

# Adult Parole Board of Victoria 2011-2012 Annual Report



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



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## About Our Annual Report

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

As well as discharging our statutory responsibilities, the Annual Report is an opportunity to explain the work of the Board and to showcase our staff in their daily work environment. We print and distribute 500 copies each year and, once tabled in Parliament, the Annual Report is available from our website at [www.justice.vic.gov.au/paroleboard](http://www.justice.vic.gov.au/paroleboard).

The Board's 2010-11 Annual Report received a bronze award for 'reporting excellence' at the Australasian Reporting Awards night on 7 June 2012.

## Letter to the Minister

Friday, 27 July 2012

The Hon. Andrew McIntosh MP  
Minister for Corrections  
Level 26, 121 Exhibition Street  
Melbourne VIC 3000

Dear Minister

In accordance with the requirements of s72(1) of the *Corrections Act 1986*, we are pleased to present this Annual Report of the performance and operations of the Adult Parole Board of Victoria for the twelve months from 1 July 2011 to 30 June 2012.

Yours sincerely



**The Hon. Justice Simon Whelan**  
Chairperson

27 July 2012



**David Provan**  
General Manager

27 July 2012

## Profile

### Vision

The Board's vision is to make the State of Victoria a safer place in which to live for all its citizens.

### Mission

The Board's mission is to manage the appropriate release of offenders on parole and in relation to detention and supervision orders for the benefit of the Victorian community. The Board aims to make risk assessments that are rigorous, fair and timely.

### Our Objectives

The Board's objectives are to:

- fulfil our statutory obligations under the *Corrections Act 1986*, *Children, Youth and Families Act 2005* and regulations, *Serious Sex Offender Monitoring Act 2005* and *Serious Sex Offenders (Detention and Supervision) Act 2009*, efficiently and effectively and in the best interests of the community
- make independent and appropriate decisions regarding the release of offenders on supervised conditional release and in relation to those subject to a detention order, supervision order or extended supervision order
- make appropriate orders relating to cancelling parole and returning offenders to prison custody
- ensure that offenders are properly prepared to reintegrate into the community
- maintain a program of continuous improvement including the ongoing review of management practices and strategic plans
- develop and sustain an organisational culture of excellence through best practice human resource management
- develop a flexible, responsive and skilled administrative staff by providing a safe, challenging and team-oriented work environment, and professional development opportunities
- maintain the efficient, effective and responsible management and control of the Board's finances and ensure public accountability
- promote the accessibility and efficiency of the Board by increasing stakeholder awareness of its functions and powers.

## Definitions

Throughout this report, unless otherwise specified, references to:

- 'the Act', or sections 'of the Act', are references to the *Corrections Act 1986*
- 'the Board' is a reference to the Adult Parole Board of Victoria
- 'Corella Place' is a reference to the Corrections Victoria transitional residential facility located near Ararat for offenders subject to supervision orders who are without suitable accommodation in the Victorian community
- 'CCO' is a reference to a Community Corrections Officer
- 'CCS' is a reference to Community Correctional Services, a Branch of Corrections Victoria
- 'the Department' is a reference to the Victorian Department of Justice
- 'the Division' is a reference to the Detention and Supervision Order Division of the Board
- 'ESO' is a reference to an Extended Supervision Order
- 'PPC' is a reference to the Parole Practice Committee
- 'SO' is a reference to a Supervision Order
- 'SSOMA' is a reference to the *Serious Sex Offenders Monitoring Act 2005*
- 'SSO(DS)A' is a reference to the *Serious Sex Offenders (Detention and Supervision) Act 2009*

## Who We Are

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

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

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

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

The Detention and Supervision Order Division of the Board was established under the *Serious Sex Offenders (Detention and Supervision) Act 2009 (SSO(DS)A)* and the *Corrections Act 1986*, and conducted its first official sitting day on 15 March 2010.

In addition to undertaking hearings for supervision and detention orders made under the SSO(DS)A, the Division also considers matters relating to Extended Supervision Orders under the *Serious Sex Offenders Monitoring Act 2005 (SSOMA)* and other sex offenders in the Victorian correctional system who are either serving parole or are in custody and eligible for parole.

## What We Do

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

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

In addition, the Board has jurisdiction:

- pursuant to the *Serious Sex Offender Monitoring Act 2005*, to determine appropriate instructions and directions (special conditions) in respect of an extended supervision order and to supervise offenders who are subject to such an order
- to supervise and monitor those subject to a detention or supervision order pursuant to the *Serious Sex Offender (Detention and Supervision) Act 2009*.

**Community safety is the Board's paramount consideration in all decisions relating to the granting of parole.**

## How We Do It

Community safety is the Board's paramount consideration in all decisions relating to the granting of parole. In assessing community safety the Board considers:

- whether there is an unacceptable risk to the community if the offender is released on parole, and
- whether the risk to the community will be greater if the offender does not have supervised release and support on parole.

In assessing whether the risk of releasing the offender on parole is acceptable, the Board has regard to:

- the nature and severity of the harm that is risked (the particular outcome to be avoided, such as the commission of a violent offence), and
- the likelihood that the outcome will occur.

Subject to the paramount consideration of community safety, the Board seeks to facilitate the rehabilitation of offenders, recognising that the community benefits from their rehabilitation.

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

- During 2011-12, the Board considered 10,205 cases, an increase of 1,242 over the previous year.
- In May 2011, the Attorney General requested the Sentencing Advisory Council to review and report on aspects of the Victorian adult parole system. The Council's report was tabled in Parliament on 23 March 2012. The 21 recommendations contained in the report were discussed by the Board at a Members' Meeting on 29 June 2012. The Board has adopted and implemented the recommendations which are solely within the Board's control and is working with Corrections Victoria to implement the rest.
- The Division of the Board dealing with sex offenders successfully completed its second year of operation.
- The Board operated within its budget allocation for the 2011-12 financial year.
- The Victoria Police Operation ROPE (Recidivist Offenders Parole Enforcement) program commenced on 1 July 2008. Staff of Operation ROPE are responsible for executing the warrants of apprehension that are issued by the Board. During 2011-12, Victoria Police and Operations ROPE staff executed 461 warrants of apprehension.
- Reviewed Memoranda of Understanding with Forensicare, Australian Community Support Organisation (ACSO) and Victoria Police – Melbourne North.
- The Board's management team continued to produce a quarterly Members' Newsletter to keep all members informed of key issues and important information that arise between the regular Members' Meetings.
- In the interest of the health and wellbeing of the Board's staff, the debriefing program facilitated by a clinical psychologist was maintained during the year.
- The Governor in Council appointed three new judicial members to the Board. Judge Frank Shelton (retired County

Court judge), Robert Kumar (serving Magistrate) and Ross Betts (retired Magistrate) were each appointed for a three-year term.

- A recruitment campaign for the appointment of three community members commenced with advertisements in the *Herald Sun* and *The Age* newspapers on 31 March 2012. Interviews were conducted on 21 and 22 June 2012.
- Dr Julian Davis, Janet Farrow, Dr Kerry-Lee Jones, Lisa Ward, Judith Wright, Justice John Coldrey QC, Judge Margaret Rizkalla, John Dugan AM, Steven Raleigh, Carmel Arthur, Judge David Jones AM, Vera Olson and Lesley Fleming were reappointed to the Board.
- Professional development meetings for all members were held on 25 November 2011 and 29 June 2012.
- Justice Whelan, Michael Hepworth and the Board's management team attended a meeting of parole authorities in Queensland between 26 and 28 October 2011.
- The Victorian Board will host the 2012 Australasian Parole Authorities Conference on 1 and 2 November. Planning for the conference commenced in early 2012.
- The Board's 2010-11 Annual Report received a bronze award for 'reporting excellence' at the Australasian Reporting Awards night on 7 June 2012.
- The investigation into the use of a more sophisticated information technology based system to manage the Board's meeting papers continued throughout the year. The 'paperless office' technology based system will be implemented in 2012-13.
- Twenty-six presentations were delivered about the work of the Board to various organisations and community groups.
- During the year, 94 visitors attended meetings to observe the work of the Board.

## Fast Facts

	2011-12	2010-11	Change (%)	
Prisoners in custody (at 30 June)	<b>4,884</b>	4,737	3.1	▲
Prisoners eligible for parole (at 30 June)	<b>3,328</b>	3,230	3.0	▲
Parole orders made	<b>1,843</b>	1,792	2.8	▲
Parole orders completed successfully	<b>1,042</b>	1,132	(8.0)	▼
Parole orders cancelled (total)	<b>659</b>	530	24.3	▲
Parole orders cancelled - failure to comply with conditions	<b>552</b>	429	28.7	▲
Parole orders cancelled - further conviction and sentence	<b>107</b>	101	5.9	▲
Parole orders denied	<b>296</b>	201	47.3	▲
Submissions from victims	<b>95</b>	69	37.7	▲
Interim supervision orders made by the Supreme and County Courts	<b>6</b>	5	20.0	▲
Supervision orders made by the Supreme and County Courts	<b>44</b>	31	41.9	▲
Parole orders transferred from Victoria	<b>18</b>	19	(5.3)	▼
Parole orders transferred to Victoria	<b>21</b>	49	(57.1)	▼

## Financial Summary

	2011-12 (\$)	2010-11 (\$)	Change (%)	
Budget	<b>2,808,800</b>	2,777,400	1.1	▲
Expenditure	<b>2,776,461</b>	2,666,624	4.1	▲
Surplus	<b>32,339</b>	110,776	(70.8)	▼

# Year at a Glance

	2011-12	2010-11	2009-10	2008-09	2007-08	% change between 2010-11
<b>Case Management</b>						
Total cases considered	10,205	8,963	8,840	8,605	8,520	13.9
Total (Board and DSOD) meeting days	187	166	148	129	123	12.7
Meetings at prisons	45	55	53	50	51	(18.2)
Prisoners in custody (at 30 June)	4,884	4,737	4,537	4,350	4,223	3.1
Prisoners eligible for parole (at 30 June)	3,328	3,230	3,088	2,937	2,852	3.0
Prisoners interviewed at prison	1,665	1,671	1,659	1,489	1,606	(0.4)
Parole orders made	1,843	1,792	1,669	1,656	1,601	2.8
Parole orders completed successfully	1,042	1,132	1,064	1,094	1,010	(8.0)
Parole orders denied	296	201	194	190	186	47.3
Submissions from victims	95	69	51	51	77	37.7
<b>Cancellation of Orders</b>						
Parole orders breached	1,386	1,059	989	973	887	30.9
Parole orders cancelled	659	530	539	489	435	24.3
Reason for cancelling parole orders due to:						
• failure to comply with conditions of parole	552	429	388	357	324	28.7
• further conviction and sentence	107	101	151	132	111	5.9
Length of parole served prior to cancellation:						
• day of release to less than three months	249	210	191	179	163	18.6
• three to less than six months	167	124	128	108	93	34.7
• six to less than 12 months	138	105	120	106	84	31.4
• 12 months or more	105	91	100	96	95	15.4
Breaches not resulting in cancellation	727	529	450	484	452	37.4
Warnings issued relating to breaches not resulting in cancellation by:						
• Board	169	121	126	146	148	39.7
• Community Correctional Services staff	541	392	297	310	278	38.0
• letter from the Board	8	7	20	12	24	14.3
Cases where no further action was taken by Board relating to breaches not resulting in cancellation	9	9	7	16	2	-
<b>Home Detention Orders</b>						
Home detention applications received	146	348	409	311	292	(58.0)
Home detention orders made by the Board	53	78	87	83	63	(32.1)
Home detention orders made by the courts	8	14	10	18	21	(42.9)
Home detention orders revoked	0	6	3	10	4	(100.0)

	2011-12	2010-11	2009-10	2008-09	2007-08	% change between 2010-11
<b>Extended Supervision Orders</b>						
Instructions and directions imposed	0	0	30	22	7	-
<b>Detention and Supervision Orders</b>						
Detention orders made by the Supreme Court	0	0	0	-	-	-
Interim supervision orders made by the Supreme and County Courts	6	5	6	-	-	20.0
Supervision orders made by the Supreme and County Courts	44	31	7	-	-	41.9
<b>Youth Transfers</b>						
Transfers from Prison to a Youth Justice Centre	2	2	6	4	2	-
Transfers from a Youth Justice Centre to Prison	12	16	39	14	20	(25.0)
<b>Interstate Transfers</b>						
Parole orders transferred from Victoria	18	19	27	27	19	(5.3)
Parole orders transferred to Victoria	21	49	29	30	25	(57.1)
<b>Members of the Board</b>						
Judicial members	14	12	12	12	11	16.7
Full-time members	1	1	1	1	1	-
Community members	8	8	8	8	7	-
Departmental representatives	1	1	1	1	1	-
Total members	24	22	22	22	20	9.1
<b>Staff of the Board</b>						
Total employees	19	21	22	18	16	(9.5)
<b>Financial Management</b>						
Year	2011-12	2010-11	2009-10	2008-09	2007-08	
	\$	\$	\$	\$	\$	
Budget	2,808,800	2,777,400	2,523,200	2,171,000	1,805,200	
Expenditure	2,776,461	2,666,624	2,441,321	2,232,135	1,895,234	
<b>Parole Orders Caseflow – 2007-08 to 2011-12</b>						
	Orders Made	Orders Breached	Orders Cancelled	Orders Denied	Orders Completed	
2007-08	1,601	887	435	186	1,010	
2008-09	1,656	973	489	190	1,094	
2009-10	1,669	989	539	194	1,064	
2010-11	1,792	1,059	530	201	1,132	
2011-12	1,843	1,386	659	296	1,042	

# Chairperson's Message



If society is to be made safer,  
prisons must be more than criminal warehouses.

I began last year's report by recording my appreciation for the interest and enthusiasm displayed by the then newly-appointed Minister for Corrections, The Hon. Andrew McIntosh MP. I am pleased to say that that interest and enthusiasm has not waned, but I wish to begin this year by recording, on behalf of the Board's members and staff, my appreciation for the work of the now former Secretary to the Department of Justice, Ms Penny Armytage.

Ms Armytage was a member of the Board for almost ten years. She was a member by virtue of the provisions of the *Corrections Act*, which make the Secretary to the Department an ex officio member of the Board. She did not sit on cases but her status as a member meant that I could advise her of Board issues without restriction or restraint, and that was sometimes very important.

Ms Armytage is a committed, capable and very hard-working person. She is utterly unflappable, no matter what the circumstances. She has been a greater supporter of the Adult Parole Board, and a great advocate for the importance of parole in the Victorian justice system. She will be sorely missed. We wish her well in her future career.

## Sentencing Advisory Council Report

In May 2011 the Attorney-General asked the Sentencing Advisory Council (SAC) to undertake a wide ranging review of adult parole in Victoria. SAC was required to not only review the Victorian system but to compare it with other systems in Australia and overseas. The report was tabled on 23 March 2012.

The report identifies strengths in Victoria's existing system. In my view, the report confirms that Victoria has a system which functions well in an exceedingly difficult area, and which is not in need of extensive reform. It can be improved and the SAC report makes recommendations to do so.

The Board has adopted and implemented the SAC recommendations which are solely within the Board's control, and is working with Corrections Victoria to implement the rest. Some recommendations involve legislative changes or budgetary decisions which are matters for the government.

The most important recommendations have been implemented. The Board has articulated the principles it applies in terms which reflect the SAC recommendations and has adopted the other recommendations made in relation to its own internal procedures.

## This Year's Statistics

The number of parole cancellations and cases of parole being denied increased this year. In part, this is due to the continuation of a trend to insist upon stricter compliance with parole conditions and to adopt a more cautious approach to release. Nevertheless, the number of offenders offered the opportunity of parole in Victoria remains high when compared with other jurisdictions.

A significant factor in the increase in cancellations arises because of a particular legal issue which has emerged over the last few years. Where a parolee has been charged but not yet tried for new offences, for legal reasons it is often in the interests of all concerned for parole to be cancelled, provided of course there are proper grounds to do so. The issue is not a simple one, but in substance if parole is not cancelled before sentence the sentencing judge is precluded from taking the time still owed into account, and, if parole is then cancelled after sentence, it may be necessary to appeal in order to have that matter addressed. Whereas previously the Board might have determined to await the result in those particular circumstances, now cancellation is more often seen as the appropriate course where that potential problem arises.

## Increasing Prisoner Numbers

The number of people being held in prison continues to increase. This is putting pressure on all aspects of the corrections system, including parole. As I observed last year, there are dangers to the system in increasing prisoner numbers. We do not want to find ourselves in the deplorable situation existing in some parts of the United States, such as

California. We need a justice system and a corrections system, which both meets our objectives and which we can afford.

The increase in prisoner numbers is not a recent development. It has been a feature of the system for some years. That said, while some government policies may be a factor tending to reduce numbers (the new community correction order) other policies, most notably those concerning sentencing (statutory minimum sentences for gross violence offences and baseline sentencing), are projected to be factors which will accelerate the existing trend.

As announced in the State Budget in May 2012, the government is committed to building a new prison. The problems at Ararat have come at a difficult time.

## Programs in Prison

One aspect of increasing numbers which is of particular concern to the Board is the effect on programs for prisoners. At the same time as numbers are increasing, new demands are being placed on program providers especially in relation to prisoners guilty of violent offences.

In my report last year I referred to the need for prisoners, parolees and the Board to be clear about what programs can or must be undertaken, and where and when that will occur.

From the Board's perspective a comprehensive predictable regime, where prisoners and parolees and the Board all know what can be done and what will be done, has not yet been achieved. Offending Behaviour Programs (OBP) staff have met with the full membership of the Board and individual meetings have also been held. OBP is reviewing its processes, with outside assistance, and the Board is working with OBP to get a better, more realistic, understanding of what can and should be done.

After security, education and programs ought to be the first priorities of the corrections system.

If society is to be made safer, prisons must be more than criminal warehouses. An overcrowded environment without adequate education or programs cannot be conducive to reduced recidivism.

## Issues of Concern

As always, the Board is greatly concerned about the areas of housing, mental illness and substance abuse.

Despite the best efforts of Corrections Victoria and the relevant non-government organisations, there are not infrequent occasions when prisoners must be held beyond the date upon which they would otherwise be granted parole because acceptable housing is not available.

There is an increasing need for supervised accommodation. This is expensive, but it is less expensive than continued imprisonment or the consequences of further offending.

# General Manager's Report

## Sex Offenders

Without doubt, the most difficult area of the Board's work concerns sex offenders. Judge Jones and the Board members in the Detention and Supervision Order Division have done a magnificent job. This year Judge Jones has written a detailed review of the issues confronting the Division. The issues he raises are important and his observations and conclusions have my full support.

## Board Membership

Significant changes have been, and are being, made in the composition of the Board.

On 13 December 2011 the Governor in Council appointed three new judicial members. They are Judge Frank Shelton (retired County Court judge), Mr Robert Kumar (serving Magistrate) and Mr Ross Betts (retired Magistrate). These appointments were made by the Minister for Corrections after an extensive internal process to identify appropriate persons. The three new judicial members have undergone a comprehensive induction process, and two of them have begun chairing sittings themselves.

A process has also been undertaken to identify and appoint new non-judicial members, often referred to within the Board as "community members". This is a public process. Expressions of interest were invited through the media. Applications have been reviewed and interviews have been conducted. Recommendations will be made to the Minister in the near future.

The infusion of new personnel, both as judicial members and as community members, is a positive development for the Board. Experience is of the first importance in the Board's work, and it is necessary to introduce new members at a time when they can gain the necessary experience while working with Board members who already have it.

## Additional Full-Time Member

Everyone in the public sector is acutely aware of the need for financial restraint at the present time. Nevertheless it has become clear that the Board needs a second full-time member. The Board's existing full-time member, Mr Michael Hepworth, shoulders a significant burden. The increasing work of the Board, particularly in the very demanding area of sex offenders, and the considerable demands being made on the Board in relation to policy issues and participation on committees means that the need for a second full-time member has become pressing.

## Human Rights Charter

In previous annual reports I have referred to the various inquiries that have been undertaken in relation to the Board and the Human Rights Charter. The Parliamentary Scrutiny of Acts Committee tabled its final report entitled "Review of the Victorian Charter of Human Rights and Responsibilities Act

2006" on 14 September 2011. The government response was tabled on 14 March 2012. The Board's existing exemption runs until 27 December 2013.

## Professional development

The Board has continued its commitment to professional development of members over the last year. A members' meeting was conducted in November 2011, focusing on offending behaviour programs, and a second was held in June 2012, focusing on the SAC recommendations.

The Victorian Board is hosting the Australasian Parole Authorities' Conference on 1 and 2 November 2012. Representatives will attend from every State and Territory, from New Zealand, and from parole authorities in Asia and the Pacific.

The General Manager has continued publication of a quarterly newsletter keeping members abreast of relevant new developments.

## Farewell Bob Hastings

In May 2012 Mr Robert Hastings APM resigned as Commissioner for Corrections. The Board has very much appreciated his strong support and the efforts he has made to assist it throughout his term. On behalf of all Board members, I thank him and wish him all the best in the new position which he is taking up with the Indonesian government.

## Members, Management and staff

Once again I must commend the excellent work of David Provan, general manager of the Board. He fulfils a very difficult role addressing the sometimes competing demands of the Board, the relevant government departments and agencies, prisoners and parolees and their families, victims of crime, the media, and the public. He always ensures that no matter what temporary crisis may arise, the work of the Board continues smoothly. His management team and the staff give the Board great support. They are a small dedicated group who understand the importance of the work they do, and how much Board members appreciate their efforts and rely on them.

Our full-time member, Michael Hepworth, has shouldered a significant burden over the last year. He has done it with good humour and with calm competence. I thank him again.

The last year has been a challenging one for Board members. They have worked under great external and internal pressures. They have never faltered or been distracted and I thank each and every one of them for their work over the past year.



The Hon. Justice Simon Whelan  
Chairperson



The 2011-12 year was another challenging, but exciting one. It was a period of significant change during which the administrative staff efficiently managed a demanding caseload which had substantially increased compared with the 2010-11 year.

## Increasing Caseload

Over the last five years, the Board has recorded an upward trend in the number of cases considered, from 8,520 to 10,205, equating to an increase of 19.8%. It is also important to note that the Board conducted 123 in 2007-08 compared with 187 meetings in 2011-12, representing a 52% increase.

The Board's staffing resources are fully stretched given the additional meetings required to manage the significant increase in the number of cases considered and the additional jurisdictional responsibilities it has assumed under the *Serious Sex Offenders (Detention and Supervision) Act 2009*.

I take this opportunity to record my gratitude for the significant contribution that each staff member has made throughout the year.

## The Board's 2010-11 Annual Report

The Board's 2010-11 Annual Report received a bronze award for 'reporting excellence' at the Australasian Reporting Awards night on 7 June 2012. This is the third year in a row that the Board's Annual Report has won an award. The achievement recognises the Board's commitment to producing an Annual Report of the highest possible standard.



## Staff Movements and Appointments

As at 30 June 2012, Diana Maldry, Ruth Hajal and Karlie McDermott were on secondment to business units within Corrections Victoria. Valerie Barbutt commenced leave from April 2012. The Senior Registry Officer resigned from the Board in May 2012. Tania Tesich commenced as an acting Meeting Coordinator in June 2012. During the year, Hayley Jackson completed her short-term contract and Truong Trinh and Liam Barry commenced as the acting Division Assistant and as an acting Registry Meeting Assistant, respectively.

## Review of the Victorian Adult Parole System Report

The Sentencing Advisory Council's report on its review of the Victorian adult parole system was tabled in Parliament on 23 March 2012. Members and staff of the Board supported the work of the Council during the review period.

The review followed a 23 May 2011 reference from the Attorney-General asking the Council to review the legislative and administrative frameworks governing the release and management of prisoners on parole. The purpose of the review was stated to be *to ensure that the parole system best serves the Victorian community, including promoting public safety and reducing reoffending*. In conducting the review, the Council was requested to have regard to the purposes and operation of parole and legislative arrangements in other Australian and comparable overseas jurisdictions.

The Council's review identified strengths in the existing system, such as the Board's proactive approach to preparing prisoners for parole and the multidisciplinary, responsive and non-legalistic character of the Board's decision-making. The review made recommendations designed to complement these strengths, including:

- enhanced decision-making guidelines for the Board, improving the transparency, consistency and accuracy of its processes and decisions
- safeguards to ensure decisions are informed by adequate, up-to-date information
- establishment of an inter-agency coordinating committee to ensure adequate coordination and information-sharing in the management of parolees
- development of a mechanism to ensure that prisoners are informed of the review process, and
- establishment of systems to allow for the collection and analysis of comprehensive parole data.

The review recommended against the creation of statutory criteria for parole decisions and stated that such criteria could lead to unintended consequences which would outweigh any benefits. The 21 recommendations contained in the report were discussed by the Board at a Members' Meeting on 29 June 2012. As Justice Whelan says in his Chairperson's Report: *the Board has adopted and implemented the recommendations which are solely within the Board's control and is working with Corrections Victoria to implement the rest.*

## Information Technology – 'Paperless Office' Project

For some time now, Justice Whelan and I have expressed the strong desire for an information technology-based 'paperless office' system to be designed for the presentation of material to the Board. Given the increasing caseload and a concomitant increase in the number of files it has become an organisational imperative that a more sophisticated system be designed, tested and implemented.

I am pleased to report that Corrections Victoria Corrections Application Services (CAS) has agreed to work with the Board and its secretariat to analyse the Board's records management needs and then deliver the technical functionality of the project during 2012-13.

The 'paperless office' project has Justice Whelan's full support and I thank Anthony Vitale who has agreed to be the project leader.

## Financial Management

During the year, the Board maintained efficient, effective and responsible management of and control over its finances and ensured public accountability by regularly reviewing its expenditure. The Board operated within its budget allocation for the 2011-12 financial year.

## Detention and Supervision Order Division

Now in its third year of operation, the Division's staff continued to deliver an outstanding level of service to members and stakeholder groups.

I would like to take this opportunity to express my thanks and gratitude to Anthony Vitale and the Division's team - Kym Gray, Sarah Iavasile and Truong Trinh - for their outstanding work in efficiently managing its day-to-day operations.

## Home Detention

A change of government at the state election in November 2010 brought with it a commitment to abolish home detention. On 21 December 2011 the Government announced that the *Sentencing Legislation Amendment (Abolition of Home Detention) Act 2011* would come into effect on 16 January 2012. I thank Emma Hyde for her professional and dedicated approach to the management of the Board's home detention work.

## 2012 Australasian Parole Authorities Conference

As Justice Whelan reports in his Chairperson's Message, the Victorian Board will host the 2012 Australasian Parole Authorities Conference on 1 and 2 November. The conference program has been finalised and the planning is proceeding on schedule. The theme for the conference is *Parole into the Future*, with a focus on the challenges that parole authorities are facing now and over the next few years. I thank Hannah and the members of the Steering Committee for their efforts in the planning and organisation of the Conference.

## Visitors Program

While the Board's hearings are not open to the public, it does welcome applications from individuals who have a legitimate purpose and wish to observe Board meetings. By encouraging visitors, the Board takes an open and transparent approach to its operations while enabling visitors to gain a greater understanding of the Board's responsibilities.

The Board continues to receive many requests to observe its hearings and, during the 2011-12 year, 94 visitors attended meetings to observe the work of the Board. I thank Cheryn Leahy, the Board's Registry Manager, for managing the observers program.

## Acknowledgments

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

- Andrew Reaper, Acting Deputy Commissioner, Offender Management, Corrections Victoria
- Australian Community Support Organisation (ACSO) staff
- Brendan Money, Director, Sentence Management Branch, Corrections Victoria

- Community Correctional Services staff
- Community Offenders Advice and Treatment Service (COATS) staff
- Corrections Victoria employees, as well as the staff at the two privately-operated prisons – Port Phillip Prison and Fulham Correctional Centre
- Forensicare staff
- Jan Shuard PSM, Acting Commissioner, Corrections Victoria
- Malcolm Feiner PSM – Manager, Research and Evaluation Unit, Corrections Victoria
- Offender Management Services (Corrections Victoria) staff
- Offending Behaviour Programs (Corrections Victoria) staff
- Sex Offender Program (Corrections Victoria) staff
- Victims Support Agency staff
- Victoria Police, Operation ROPE and Melbourne North Police Station staff
- Victorian Association for the Care and Resettlement of Offenders (VACRO) staff.

## Conclusion

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

I am grateful to the Board's management team members – Pauline Bailey, Cheryn Leahy and Anthony Vitale – and the Board's full-time member, Michael Hepworth, who have worked tirelessly throughout the year. I thank Pauline, Cheryn, Anthony and Michael for undertaking their respective roles with such dedication and professionalism.

Despite the many challenges experienced during 2011-12, all staff continued to deliver an excellent level of service to the Board, their colleagues in the corrections system and the community. I take this opportunity to record my gratitude for the significant contribution that each staff member has made throughout the year.



David Provan  
General Manager

# Business Plan Overview

The Board's *Business Plan* builds on our previous achievements and charts a course for the future. The 2011-12 plan was prepared to identify project initiatives and key priorities to achieve the Board's objectives. In addition, the plan aims to promote a performance-driven culture at the Board and to provide a platform for pursuing continuous improvement at every opportunity.

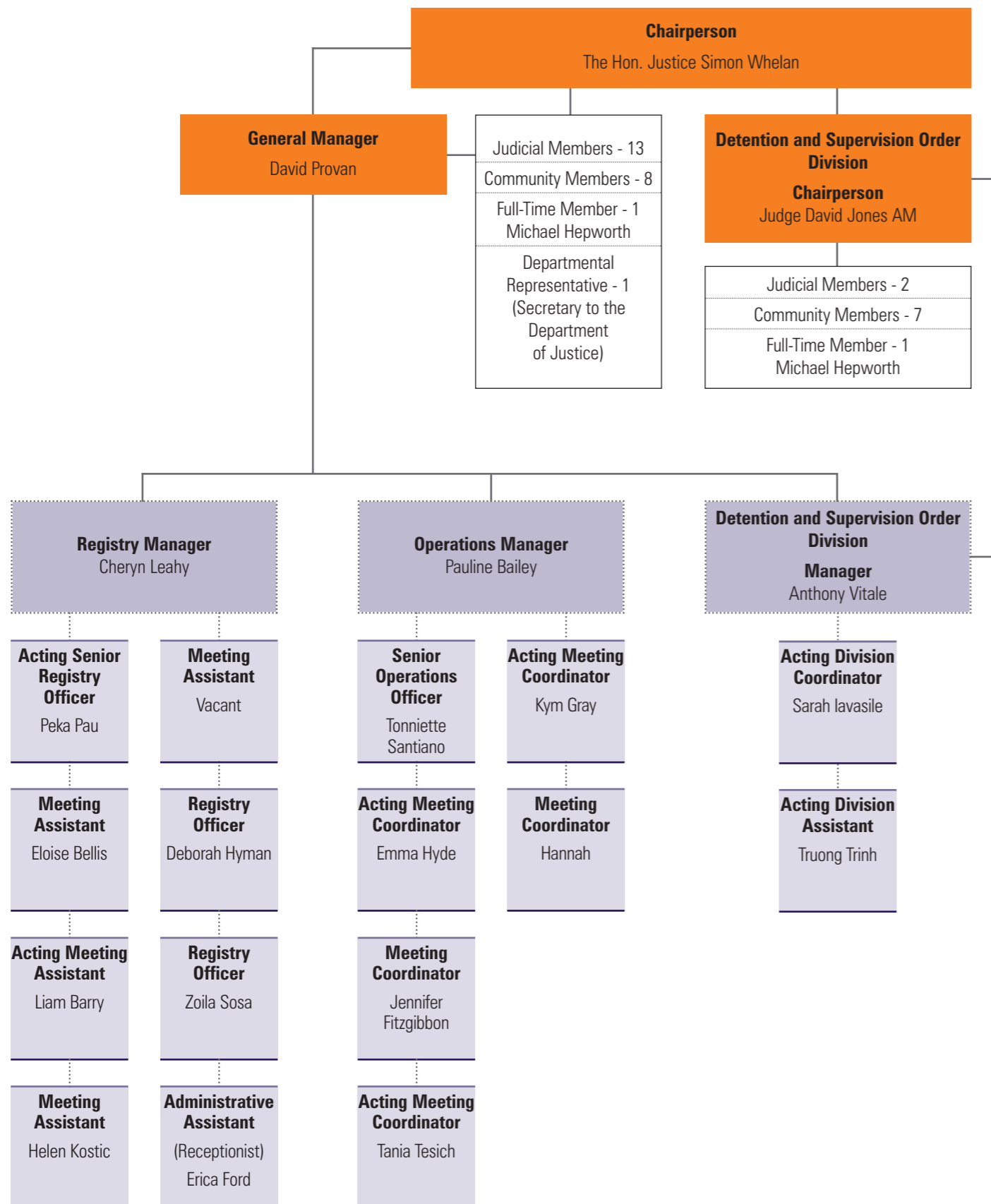
Objectives	What We Achieved
Fulfil our statutory obligations under the <i>Corrections Act 1986</i> , <i>Children, Youth and Families Act 2005</i> and regulations, <i>Serious Sex Offender Monitoring Act 2005</i> and the <i>Serious Sex Offenders (Detention and Supervision) Act 2009</i> , efficiently and effectively and in the best interests of the community.	<ul style="list-style-type: none"> <li>➤ Conducted 10,205 hearings (8,963 in 2010-11).</li> <li>➤ Conducted 187 meetings (166 in 2010-11). Forty-five meetings were held at various Victorian prisons where the Board interviewed 1,665 offenders and 142 meetings were held at the Board's office, Community Correctional Services locations and at the Thomas Embling Hospital.</li> <li>➤ The Detention and Supervision Order Division (the Division) convened a total of 121 times during the 2011-12 period.</li> <li>➤ The Division was responsible for the administration of 85 post-sentence orders.</li> </ul>
Make independent and appropriate decisions regarding the release of offenders on supervised conditional release and in relation to those subject to a detention order, supervision order or extended supervision order.	<ul style="list-style-type: none"> <li>➤ Made 1,843 orders that offenders be released on supervised conditional release (1,792 in 2010-11).</li> <li>➤ Fifty supervision orders were made under the <i>Serious Sex Offenders (Detention and Supervision) Act 2009</i> (36 in 2010-11).</li> </ul>
Make appropriate orders relating to cancelling parole and returning offenders to prison custody.	<ul style="list-style-type: none"> <li>➤ Cancelled 659 parole orders (530 in 2010-11).</li> <li>➤ Victoria Police and Operations ROPE staff executed 461 warrants of apprehension.</li> </ul>
Ensure that offenders are properly prepared to reintegrate into the community.	<ul style="list-style-type: none"> <li>➤ Continued to provide a case management function for parolees by interviewing prisoners early in their sentences to identify rehabilitation objectives before being considered for parole.</li> <li>➤ Conducted regular interviews with prisoners and obtained reports so that the Board could monitor their progress for an appropriate period prior to release on parole.</li> <li>➤ The management team continued to provide a service to all prisons during 2011-12 by attending peer educator/supporters meetings and facilitating information sessions about the work of the Board.</li> </ul>
Maintain a program of continuous improvement including the ongoing review of management practices and strategic plans.	<ul style="list-style-type: none"> <li>➤ In May 2011, the Attorney General requested the Sentencing Advisory Council to review and report on aspects of the Victorian adult parole system. The Council's report was tabled in Parliament on 23 March 2012. The 21 recommendations contained in the report were discussed by the Board at a Members' Meeting on 29 June 2012. The Board has adopted and implemented the recommendations which are solely within the Board's control and is working with Corrections Victoria to implement the rest.</li> <li>➤ Introduced the Board's 2011-12 business plan covering a range of projects designed to improve the Board's operations.</li> <li>➤ The investigation into the use of a more sophisticated information technology-based system to manage the Board's meeting papers continued throughout the year. The 'paperless office' technology based system will be implemented in 2012-13.</li> <li>➤ The Board's 2010-11 Annual Report received a bronze award for 'reporting excellence' at the Australasian Reporting Awards night on 7 June 2012.</li> <li>➤ Conducted regular planning meetings with Registry, Operations and Division staff.</li> <li>➤ Increased staff involvement in strategic projects as leaders or working party members.</li> <li>➤ Identified opportunities to streamline business practices and procedures.</li> </ul>

Objectives	What We Achieved
	<ul style="list-style-type: none"> <li>➤ Implemented quality assurance procedures.</li> <li>➤ Responded to all incoming correspondence within 14 days of receipt.</li> <li>➤ Reviewed Memoranda of Understanding with Forensicare, Australian Community Support Organisation (ACSO) and Victoria Police – Melbourne North.</li> </ul>
Develop and sustain an organisational culture of excellence through best practice human resource management.	<ul style="list-style-type: none"> <li>➤ On 13 December 2011, the Governor in Council appointed three new judicial members to the Board. Judge Frank Shelton (retired County Court judge), Robert Kumar (serving Magistrate) and Ross Betts (retired Magistrate) were each appointed for a three-year term.</li> <li>➤ Dr Julian Davis, Janet Farrow, Dr Kerry-Lee Jones, Lisa Ward, Judith Wright, Justice John Coldrey QC, Judge Margaret Rizkalla, John Dugan AM, Steven Raleigh, Carmel Arthur, Judge David Jones AM, Vera Olson and Lesley Fleming were reappointed to the Board during 2011-12.</li> <li>➤ A recruitment campaign for the appointment of three community members commenced with advertisements in the <i>Herald Sun</i> and <i>The Age</i> newspapers on 31 March 2012. Interviews were conducted on 21 and 22 June 2012.</li> <li>➤ Conducted regular debriefing sessions with staff.</li> <li>➤ In the interest of the health and wellbeing of the Board's staff, the debriefing program facilitated by a clinical psychologist was maintained during 2011-12.</li> <li>➤ Members' Meetings were held on 25 November 2011 and 29 June 2012.</li> <li>➤ The Board's management team continued to produce a quarterly Members' Newsletter to keep all members informed of key issues and important information that arise between the regular Members' Meetings.</li> <li>➤ Justice Whelan, Michael Hepworth and the Board's management team attended a meeting of parole authorities in Queensland between 26 and 28 October 2011.</li> </ul>
Develop a flexible, responsive and skilled administrative staff by providing a safe, challenging and team-oriented work environment and professional development opportunities.	<ul style="list-style-type: none"> <li>➤ Prepared detailed staff <i>Performance Development Plans</i> for 2011-12.</li> <li>➤ Conducted formal feedback and review meetings every six months.</li> <li>➤ Regular supervision sessions were conducted with Secretariat staff.</li> <li>➤ Staff participated in professional development opportunities designed to enhance service quality.</li> <li>➤ Provided higher-duties assignments for staff.</li> </ul>
Maintain efficient, effective and responsible management and control of the Board's finances and ensure public accountability.	<ul style="list-style-type: none"> <li>➤ The Board operated within its budget allocation for the 2011-12 financial year.</li> <li>➤ Maintained efficient, effective and responsible management and control over the Board's finances, and ensured public accountability by regularly reviewing the expenditure.</li> <li>➤ Reviewed compliance requirements with respect to personal expenses.</li> </ul>
Promote the accessibility and efficiency of the Board by increasing awareness of its functions and powers.	<ul style="list-style-type: none"> <li>➤ Delivered 26 presentations about the work of the Board to organisations and community groups.</li> <li>➤ Maintained an active 'observers program'. During 2011-12, 94 visitors attended meetings to observe the work of the Board.</li> <li>➤ The Victorian Board will host the 2012 Australasian Parole Authorities Conference on 1 and 2 November. Planning for the conference commenced in early 2012.</li> </ul>



# Our People

## Organisational Chart



## Governance Policies

### Legislative Mandate

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

### Functions of the Board

The Board's functions are conferred on it by the *Corrections Act 1986*, the *Corrections Regulations 2009*, the *Serious Sex Offenders Monitoring Act 2005* and the *Serious Sex Offenders (Detention and Supervision) Act 2009*, part 5.6 of the *Children, Youth and Families Act 2005* and regulations and subdivision (1A) of Division 2 of Part 3 of the *Sentencing Act 1991* and the regulations made under that subdivision, and subdivision (1D) of Division 2 of Part 3 of the *Sentencing Act 1991* and the regulations made under that subdivision.

The Board has jurisdiction over the following offender groups:

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

In addition, the Board has jurisdiction:

- pursuant to the *Serious Sex Offenders Monitoring Act 2005*, to determine appropriate instructions and directions (special conditions) in respect of an extended supervision order and to supervise offenders who are subject to such an order, and
- to supervise and monitor those offenders subject to a detention or supervision order pursuant to the *Serious Sex Offender (Detention and Supervision) Act 2009*.

### Meetings of the Board

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

The Board visits Community Correctional Services Centres in both rural and metropolitan locations as an important part of its visiting program.



The security infrastructure at 444 Swanston Street provides a safe work environment for staff, members and visitors. G4S provides security services on sitting days.

# Board Members

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

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

As at 30 June 2012, the 24 members of the Board comprised:

- two Judges of the Supreme Court of Victoria
- two retired Judges of the Supreme Court of Victoria
- two Judges of the County Court of Victoria
- two retired Judges of the County Court of Victoria
- one retired Chief Magistrate
- three Victorian Magistrates
- two retired Victorian Magistrate
- one full-time member
- eight part-time members representing the community
- Secretary to the Department of Justice.

## Appointments during 2011-12

### Judge Frank Shelton

On 13 December 2011, Judge Frank Shelton, retired Judge of the County Court, was appointed as a Judicial Member for a three-year period from 19 December 2011 to 18 December 2014.

### His Honour Ross Betts

On 13 December 2011, Ross Betts, retired Magistrate, was appointed as a Judicial Member for a three-year period from 16 January 2012 to 15 January 2015.

### His Honour Robert Kumar

On 13 December 2011, Robert Kumar, Regional Coordinating Magistrate, was appointed as a Judicial Member for a three-year period from 13 December 2011 to 12 December 2014.

## Retirement during 2011-12

### Judge James Duggan

Judge James Duggan was first appointed to the Board as a Judicial Member on 11 October 2005. On 1 December 2011, Judge Duggan retired from the Board.

## Reappointments during 2011-12

### Dr Julian Davis

On 5 July 2011, Dr Julian Davis was reappointed for a three-year period from 5 July 2011 to 4 July 2014.

### Janet Farrow

On 5 July 2011, Janet Farrow was reappointed for a three-year period from 5 July 2011 to 4 July 2014.

### Dr Kerry-Lee Jones

On 5 July 2011, Dr Kerry-Lee Jones was reappointed for a three-year period from 5 July 2011 to 4 July 2014.

### Lisa Ward

On 5 July 2011, Lisa Ward was reappointed for a three-year period from 5 July 2011 to 4 July 2014.

### Judith Wright

On 5 July 2011, Judith Wright was reappointed for a three-year period from 5 July 2011 to 4 July 2014.

### Justice John Coldrey QC

On 18 October 2011, Justice John Coldrey QC was reappointed for a three-year period from 2 December 2011 to 1 December 2014.

### Judge Margaret Rizkalla

On 18 October 2011, Judge Margaret Rizkalla was reappointed for a three-year period from 2 December 2011 to 1 December 2014.

### His Honour John Dugan AM

On 18 October 2011, John Dugan AM was reappointed for a one-year period from 2 December 2011 to 1 December 2012.

### His Honour Steven Raleigh

On 18 October 2011, Steven Raleigh was reappointed for a three-year period from 2 December 2011 to 1 December 2014.

### Carmel Arthur

On 18 October 2011, Carmel Arthur was reappointed for a three-year period from 2 December 2011 to 1 December 2014.

### Judge David Jones AM

On 27 March 2012, Judge David Jones AM was reappointed for a two-year period from 27 March 2012 to 26 March 2014.

### Vera Olson

On 27 March 2012, Vera Olson was reappointed for a three-year period from 27 March 2012 to 26 March 2015.

### Her Honour Lesley Fleming

On 3 April 2012, Lesley Fleming was reappointed for a three-year period from 3 April 2012 to 2 April 2015.

## Membership Summary 2011-12

Total Judicial Members	14
Full-Time Member	1
Total Community Members	8
Secretary to the Department of Justice	1
<b>Total</b>	<b>24</b>
Female Members	12
Male Members	12
<b>Total</b>	<b>24</b>



Top row (from l to r): Jim Berg, Judge Frank Shelton, His Honour Ross Betts, Vera Olson, His Honour Robert Kumar, Michael Hepworth  
Bottom row (from l to r): Janet Farrow, Judith Wright, Judge David Jones AM, His Honour John Dugan AM

## Chairperson

### The Honourable Justice Simon Whelan

- Judge of the Supreme Court of Victoria.
- Initially practiced as a solicitor before commencing at the Bar in 1981.
- Appointed Queen's Counsel in 1995.
- Has spent considerable periods in the criminal division since his appointment to the Supreme Court on 17 March 2004.
- Appointed as a Judicial Member from 29 May 2007 to 28 May 2010.
- Appointed Chairperson from 15 February 2008 to 28 May 2010.
- Reappointed Chairperson from 29 May 2010 to 28 May 2013.

## Judicial Members

### The Honourable Justice Elizabeth Curtain

- Judge of the Supreme Court of Victoria since 2006.
- Judge of the County Court 1993-2006.
- Alternate Chairman Youth Parole Board 2003-2006.
- Alternate Chairman Youth Residential Board 2003-2006.
- Deputy Chairman Racing Appeals Tribunal.
- Prosecutor for the Queen 1987-1993.
- Director, Jesuit Social Services 2000-2007.
- Appointed as a Judicial Member from 25 September 2007 to 24 September 2010.
- Reappointed as a Judicial Member from 25 September 2010 to 24 September 2013.

### The Honourable Justice Bernard Teague AO

- Retired Judge of the Supreme Court of Victoria.
- Retired from the Supreme Court bench on 15 February 2008.
- Appointed Justice of the Supreme Court in 1987 and Principal Judge in its Criminal Division in 2001.
- President of the Law Institute of Victoria in 1978 and again in 1986.
- Appointed an Officer of the Order of Australia (General Division) on 26 January 2009.
- Appointed as Chairperson of the Royal Commission into Victoria's bushfires on 13 February 2009.
- Appointed as a Judicial Member on 20 March 1991.
- Chairperson from 7 June 2001 to 20 March 2003.
- Appointed Deputy Chairperson on 20 March 2003 and reappointed from 20 March 2006 to 15 February 2008.
- Appointed Chairperson from 1 October 2007 to 15 February 2008.
- Reappointed as a Judicial Member from 25 March 2011 to 24 March 2014.

## Board Members cont.

### The Honourable Justice John Coldrey QC

- Judge of the Supreme Court of Victoria for 17 years. Appointed in 1991 and retired in April 2008.
- Director of Public Prosecutions for Victoria between 1984 and 1991.
- Chairman of the Advisory Committee on Committal Proceedings in 1985, and on the Consultative Committee on Police Powers of Investigation between 1985 and 1990.
- Director, Legal Services for the Central Land Council, Northern Territory between 1982 and 1984.
- Appointed as a Judicial Member from 2 December 2008 to 1 December 2011.
- Reappointed as a Judicial Member from 2 December 2011 to 1 December 2014.

### Judge Carolyn Douglas

- Judge of the County Court of Victoria.
- Appointed as a Judicial Member on 17 March 1998.
- Reappointed from 6 July 2009 to 5 July 2012.

### Judge David Jones AM

- Retired Judge of the County Court of Victoria.
- Previously, President of the Law Institute of Victoria, Chairman Legal Aid Commission, Chairman Australian Broadcasting Tribunal, President Accident Compensation Tribunal, President Administrative Appeals Tribunal, Deputy Chairman Legal Profession Tribunal and Vice President Victorian Civil and Administrative Tribunal (VCAT).
- Appointed a Member of the Order of Australia in 1987.
- Appointed as a Judicial Member on 26 February 2002.
- Reappointed from 27 March 2012 to 26 March 2014.

### Judge Margaret Rizkalla

- Judge of the County Court of Victoria.
- Appointed Member of the Small Claims and Residential Tenancy Tribunal in 1985.
- Appointed Victoria's first woman Magistrate in September 1985 and while a Magistrate sat as the Chair of the Police Disciplinary Board.
- Appointed President of the Victorian Equal Opportunity Board and Vice President of the Administrative Appeals Tribunal in 1988.
- Appointed as a Judicial Member from 11 October 2005 to 10 October 2008.
- Reappointed from 2 December 2011 to 1 December 2014.

### Judge Frank Shelton

- Judge of the County Court of Victoria for 17 years. Appointed in 1994 and retired in late 2011.
- Past National President (1989 – 1992) and Honorary Fellow of the Institute of Arbitration and Mediators Australia, former Vice President of the Australian Centre for International Commercial Arbitration.
- Partner with Minter Ellison Solicitors from 1970 to 1994.
- Appointed as a Judicial Member from 19 December 2011 to 18 December 2014.

### His Honour John Dugan AM

- Retired Chief Magistrate of Victoria.
- Began career as a Clerk of Courts and then Inspecting Clerk of Courts until 1973 and appointed a Special Magistrate of the Children's Court in 1969.
- Appointed as a Stipendiary Magistrate in 1973 and Deputy Chief Stipendiary Magistrate in 1982, followed by his appointment as Chief Magistrate in 1985.
- Retired from the bench in late 1990.
- Consultant/advisor to Aid Projects in Papua New Guinea, Tonga, Cambodia and East Timor from 1993 to 2003.
- Appointed a Member of the Order of Australia (General Division) in June 1990.
- Appointed as a Judicial Member on 31 October 1990.
- Reappointed from 2 December 2011 to 1 December 2012.

### Her Honour Jelena Popovic

- Deputy Chief Magistrate of Victoria.
- Appointed as a Magistrate in 1989, followed by her appointment as Deputy Chief Magistrate in 1997.
- Appointed as a Judicial Member on 17 March 1998.
- Reappointed from 6 July 2009 to 5 July 2012.

### Her Honour Lesley Fleming

- Victorian Magistrate.
- Signed the Bar Role in 1989.
- Practised at the Victorian Bar for ten years and as a Judicial Registrar for the Industrial Relations Court of Australia until her appointment as a Magistrate in 1998.
- Participated in training of law graduates and undergraduates at the University of Melbourne, Leo Cussen Institute and the Legal Training Institute in Papua New Guinea.
- Appointed as a Judicial Member from 11 October 2005 to 10 October 2008.
- Reappointed from 3 April 2012 to 2 April 2015.

### His Honour Steven Raleigh

- Retired Victorian Magistrate.
- Admitted as a Barrister and Solicitor of the Supreme Court in 1977.
- Member of the Australian Federal Police from 1977 to 1981.
- Practised as a solicitor advocate from 1981 until his appointment as a Magistrate in 1998.
- Appointed as a Judicial Member from 11 October 2005 to 10 October 2008.
- Reappointed from 2 December 2011 to 1 December 2014.

### His Honour Ross Betts

- Retired Victorian Magistrate.
- Admitted as a Barrister and Solicitor of the Supreme Court of Victoria 1976.
- Previously a solicitor in private practice, Judge and President of the Accident Compensation Tribunal.
- Appointed as a Judicial Member from 16 January 2012 to 15 January 2015.

### His Honour Robert Kumar

- Appointed as a Magistrate in 1986, followed by his appointment as Regional Coordinating Magistrate in 1992.
- On 1 June 2010, appointed as an Adjunct Professor of the Victoria University Law School.
- Crown Counsel with the Fiji Department of Public Prosecutions from 1975 to 1976.
- Senior Legal Officer with the Victorian Public Solicitor's Office from 1977 to 1981.
- Senior Legal Officer with the Legal Aid Commission of Victoria from 1981 to 1986.
- Appointed as a Judicial Member from 13 December 2011 to 12 December 2014.

### Full-Time Member

#### Michael Hepworth

- Admitted as a Barrister and Solicitor of the Supreme Court of Victoria in 1984.
- Solicitor in both private practice and Victoria Legal Aid until 2001.
- Became accredited Specialist in Criminal Law in 1995.
- Sat on the Panel of Advisers to the National Institute of Forensic Scientists in 1999 and spent 12 months working in the Northern Territory with the North Australian Aboriginal Legal Aid Service during 1997-1998.
- Appointed Full-Time Member on 18 September 2001.
- Reappointed from 18 September 2010 to 17 September 2013.

### Community Members

#### Jim Berg

- Jim Berg is a Gunditj-Mara man from the Western District of Victoria.
- A Justice of the Peace for more than twenty years.
- For more than thirty years he has worked throughout the community, from grass-roots level with community organisations through to all levels of government.
- He has a strong commitment to building bridges of mutual respect and understanding across the different sections of the community, and across all levels of society.
- Appointed as a Community Member on 17 October 2000.
- Reappointed from 17 October 2010 to 16 October 2013.

#### Vera Olson

- A retired Member of the Victorian Basketball Association Tribunal and retired Deputy Chairperson and Member of the Victorian Basketball Association Regional and Metropolitan Tribunal.
- Previously, Chairperson and Secretary of various school councils.
- Worked with the Department of Justice for more than 20 years.
- Appointed as a Community Member on 15 January 2001.
- Reappointed from 27 March 2012 to 26 March 2015.

#### Dr Julian Davis

- A consultant psychiatrist in private practice.
- Having graduated from the University of Melbourne in 1971, he later became Deputy Medical Superintendent and geriatrician at Mount Royal Hospital in Parkville.
- Appointed to the Guardianship and Administration Board in 1987.
- Appointed Senior Lecturer in Intellectual Disability Psychiatry at the University of Melbourne in 1993.
- Between 1993 and 2008, he held various positions as consultant psychiatrist at St Vincent's Hospital, Austin Hospital and Executive Director and Authorised Psychiatrist for the Loddon Campaspe Southern Mallee Area Mental Health Service.
- Currently, an Honorary Senior Associate in the School of Psychology at the University of Melbourne and Adjunct Clinical Professor in the School of Psychology, Psychiatry and Psychological Medicine at Monash University.
- Sessional member of the Victorian Civil and Administrative Tribunal (VCAT) on the Guardianship and Business and Occupational Regulation Lists.

## Board Members cont.

- Appointed as a Community Member from 5 July 2005 to 4 July 2008.
- Reappointed from 5 July 2011 to 4 July 2014.

### Janet Farrow

- In 1988, graduated with a bachelor degree in Social Work from the University of Melbourne and graduated with a Master of Business Administration from RMIT in 2000. In 2008, graduated with a Graduate Diploma in Law from Monash University.
- Awarded Churchill Fellowship in 2001 and completed the Williamson Community Leadership Program in 2003.
- Previously, held clinical and management roles in drug treatment, mental health, child and family welfare, disability services and served on the secretariat of the Premier's Drug Advisory Council.
- Appointed as a Community Member from 5 July 2005 to 4 July 2008.
- Reappointed from 5 July 2011 to 4 July 2014.

### Dr Kerry-Lee Jones

- In 1993, graduated with a BBS (Hons) and in 1996 with a M.Psych (Neuro).
- Appointed as a Clinical Neuropsychologist in the alcohol and drug field in 1995 and later worked in neurological rehabilitation, psychiatry and aged care.
- Completed an Alfred Hospital research scholarship for her doctoral degree in 2001.
- Appointed as a Community Member from 5 July 2005 to 4 July 2008.
- Reappointed from 5 July 2011 to 4 July 2014.

### Lisa Ward

- In 1987, graduated with a Bachelor of Social Work (Hons) and in 2007 graduated with a Master of Business Administration from Monash University.
- Extensive experience in a range of human services including Juvenile Justice, Adult Corrections, Child Protection and Homelessness Services.
- For more than a decade, has operated a human services consulting business, providing research, program evaluation and policy review services to government and community organisations.
- Member of the Victorian Women's Correctional Services Advisory Committee since 2004.
- Appointed to the Sentencing Advisory Council in 2008.
- Appointed as a Community Member from 5 July 2005 to 4 July 2008.
- Reappointed from 5 July 2011 to 4 July 2014.

### Judith Wright

- BA (Legal), Dip Crim, M Crim. (Masters Thesis on Managing Offenders in the Community).
- Awarded the John Barry Medallion in 1994, Criminology Department, University of Melbourne.
- Extensive experience as a Senior Community Corrections Officer from 1985 until 1999.
- Previous experience in policing, security and investigations, youth work and lecturing.
- Appointed as a Community Member from 5 July 2005 to 4 July 2008.
- Reappointed from 5 July 2011 to 4 July 2014.

### Carmel Arthur

- Appointed to the Sentencing Advisory Council in August 2004.
- A member of the Victorian Law Reform Commission's Bail Advisory Committee in 2005.
- Worked in building and facilities management for over 20 years, and has held key positions in both the public and private sectors.
- Appointed as a Community Member from 2 December 2008 to 1 December 2011.
- Reappointed from 2 December 2011 to 1 December 2014.

### Departmental Representative

#### Penny Armytage

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

### Code of Conduct

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

## Staff Profile

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

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

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

In addition, staff facilitate all referrals to programs ordered by the Board, monitor offenders' progress in treatment and assist in providing information and advice to the public, Community Corrections Officers, offenders and prison staff.

As at 30 June 2012, there were 19 administrative staff (21 in 2010-11).



Top row (from l to r): Anthony Vitale, Peka Pau, Tania Tesich, Jennifer Fitzgibbon, David Provan, Cheryn Leahy, Erica Ford, Zoila Sosa, Katherine Francis, Liam Barry

Bottom row (from l to r): Trung Trinh, Kym Gray, Tonnette Santiano, Pauline Bailey, Helen Kostic, Emma Hyde, Sarah Iavasile  
Not present: Eloise Bellis, Deborah Hyman, Hannah, Valerie Barbutt

## Staff Profile continued

### Workforce Profile

Employee numbers and composition by Victorian Public Service (VPS) Grade —2007-08 to 2011-12

VPS Grade	2011-12			2010-11			2009-10			2008-09			2007-08		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
VPS Grade 6	1	-	1	1	-	1	2	-	2	1	-	1	1	-	1
VPS Grade 5	1	2	3	1	1	2	1	1	2	-	1	1	-	-	-
VPS Grade 4	-	-	-	-	1	1	-	1	1	-	1	1	-	2	2
VPS Grade 3	-	8	8	-	8	8	-	8	8	-	7	7	-	5	5
VPS Grade 2	2	5	7	-	9	9	-	9	9	-	8	8	1	7	8
VPS Grade 1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	4	15	19	2	19	21	3	19	22	1	17	18	2	14	16

### Employee Remuneration and Benefits

Employee remuneration totalled \$1,401,036 in 2011-12 compared with \$1,356,329 in 2010-11. Superannuation benefits (9% of each officer's salary) were paid into a nominated fund such as the ESSSuper (Emergency Services and State Super) and VicSuper funds.

### Professional Development

During the year, staff attended courses conducted as part of the Department of Justice Learning Program that were relevant to their current work, career aspirations and organisational needs.

All staff are expected to participate in at least two professional development days per year. Staff participated in professional development opportunities, delivered both internally and by external training providers, such as business writing, preparing ministerial briefs, time management, record keeping, fire warden training, privacy, excel computer training and occupational health and safety.

In March 2012, Anthony Vitale participated in a two day course titled *Managing in Statutory Offices*, which was organised by the Australia and New Zealand School of Government (ANZSOG).

### Performance Development Planning

All employees of the Board are required to participate in the annual performance cycle activities under the performance development plan (PDP) system. A new electronic system called Nexus was introduced across the Department of Justice in late 2011. Nexus replaced the capabilities-based PDP system with a simpler goals-based approach aligned to the accountabilities of the staff member's position description.

The Nexus system helps managers and employees create dynamic, easy-to-use performance plans that integrate learning, training and development with new career management functions.

In July 2011, all staff prepared (in consultation with their manager) a detailed *Performance Development Plan*. Each plan outlines the officer's work priorities and the knowledge and skills required to support their current and future job and career needs.

The performance development cycle runs from 1 July of each year to 30 June the following year.

### Staff Involvement in Strategic Projects

All staff were actively involved in the improvement of the Board's operations

by identifying one or two strategic projects listed in the 2011-12 Business Plan that they would either lead or assist as a working party member. These projects were then listed in the staff member's Performance Development Plan.

### Mentoring Program for New Staff

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

During 2011-12, Pauline Bailey acted as a mentor in the Courts and Tribunals Services Division Mentor Program.

### Flexible Working Arrangements

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

Flexible work arrangements are not entitlements, but are arrangements that can be initiated by staff or

managers and introduced when there is mutual agreement.

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

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

### Equal Employment Opportunity

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

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

### Occupational Health and Safety

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

Emma Hyde and Eloise Bellis are the Board's Occupational Health and Safety representatives. Kym Gray is the Board's first aid officer.

### Debriefing Program

In line with occupational health and safety practices and the well-being of staff, the Board offers all staff the opportunity to participate in a Debriefing Program. The program provides structured, clinical debriefing of our staff who are repeatedly exposed to sexual assault-related material.

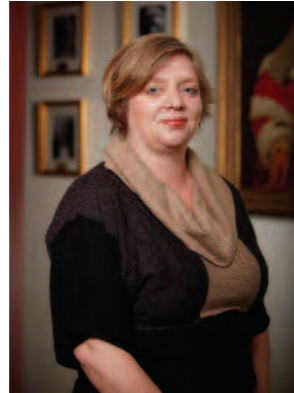
## Management Team

The management team of the Board comprises:



### David Provan

- General Manager
- Qualifications in education and management as well as a Master of Business degree
- Commenced at the Board in January 2005
- Responsible for the overall management and administration of the Board
- Management of complex inquiries/matters
- Finance and budget
- Building and facilities management
- Policy development
- Strategic and business planning
- Media management
- Liaison with Corrections Victoria staff/stakeholders
- Briefings for the Chairperson/Minister for Corrections/Commissioner, Corrections Victoria
- Public presentations/lectures



### Pauline Bailey

- Operations Manager
- Diploma of Business Management and Advanced Diploma of Business Management
- Commenced in the role on 10 July 2009
- Responsible for the management of the day-to-day operations of the Board
- Management of operational functions - extraditions, warrants of apprehension, interstate transfers, youth justice centre transfers
- Supervision of all Meeting Coordinators
- Preparation of the annual schedule of sittings/allocation of work to the Meeting Coordinators
- Implementation of quality assurance processes
- Correspondence/general email inquiries
- Case management of complex matters
- Public presentations/lectures



### Cheryn Leahy

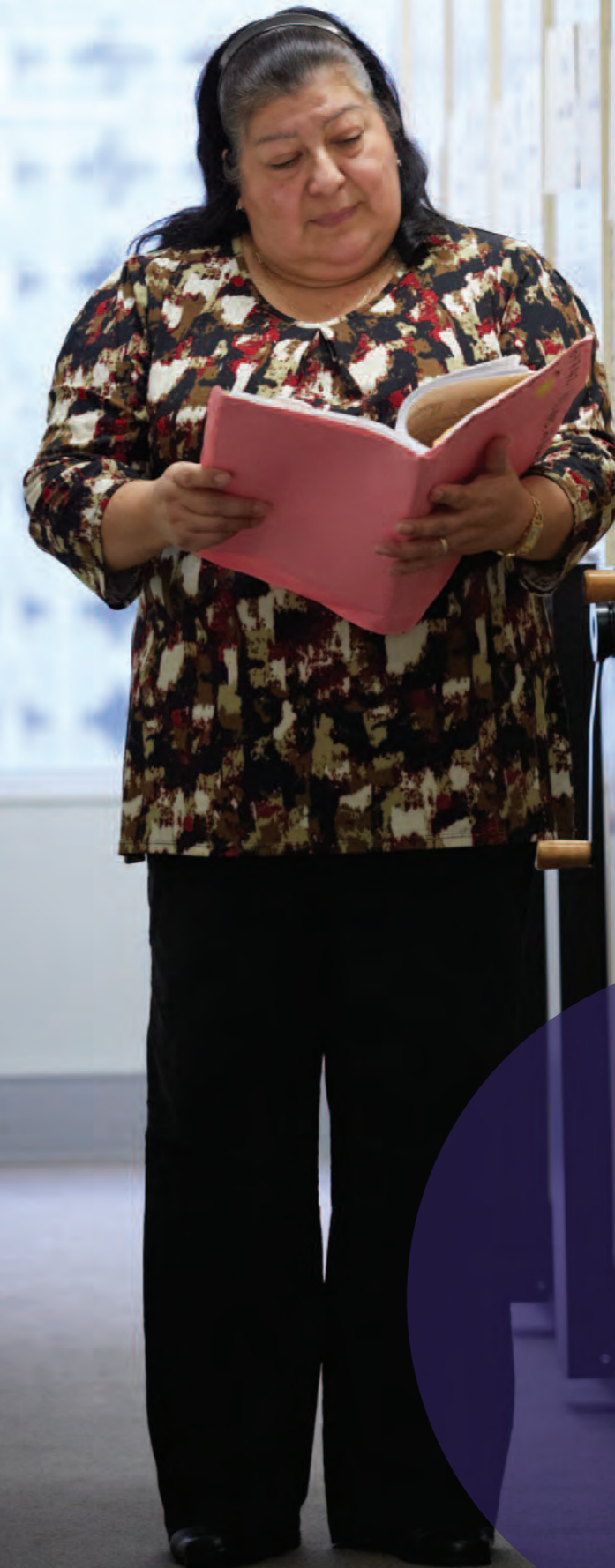
- Registry Manager
- Bachelor of Arts degree (Criminal Justice Administration)
- Commenced at the Board in January 1999
- Responsible for the management and coordination of the daily activities of the Board's Registry
- Management and coordination of the daily activities within the Board's Registry
-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



### Anthony Vitale

- Manager – Detention and Supervision Order Division
- Bachelor of Arts degree (Psychology), Master of Business Administration (in progress)
- Commenced at the Board in February 2010
- Responsible for the management of the daily activities of the Division
- Supervision of all Division staff
- Monitoring and planning workloads
- Preparation of the annual schedule of sittings for the Division
- Policy development and strategic business planning for the Division
- Correspondence/general email inquiries
- Case management of complex matters
- Management of telephone inquiries and providing advice/information to clients and stakeholders

## Our Performance



Case Management  
People on Parole  
Home Detention Program

# Case Management

During 2011-12 the Board met on 187 occasions (166 in 2010-11) and considered 10,205 matters (8,963 in 2010-11). This result represents an increase of 13.9% in the number of cases considered, compared with the previous financial year. The table below shows the total number of cases considered.

## Total Number of Cases Considered 2007-08 to 2011-12

2007-08	8,520
2008-09	8,605
2009-10	8,840
2010-11	8,963
<b>2011-12</b>	<b>10,205</b>

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

## Number of Board Meetings Conducted to Consider Cases 2007-08 to 2011-12

	Meetings Held in Prisons	Board's Office/ CCS Centres/Other	Total
2007-08	51	72	123
2008-09	50	79	129
2009-10	53	95	148
2010-11	55	111	166
<b>2011-12</b>	<b>45</b>	<b>142</b>	<b>187</b>

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

## Prison Visits

Of the 187 occasions that the Board met, 45 meetings were held at various Victorian prisons (55 in 2010-11) where the Board interviewed 1,665 offenders (1,671 in 2010-11). This result represents a decrease of 0.4%

in the number of offenders interviewed by the Board at prison and a decrease of 18.2% in prison visits, compared with 2010-11.

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

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

## Offenders in Custody

On 30 June 2012, the number of offenders eligible for parole totalled 3,328 compared with 3,230 on 30 June 2011. The number of offenders fluctuates over a 12-month period as offenders enter and leave the prison system on a daily basis, either after having been released on parole or when their sentences expire. For example, the above figures do not take into account offenders who were sentenced to a short non-parole period and entered and left prison in the same year. The number of prisoners in custody totalled 4,884 as at 30 June 2012 (4,737 as at 30 June 2011), representing a 3.1% increase over the period.

## Offenders Considered for Release

The Board takes into account the individual merits of each case to determine the appropriate time to release an offender on parole. Mindful of the legal principles and the provisions of the relevant legislation, the general principles which will be found in the Board decisions, and which Board members have endorsed, are the following:

- Community safety is the paramount consideration in all decisions relating to the granting of parole.

In assessing community safety the Board considers:

- whether there is an unacceptable risk to the community if the offender is released on parole, and
- whether the risk to the community will be greater if the offender does not have supervised release and support on parole.

In assessing whether the risk of releasing the offender on parole is acceptable, the Board has regard to:

- the nature and severity of the harm that is risked (the particular outcome to be avoided, such as the commission of a violent offence), and
- the likelihood that the outcome will occur.

Subject to the paramount consideration of community safety, the Board seeks to facilitate the rehabilitation of the offender, recognising that the community benefits from their rehabilitation.

## Factors that Influence the Board's Decisions

Without being exhaustive, and without ranking factors in order of importance, relevant factors include:

- nature and circumstances of the offence
- offender's criminal history
- parole assessment and recommendation by Corrections Victoria
- offender's previous parole history, or the fact that it would be the offender's first parole
- parole plan
- offender's willingness to participate in offence-specific and other programs
- offender's participation in offence-specific and other programs
- assessments and recommendations (if any) by appropriate clinicians or other professionals
- submissions or representations by victims
- submissions or representations by the offender
- submissions or representations by other interested persons
- comments by the sentencing court
- conduct of the offender while in custody, including whether any positive drug tests have been recorded
- the fact that at the expiry of the non-parole period the offender will have served the minimum period which the sentencing court considered the justice of the case required be served
- likelihood of effective intervention after release should that be necessary or desirable
- special conditions which can, or should, be imposed, and

- proper administration of the system of corrections including the prison system and the parole system.

To assist the decision-making process, the Board may interview the prisoner and professional people working with the offender. The Board pays particular attention to offenders convicted of serious offences, such as violent crimes and sex offences.

## Support Persons at Hearings

At the request of prisoners with special needs and with the prior approval of the Chairperson of the Board, support persons may attend hearings. A support person might include prison staff, a minister of religion, an outreach worker or the Aboriginal Wellbeing/Indigenous Liaison Officer.

## Releases and Denials

During 2011-12, the Board:

- made orders for the release of 1,843 persons on parole (1,792 in 2010-11)
- denied 296 persons release on parole (201 in 2010-11)
- cancelled parole orders for 659 persons (530 in 2010-11).

The number of orders made to release offenders on parole increased by 2.8% and the number of cases where the Board denied parole increased significantly by 47.3%.

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

- assessed as being an unacceptable risk to the community if the offender was released on parole
- failure of the offender to undertake programs that address their offending behaviour
- drug use in prison
- previous poor performance on parole, and
- insufficient time for an effective parole period.