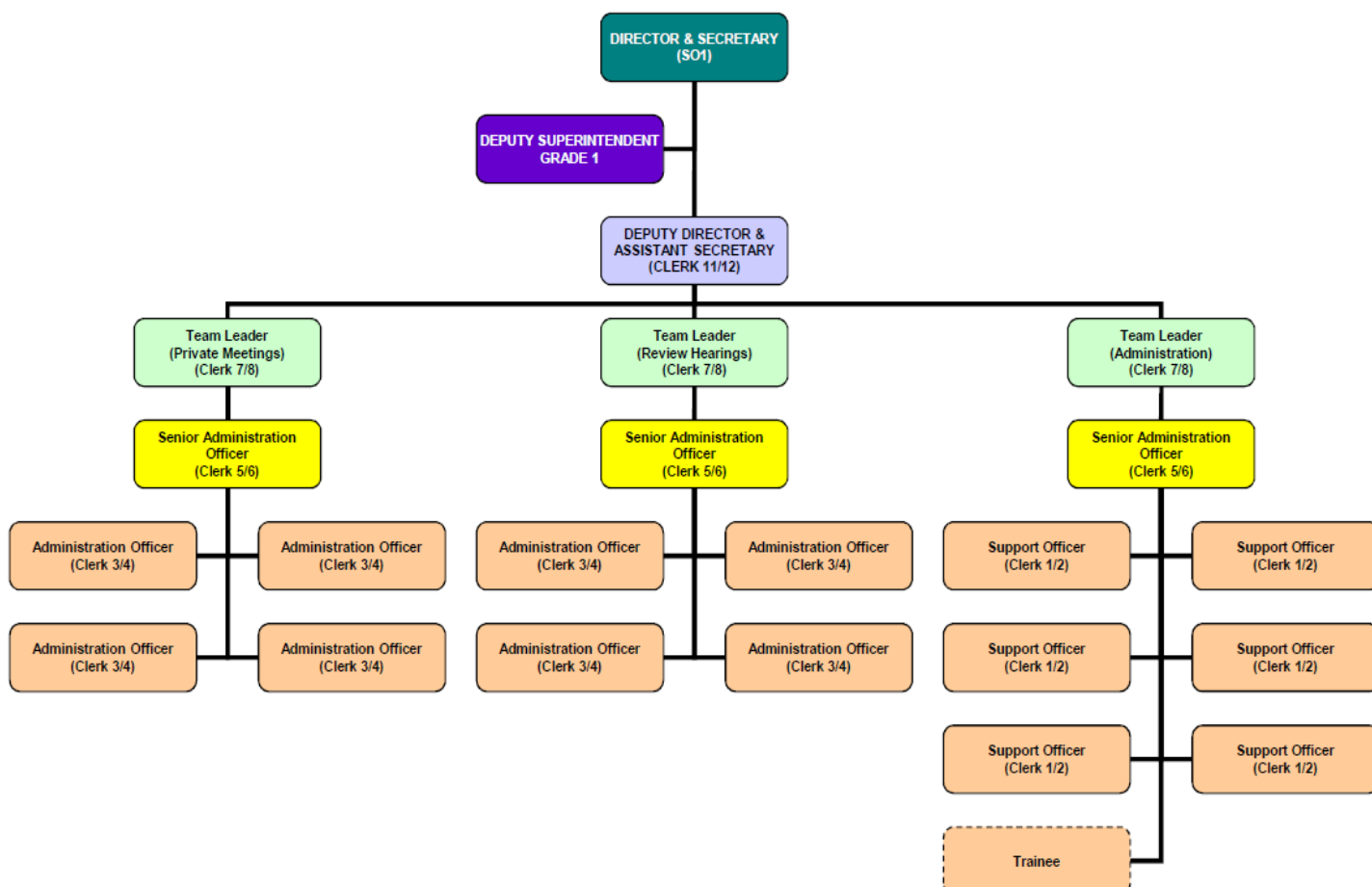
Staff

The SPA would not function without the hard work of the Secretariat. Staffed by officers from CSNSW, the Secretariat is made up of three interdependent teams; the Submissions, Reviews and Support Teams.

Support Team consists of six officers, a trainee and Senior Administration Officer that provide administrative support to the Secretariat, led by the Team Leader in Administration. This team is responsible for duties such as data entry into OIMS, preparation of agendas for SPA members, coordination of VCSS, preparing requests for psychological and psychiatric reports and the preparation of documents to be forwarded to offenders and their legal representatives.

Submissions Team consists of four Submissions Officers and a Senior Administration Officer led by the Submissions Team Leader. Together, they are responsible for the preparation and collation of all matters that go before the private meetings. This preparation includes a wide range of tasks from requesting criminal histories, police facts and judge's sentencing remarks to coordinating the submission of reports from Community Corrections Officers. Upon receipt of all necessary documents for an offender's case, they are filed on the electronic records management system, TRIM, ready for distribution to the members. Submissions Officers are also responsible for the preparation of warrants, orders, memorandums and correspondence.

Reviews Team consists of four Reviews Officer and a Senior Administration Officer led by a Reviews Team Leader. The Reviews Team is responsible for the preparation and collation of all matters that go before the public review hearings at court. Each Review Officer is responsible for a particular day of the week. Preparation includes coordinating submission of updated reports, filing reports in TRIM, ensuring appropriate people are available to give evidence on the day (offenders, legal representatives or Community Corrections Officers) and the smooth running of the court hearing. Review Officers are also responsible for the preparation of warrants, orders and correspondence



GUIDING PRINCIPLES

Corporate Governance

Performance against corporate governance, service delivery and performance objectives.

Meet all statutory obligations ensuring all decisions are appropriate and in the public interest:
• Considered 12,044 cases. • Conducted 100 Private Meetings, 169 Public Hearings and 27 ICO/PD/HD meetings. • Conducted 50 Secretary Sitings. • Therefore, 12,044 cases in 346 meetings. • Issued 971 parole orders. • Revoked, 2,334 Parole Orders, 283 Intensive Correction Orders, 15 Home Detention Orders and one Periodic Detention Order.
Manage the existing corporate governance framework and maintain a program of continuous review and improvements:
• Tabled 2012 Annual Report in Parliament. • Conducted monthly operational / planning meetings and regularly issued policy / procedure directives to staff. • Met all <i>Public Finance and Audit Act, 1983</i> directives regarding the annual stock take, budget cycle and financial management requirements.
Develop strategic partnerships with stakeholders and improve public knowledge and awareness of the SPA:
• The SPA website was revised and updated to provide the public with information and knowledge about the operations and functions of SPA. • Continued to meet statutory obligations to victims by facilitating access to modified documents. • Facilitated training sessions for Community Corrections Officers at the Academy and Community Corrections locations. • Provided presentations to CSNSW staff and at the University of NSW. • Maintained partnerships with CSNSW, SORC, NSW Police and the Mental Health Review Tribunal.
Develop a membership that embraces diversity and is reflective of the community:
Total Members: 22 • 27% are female (6 members) • 9% are indigenous (2 members) • 18% have a NESB / cultural background (4 members) • 18% live in country locations (4 members)

Operating Guidelines

These guidelines were developed to assist members in making their determination. They are not intended to outweigh the objective evidence placed before SPA or to inhibit members exercising their discretion.

1. Public Interest

- 1.1 When considering whether a prisoner should be released from custody on parole, the highest priority for the Parole Authority should be the **safety** of the community and the need to maintain public confidence in the administration of justice.
- 1.2 Release to parole is not an automatic right at the end of the non-parole period and when granted is required to be in the interests of the community. This principle is supported by Section 135(1) of the *Crimes (Administration of Sentences) Act 1999* which states that "the Parole Authority **must not** make a parole order for an offender unless it is satisfied, on the balance of probabilities, that the release of the offender is appropriate in the public interest".

2. Parole Consideration

- 2.1 Section 135(2) of the Act covers the matters that the Authority **must** have regard to in considering the grant of parole:
 - (a) The need to protect the safety of the community,
 - (b) The need to maintain public confidence in the administration of justice,
 - (c) The nature and circumstances of the offence to which the offender's sentence relates,
 - (d) Any relevant comments made by the sentencing court,
 - (e) The offender's criminal history,
 - (f) The likelihood of the offender being able to adapt to normal lawful community life,
 - (g) The likely effect on any victim of the offender, and on any such victim's family, of the offender being released on parole,
 - (h) Any report in relation to the granting of parole to the offender that has been prepared by or on behalf of Community Corrections as referred to in section 135A
 - (i) Any other report in relation to the granting of parole to the offender that has been prepared by or on behalf of the Review Council,
 - (ia) If the Drug Court has notified the Parole Authority that it has declined to make a Compulsory drug treatment order in relation to an offender's sentence on the ground referred to in section 18D (1) (b) (vi) of the *Drug Court Act 1998*, the circumstances of that decision to decline to make the order,
 - (j) Such guidelines as are in force under section 185A,
 - (k) Such other matters, as the Parole Authority considers relevant.
- 2.2 The documents that will always be provided to the Authority to assist in the decision making process include the Judges sentencing remarks, criminal history and pre release report from Community Corrections. Other documents that may be provided include victim submissions and letters from the offender or their family members.
- 2.3 While there will be exceptions, in principle an inmate should achieve the following before being granted parole:
 - (a) a recommendation for release by Community Corrections,
 - (b) a low level of prison classification indicating acceptable behaviour and progress in custody and a satisfactory record of conduct in custody, particularly with regard to violence and substance abuse. (Appendix 1 outlines the various prison classifications and definitions);
 - (c) satisfactory completion of programs and courses aimed at reducing their offending behaviour;
 - (d) suitable post release plans which relate to their assessed requirements on parole, including family or other support, employment, suitable accommodation and access to necessary programs in the community;
 - (e) a willingness and demonstrated ability and/or a realistic prospect of compliance with the conditions of parole;

- (f) be assessed as a low risk of committing serious offences on parole, particularly sexual or violent offences, and have good prospects of successfully completing the parole supervision period;
- (g) in the case of Serious Offenders and other long terms inmates, participation in external leave programs and a recommendation for release by the Review Council.

In accordance with the provisions of Section 193C of the Act, the Parole Authority must record its reason for granting or refusing parole.

Where the Authority decides not to accept the recommendation of the Community Corrections, the Authority should clearly indicate its reason for granting or refusing parole.

NB. Except in exceptional circumstances, the Parole Authority must not make a parole order for a serious offender unless the Review Council advises that it is appropriate for the offender to be considered for release on parole.

2.4 Compulsory Drug Treatment Correctional Centre:

- 2.4.1** When an offender is sentenced, they may have the opportunity to enter the Compulsory Drug Treatment Correctional Centre (CDTCC) at Parklea CC. To allow this to occur, the order from the sentencing court is revoked and the Drug Court issue a Compulsory Drug Treatment Order (CDTO) to hold them in this specialised centre.
- 2.4.2** If an offender successfully completes the CDTCC program, the Drug Court considers the question of parole and issue a parole order.
- 2.4.3** In circumstances where the offender fails to complete the CDTCC program, the CDTO is revoked by the Drug Court and a new warrant of commitment is issued. This returns the offender to a mainstream gaol. The sentence may be altered at this point depending on how long the offender has served in the CDTCC. (See section 106Q of the *Crimes (Administration of Sentences) Act 1999*)
- 2.4.4** Given the original order from the sentencing court was revoked to allow the offender to enter the CDTCC and the CDTO has been revoked by the Drug Court to return them to a mainstream goal, no parole order exists for these offenders (regardless of sentence length). Furthermore the Drug Court cannot consider the offender for release to parole given they no longer have jurisdiction.
- 2.4.5** Regardless of sentence length, any offender who has a CDTO revoked will need to be considered for release by the Authority. These matters will be listed like any other case under parole consideration, even when the sentence is less than three years.
- 2.4.6** In considering release for these offenders, weight must be given to the offender's removal from the CDTCC program and whether it is appropriate that their removal from the program should result in their release at the earliest possible opportunity. That is, why should an offender who has completed the program successfully be released at the same time as a person that has been revoked from the program?

2.5 Serious offenders:

- 2.5.1** Serious offenders are defined in Section 3 of the *Crimes (Administration of Sentences) Act 1999*. A Serious offender is an offender who meets one or more of the following criteria:

- Is serving a sentence for life
- Is serving a former life sentence which has been re-determined
- Is serving a minimum term of 12 years or more (through either one sentence or a series of sentences)
- Has been determined by the sentencing court, Parole Authority or Commissioner of Corrective Services to be managed as a Serious offender
- Has been convicted of murder and is subject to a sentence in respect of that conviction
- Is one of a class of offenders prescribed by the regulations as serious offenders

- 2.5.2** The Serious Offenders Review Council (SORC) is an independent statutory body responsible for the management of serious offenders in custody.

The Council does this by making recommendations to the Commissioner of Corrective Services on the prisoner's progress in custody and at the time of parole consideration provides advice to the Parole Authority as to whether or not, in its opinion, the inmate should be considered for release to parole.

- 2.5.3** Except in exceptional circumstances, the Parole Authority must not make a parole order in respect of a serious offender unless the Review Council advises that it is appropriate for the offender to be considered for release on parole.
- 2.5.4** If the Parole Authority seeks re-consideration of the Review Council's advice concerning the release on parole of a serious offender, the Authority must state its reasons in writing. Some of those reasons might include:
- Offender's post release plan compensates for any inadequacy in addressing offending behavior
 - The desirability of the offender completing day or weekend leave can be compensated by the strength of the community and/or family support available to the offender in assisting with integration into the community
 - A strong employment program would be more beneficial to the offender and in the community's interest than further time spent in custody.

The Authority must also have regard to the provisions of section 198 (2A) of the Crimes (Administration of Sentences) Act 1999 when formulating its reasons. The matters to be considered are as follows:

- (a) The public interest
- (b) The offender's classification history
- (c) The offender's conduct while in custody, both in relation to sentences currently being served and in relation to earlier sentences
- (d) The offender's willingness to participate in rehabilitation programs, and the success or otherwise of his or her participation in such programs
- (e) Any relevant reports (including any medical, psychiatric or psychological reports) that are available to the Review Council in relation to the offender
- (f) Any other matter that the Review Council considers to be relevant

- 2.5.5** If the Parole Authority forms an intention to grant parole it is required to give notice of its intention to Registered victims of the offender. The names of registered victims are recorded in the Victims Register maintained by Corrective Services NSW.
- 2.5.6** Intentions to grant parole where victims are involved and intentions to refuse parole are listed at a review hearing at which the offender, the victim and the State may make submissions.
- 2.5.7** At review hearings victims are invited to make a submission either orally or in writing. This submission is generally made immediately prior to the final submission on behalf of the inmate. The victim's submission is taken into account in deliberations by the Authority as to whether or not a parole order should be made and what conditions are considered appropriate if release is to occur.
- 2.5.8** The State or the Commissioner for Corrective Services may at any time make submissions to the Parole Authority concerning the release of a serious offender. The Parole Authority is not to make a final decision concerning the release of the offender until it has taken such submissions into account. Such State submissions should be dealt with at a public hearing of the Parole Authority.

If the State or the Commissioner of Corrective Services makes a submission after the Authority has made a final decision for release to parole, the Authority must consider whether or not it should exercise its power to revoke prior to release [see section 130 of the Crimes (Administration of Sentences) Act 1999].

2.6 Inability of inmates to access programs in custody:

An inmate's inability to access programs because of prison location, protection status, gaps in service provision or any other reason may not solely be used to justify release to parole. In such situations, parole should only be granted where relevant factors in 2.3 are met and the Authority is of the view that having regard to Section 135 of the Crimes (Administration of Sentences) Act 1999 it is appropriate to make a parole order.

2.7 Inmates nearing completion of full time sentence:

In cases where an inmate has been consistently refused parole for poor performance and/or refusal to address offending behaviour etc. and is nearing completion of the sentence, the interests of the community can sometimes be better served by releasing the inmate on parole for the balance of the sentence to monitor the offender's behaviour and provide assistance with reintegration into the community.

Factors for consideration before proceeding to grant parole include:

- (a) The likelihood of the inmate accepting and complying with parole supervision requirements;
- (b) The risk of re-offending during the supervision period;
- (c) The benefits to the community, if any, of granting parole for a short period.

Where an inmate is considered a high risk of re-offending, is a high risk offender (particularly sex offenders and violent offenders) and is unlikely to accept assistance and comply with supervision requirements, the interests of the community are unlikely to be served by release on parole, even for a short period of time. Release to parole in these circumstances could render the Authority liable to justified community concern.

2.8 Deportation:

The Parole Authority will consider each case on its merits.

Factors to consider before granting parole:

- (a) whether a definite decision has been made by the Department of Immigration;
- (b) whether the offender has adequately addressed the offending behaviour;
- (c) whether the offender would otherwise be released to parole in Australia if not subject to deportation;
- (d) the seriousness of the offence;
- (e) the risk to the community in the country of deportation;
- (f) the post release plans in the country to which the offender is to be deported;
- (g) the duration of the period to be served on parole;
- (h) the fact that supervision of the parole order is highly unlikely to occur;
- (i) whether or not the offender entered the country specifically to commit the crime for which he/she has been sentenced.
- (j) whether or not the court knew at the time of sentencing the offender would be deported and took this into account at the time of sentencing.

3. Parole Refusal

- 3.1** In stating reasons for refusing parole the Authority should bear in mind the principle of 'public interest' contained in section 135 of the Crimes (Administration of Sentences) Act 1999 and referred to in 1.1 above.
- 3.2** In specifying the reasons for refusing parole, care should be taken that the reasons stated include all the issues and concerns of the Authority at the time of consideration so that the inmate or their representative can fully address those issues at the review hearing.
- 3.3** Section 137C provides inter alia that for the purpose of its consideration of an offender's case, the Parole Authority may (but need not) examine the offender. As such, when refusing an offender parole, consideration must also be given as to whether it is appropriate for a review hearing to occur.

4. Review Hearings

4.1 Decision to hold a review hearing:

Section 139 of the Crimes (Administration of Sentences) Act 1999 provides that the Authority shall determine:

- (i) if there will be a hearing whether or not the offender requests a hearing, or
- (ii) that there will be a hearing only if the offender requests a hearing and the Authority is satisfied that a hearing is warranted.

4.2 The review hearing:

While the entire division of the Parole Authority presides at a review hearing, the judicial member controls the proceedings. It should always be remembered that a review hearing is not adversarial in nature and courtesy should be extended to all witnesses (including the inmate) and legal representatives at all times. In particular:

- Questions should not be asked aggressively, should be relevant to the issues and phrased in the simplest of terms
- Witnesses should be allowed sufficient time to answer a question before the next one is asked
- No community or official member should ever rebuke a witness or legal representative
- The legal representative should generally not be interrupted during his/her examination of witnesses or in the making of submissions
- No Authority member should foreshadow what the Authority's intention might be
- Authority members should not use the review as a platform to express personal opinions or political views.
- Witnesses (including Community Corrections) should not be asked to comment on matters not within their area of expertise.
- Members should not ask a question similar to one already asked by another member or ask a question that indicates an opinion at variance with a question already asked. Such different views should be discussed privately.
- All protocol guidelines (as set out in the Parole Authority Code of Conduct and Protocol Guidelines) should be observed.

4.3 Review of decision to refuse parole:

- 4.3.1** All the reasons specified at the time the Authority indicated a decision to refuse parole should be reviewed at the hearing,
- 4.3.2** Parole should only be granted if the Authority is satisfied that all the reasons stated against parole being granted are no longer valid or can be managed. All these reasons specified for parole being granted need to be specified and may include that there is no longer substantial risk to the community and the Authority is satisfied that the requirements of section 135 have been complied with.
- 4.3.3** Additional issues of concern may emerge during the review hearing. Should an inmate otherwise address the original parole refusal grounds but new issues are identified, the Authority should confirm parole refusal until the new issues are resolved. Release to parole not being in the public interest is reason enough to confirm refusal of parole.
- 4.3.4** Where concerns regarding prison behaviour have been given as a reason for parole refusal, improved performance over a sustained period of time should be achieved by the inmate before parole is granted. Recent improvement in behaviour (following an decision to refuse parole) is generally an insufficient response to justify granting parole.
- 4.3.5** If it is proposed to release an offender to an address not previously assessed by Community Corrections, adequate time should be allowed for this to be done. A standover period of at least three weeks should be allowed. A lesser standover period should only be permitted with the agreement of the Community Corrections Representative.

4.4 Review of Revocation of Parole:

- 4.4.1** At review hearings, the Authority may become aware that a revoked parolee has been convicted of another offence, which was not evident at the time the parole order was revoked. In such cases, it is important to note the date the offence was committed, rather than the date the offender was charged.
- 4.4.2** In such cases, if the offence was committed before the date that the order was revoked (not the date from which the order was revoked), the offender's record can be adjusted to include the new conviction as an additional reason for revocation.
- 4.4.3** If the new offence was committed after the date that the order was revoked it cannot constitute a breach of the parole order as the order no longer exists once it has been revoked. In such cases the records can be noted that a new offence has been committed but it cannot be used as an additional reason for revocation.
- 4.4.4** There is value in recording this information for use in future parole decisions.

4.5 Setting dates for re-parole consideration

4.5.1 Section 137A of the Act provides that an offender may apply to be released on parole within 90 days before the offender's eligibility date and upon receipt of such application the Parole Authority must consider whether or not the offender should be released on parole. However in any case the Parole Authority may decline to consider an offender's case for up to 3 years at a time after it last considered the grant of parole to the offender.

4.5.2 Section 137B provides that the Parole Authority may consider an offender's case at any time after the offender's parole eligibility date, and without the need for an application, in such circumstances as may be prescribed by the regulations (see Regulation 233 for details). This is known as manifest injustice.

5. Inmate Management

The Parole Authority may at any time make recommendations to the Commissioner for Corrective Services concerning the preparation of offenders for release on parole, either generally or in relation to any particular offender or class of offenders. The Commissioner must have regard to, but is not bound by, any such recommendation.

6. Revoking Parole

The Authority acknowledges that parolees are on conditional liberty. When substantive doubt arises concerning their compliance with conditions of parole and in particular whether or not they are leading a law-abiding life, e.g. being charged with further offences, then revocation should be considered.

6.1 Parole may be revoked for breaches against any of the conditions of the parole order.

6.2 Where a parolee has been charged with a further offence punishable by a term of imprisonment but has not yet been convicted, the Authority should exercise discretion for or against revocation on the individual merits of each case.

6.3 Factors relevant to the exercise of discretion whether or not to revoke may include:

- The public interest and perceived risk to the community.
- The seriousness and circumstances surrounding the commission of the alleged offence.
- The similarity of the alleged offence to the parolee's past offending behaviour.
- The strength or otherwise of the evidence against the parolee contained in the police facts covering the alleged offence.
- The parolee's response to supervision to date.
- The parolee's stability in the community.
- Recommendation from Community Corrections regarding revocation.

6.4 Bail refusal or grant of bail should not be an overriding factor. Such status is liable to change at every court attendance. It should be noted that the Parole Authority generally has more information available to it as to the current status and conduct of the offender than does the court.

6.5 Where a parolee has been convicted of a new offence and sentenced to a term of imprisonment revocation is usually straightforward and will take effect from the date the new offence was committed.

6.6 The question of revocation where there has been a new conviction resulting in a community based order, Intensive Correction Order or Home Detention Order, rather than a term of imprisonment, is based on the considerations referred to in 6.3.

6.7 Failure to comply with conditions involving participation in programs or entry into a rehabilitation centre where such participation has been a significant factor in determining release to parole should be viewed seriously.

6.8 Consistent failure to keep appointments with the Community Corrections should be viewed seriously given that effective supervision cannot occur without regular contact.

6.9 While substance abuse and charges should be considered seriously, reports from Community Corrections of dirty urines may not necessarily result in revocation. Discretion may be applied, particularly if the offender has self disclosed such use without prompting and/or is being open with the Officer and is genuinely endeavouring to address his/her substance abuse.

- 6.10** Failure to provide the supervising officer with an address, which results in the Service being unaware of the parolee's whereabouts, must result in revocation. The parolee has effectively removed himself/herself from supervision.
- 6.11** Where a parolee commits an offence and is admitted to the Drug Court Program or the MERIT program, agreed protocols should be followed.

6.12 Revocation of Home Detention

Section 167 of the Crimes (Administration of Sentences) Act 1999 provides the Parole Authority with the power to revoke a home detention order under various circumstances.

A person serving home detention is considered to be in custody (albeit in their own home). Consequently, the effective revocation date of a home detention order is taken to be the date that the revocation order was made.

The exception to this is where a home detainee has effectively removed himself/herself from the program by removing the electronic surveillance equipment and/or absconding. In such circumstances the revocation date should operate from the date that effective removal from the program occurred.

6.13 Revocation of Intensive Correction Orders

Section 162 of the Crimes (Administration of Sentences) Act 1999 provides the Parole Authority with the power to revoke intensive correction orders.

In most cases, prior to matters reaching the Authority, the Intensive Correction Order (ICO) Management Committee considers an offender's non-compliance and either takes action on the non-compliance or refers the matter to the Authority.

Upon the ICO Management Committee referring an offender's non-compliance to the Parole Authority, the Parole Authority can take the following action:

- Issue a letter of warning to the offender
- Impose sanctions on the order including 7 days home detention
- Revoke the ICO (the effective date is usually taken to be the date of the decision to revoke).

If an offender's ICO is revoked, the offender is entitled to a review hearing once returned to custody. Upon appearing at the review hearing, legislation allows for an offender to be reconsidered for reinstatement of their ICO. An offender can apply for reinstatement of their ICO upon serving a month in custody, satisfying the Parole Authority that they can successfully complete the remaining period on their ICO and the reinstatement assessment report considering the offender suitable. Alternatively, an offender could seek conversion of the remaining ICO order to home detention.

6.14 Revocation of parole prior to release

The following matters, subject to Regulation 232(1) are to be taken into account before revocation action taken:

- Inmate does not seek parole;
- The inmate is unable to adapt to a normal lawful community life.
- The inmate does not have suitable post release accommodation

6.15 Revoke No Warrant

- The Authority will sometimes revoke an order without issue of a warrant where the order has expired and the parolee has been otherwise in custody during the order.
- Where the Authority receives a report of a breach of condition of parole and such a breach would normally result in revocation, the Authority in its discretion might revoke but not issue a warrant if the parole order has expired.
- Under no circumstances will the Authority revoke and not issue a warrant prior to the expiry of the parole period.

7. Security of Certain Information

Section 194 of the Crimes (Administration of Sentences) Act 1999 provides that certain information given to the Authority should be endorsed under that section if in the opinion of the judicial member it would disclose the contents of any offender's medical, psychiatric or psychological report or would adversely affect the supervision of any offender, the security, discipline or good order of a Correctional Centre, or endangers any person, or jeopardises the conduct of a lawful investigation, or prejudices the public interest.

Information prejudicial to the public interest includes issues relating to privacy and third-party references and material.

Such information may not be provided to the offender or his/her lawyer, nor may it be referred to in the course of a review hearing. However, it must be taken into account when the Authority makes its determination.

Procedural fairness and natural justice need to be considered in all matters before the Authority, as such, a meaningful summary must be provided to an offender's legal representative if and when requested. In providing such summaries, it is imperative that public interest does not outweigh procedural fairness.

8. Authority Warnings

While there is no statutory or regulatory provision for Authority warnings, many Community Corrections Officers recommend the issue of a warning rather than immediate revocation.

Warnings are usually issued in relation to compliance, drug use, alcohol use and non-custodial convictions.

In such circumstances the warning is regarded as strengthening the officer's supervisory role as well as placing the parolee firmly on notice that continued failure to comply will result in revocation.

9. Overseas Travel

- 9.1** In principle, approval should not be given until confidence can be held that the parolee is stable and has adapted to lawful community living as demonstrated by regular contact with Community Corrections, compliance with the conditions of the parole order and stable accommodation and/or employment.
- 9.2** It is unlikely that such stability could be satisfactorily demonstrated in less than six months from the date of release.
- 9.3** Unless exceptional circumstances are proved to exist, approvals for overseas travel within the six-month period should be refused.
- 9.4** Applications for travel from parolees who qualify for consideration should be supported by the supervising officer and evidence provided of the need to travel overseas. In general, travel for recreational purposes alone should not be approved. Periods of travel should not be excessive, e.g. more than four weeks.
- 9.5** Parolees who are approved to travel overseas must provide Community Corrections with details of their itinerary including departure and return dates.
- 9.6** In certain cases, particularly if there has been a history of drug importation, and for compelling reasons approval for travel is given, the Authority may consider it appropriate to notify customs authorities of the parolee's travel dates.
- 9.7** Generally, unless exceptional circumstances exist, offenders on parole for drug importation offences would be refused permission to travel overseas.

Terms and Conditions

1. The offender must, while on release on parole, be of good behaviour.
2. The offender must not, while on release on parole, commit any offence.
3. The offender must, while on release on parole, adapt to normal lawful community life.
- 4.* The offender must, until the order ceases to have effect or for a period of 3 years from the date of release (whichever is the lesser), submit to the supervision and guidance of the Community Corrections Officer (hereafter referred to as "the Officer") assigned to the supervision of the offender for the time being and obey all reasonable directions of that Officer.
5. The offender is to report to the Officer or to another person nominated by that Officer at such times and places as that Officer or nominee may from time to time direct.
6. The offender is to be available for interview at such times and places as the Officer (or the Officer's nominee) may from time to time direct.
- 7(a). The offender is to reside at an address approved by the Officer.
- 7(b). The offender is to permit the Officer to visit the offender at the offender's residential address at any time and, for that purpose, to enter the premises at that address.
8. The offender is not to leave New South Wales without the permission of the Officer's Manager.
9. The offender is not to leave Australia without the permission of the Parole Authority.
10. The offender, if unemployed, is to enter employment arranged or agreed on by the Officer or make himself or herself available for employment, training or participation in a personal development program as instructed by the Officer.
11. The offender is to notify the Officer of any intention to change his or her employment if practicable before the change occurs or otherwise, at his or her next interview with the Officer.
12. The offender is not to associate with any person or persons specified by the Officer.
13. The offender is not to frequent or visit any place or district designated by the Officer.
14. The offender is not to use prohibited drugs, obtain drugs unlawfully or abuse drugs lawfully obtained.

* An offender's supervising Officer may, with the concurrence of that Officer's Manager, direct that the conditions of the offender's parole order in relation to supervision are suspended. Such a direction takes effect when notice of the direction is given to the offender. This condition does not apply to an offender to whom Section 128B of the Act applies.

Additional conditions

15. The offender must submit to electronic monitoring of his or her compliance with the parole order.
16. The offender must comply with all instructions given by the Officer in relation to the operation of monitoring systems.
17. The offender must totally abstain from alcohol.
18. The offender must, if so directed by the Officer, seek assistance in controlling his or her abuse of drugs and/or alcohol and must authorise in writing that his or her medical and other professional and/or technical advisers or consultants make available to the Officer a report on his or her medical, and/or other conditions at all reasonable times.
19. The offender must undertake and maintain a program directed towards controlling his or her abuse of drugs and/or alcohol arranged by the Officer.
20. The offender must not use, or be in possession of, a prohibited drug or substance.
21. The offender must undertake testing for drug and/or alcohol use, where facilities are available, at the direction of the Officer.

22. The offender must refrain entirely from gambling.
23. The offender must, if so directed by the Officer, seek assistance in controlling his or her gambling.
24. The offender must, if so directed by the Officer, enter a residential rehabilitation centre and must not discharge himself or herself without the approval of that Officer.
25. The offender must enter the [name of centre] Residential Rehabilitation Centre, must satisfactorily complete the program offered at that centre, and must not discharge himself or herself without the approval of the Officer.
26. The offender must, if so directed by the Officer, undergo psychological assessment and counselling at a place or places determined by that Officer and must authorise in writing that his or her medical and other professional and/or technical advisers or consultants make available to the Officer a report on such assessment and counselling at all reasonable times.
27. The offender must, if so directed by the Officer, undergo psychiatric assessment, psychiatric counselling, other medical assessment or other medical treatment at a place or places determined by the officer and must authorise in writing that his or her medical and other professional and/or technical advisers or consultants make available to the Officer a report on such assessment, counselling or treatment at all reasonable times.
28. The offender must submit to the supervision of the Community Corrections of New South Wales pending registration of the parole order in [name of relevant State or Territory jurisdiction].
29. The offender must reside in [name of relevant State or Territory jurisdiction] after formal arrangements are made to transfer the offender's parole order to that jurisdiction in accordance with the provisions of the Parole Orders (Transfer) Act 1983.
30. The offender must not contact, communicate with, watch, stalk, harass or intimidate [specified person].
31. The offender must not contact or communicate with [specified person] without the express prior approval of the Officer.
32. The offender must submit to supervision by the Community Corrections of New South Wales until such time as the offender has been deported. If the offender returns to Australia before the expiry of his or her parole order, the offender must report to the Community Corrections of New South Wales within 7 days of his or her return to New South Wales.
33. The offender must not be in the company of any person under the age of 16 years unless accompanied by a responsible adult, as determined by the Officer.
34. The offender must not engage in any activity, paid or unpaid, involving the control of money or assets of other people or organisations.
35. The offender must comply with all directions of the mental health team, including treatment and medication.
36. The offender must comply with all conditions of a Drug Court order.
37. The offender must not associate with [specified person] without the express prior approval of the Officer.
38. The offender must not frequent or visit [specified place or district] or environs.
39. The offender must comply with all conditions and requirements of the Child Protection Register.
40. The offender must not possess or use any firearm.
41. The offender must comply with all conditions of a Community Treatment Order.
42. The offender must not communicate with any person under the age of 16, other than those approved by the officer, by any means including SMS text messaging, the internet and written communication.

*Note. The period of supervision specified in paragraph 4 must not be longer than the duration of the order or 3 years, whichever is the lesser. However, the period of supervision of a serious offender may be extended by an order of the State Parole Authority in accordance with the Crimes (Administration of Sentences) Act 1999.