What is Commonwealth Parole?

If a prisoner is granted parole, they will serve a portion of their sentence in the community, subject to conditions imposed by the Attorney General (AG) or their delegate. Community Correctional Services (CCS) supervise and monitor prisoners on parole and ensure that they are complying with the conditions of their order. While on parole, a prisoner is still serving their sentence and may be returned to custody to complete their sentence if they fail to comply or present an unacceptable risk to the community.

Prisoners become eligible for release onto parole on their Earliest Eligibility Date (EED), this is the non-parole period determined by the Court. The AG can consider an application for parole prior to this date. The Adult Parole Board of Victoria has no jurisdiction over the Commonwealth Parole process.

Commonwealth Parole Office, Attorney General’s Department

The AG is the decision maker in relation to all prisoners eligible for Commonwealth Parole. Their powers are set out in the Crimes Act 1914 (Cth). The Commonwealth Parole Office (CPO) provide administrative support to the AG in the Commonwealth Parole process.

Application Process

Prisoners eligible for Commonwealth Parole are not required to make an application for parole. However Corrections Victoria (CV) encourages all prisoner’s to complete an application to support the gathering of important information for the completion of the parole assessment.

Prisoners classified as unlawful non-citizens by the Department of Immigration and Border Protection (DIBP), who may be subject to detention or deportation, are still eligible to apply for parole.

Community Correctional Services

A Parole Assessment Report will be allocated to a Parole Officer near the prisoner’s proposed address.

CCS will prepare a Parole Assessment Report (PAR) report which is a comprehensive report for the AG or their delegate to consider. It may include information such as:

- history of compliance with parole or court orders
- the circumstances around the offences
- prison incidents
- any substance abuse issues, medical and/or mental health history
- risks of offending behaviour and strategies to reduce this risk in the community
- any protective factors or positive supports available in the community
- assessment of the proposed residence
- what may need to be in place during a prisoner’s transition into the community.

Based on all available information, CCS will make a recommendation on suitability for parole and recommend conditions to manage a prisoner’s risks whilst on parole.
Granting Parole

The AG must make a decision to grant or deny parole before a prisoner's EED.

If a prisoner is granted parole, they will be subject to a parole order which sets out conditions that they must comply with. They will be provided with a copy of their parole order and details to report to CCS upon their release.

If the AG is considering denying parole for a prisoner, a letter outlining the reasons for this consideration will be provided to the prisoner. The prisoner will have the opportunity to respond to this letter, and must do so within 14 days. If the decision is made to deny parole, the prisoner’s case will be reviewed annually by the AG.

Parole Conditions

Commonwealth Parole Orders consist of general and specific conditions. The general conditions apply to all prisoners on parole and include:

- reporting to an allocated parole officer
- obtaining approval for accommodation and employment
- notifying CCS of any changes of address or employment
- not leaving the state of Victoria without permission.

Specific conditions may relate to the prisoners offending behaviour for example:

- financial or gambling counselling
- psychological counselling
- drug addiction treatment
- drug testing.

Supervision

Prisoners on parole will be required to attend the CCS location for supervision as specified by their Parole Officer, throughout the duration of their order.

During supervision, a prisoner on parole will discuss a range of areas such as:

- progress in treatment or programs
- what was happening at the time of the offending to assist in reducing their risk of re-offending
- setting goals and developing strategies to manage their risk of offending
- progress towards the conditions of their order.

Parole Non-Compliance

CCS are required to advise the AG when a prisoner on parole is not complying with the conditions of their order or there is an increased risk of re-offending.

If a prisoner on parole fails to comply with the conditions of the parole order or commits a further criminal offence, the parole order may be revoked. The AG may notify the prisoner on parole of the intention to revoke, with 14 days provided to the prisoner on parole to provide reasons as to why their parole order should not be revoked.

If the parole order is revoked, a Magistrate will determine what further period of imprisonment should be served by the prisoner.

In cases of imminent risk the AG has the ability to respond immediately to revoke the parole order.

Contact

For all parole related questions please speak with the ATC at the prison or the allocated CCS location.