

Applying for Parole

The Parole Board can grant release to an inmate who has served the non-parole period of their sentence. An inmate who is granted parole may serve the rest of their sentence in the community on conditional release on what is known as a parole order.

Inmates do not have a right to be released on parole; If the Parole Board do not believe that an inmate is sufficiently rehabilitated they will not grant parole and the inmate will be required to serve the whole of their sentence in prison.

Before the Parole Board can grant an inmate parole they must consider information about the inmate such as; whether the inmate has taken steps to address their offending behaviour, whether they have a place to live after prison, whether there were any incidents while they were in prison and what their support networks are like.

How does an inmate apply for parole?

The Parole Board will consider an inmate for release two months before their non-parole period finishes. A Probation and Parole Officer (PPO) from Community Corrections will talk with the inmate, prison staff, victims, support and treatment services and community members to gather information to compile a report for the Parole Board. It's important that inmates are honest when they speak with the PPO because the PPO will check the information that the inmate provides.

The PPO will encourage the inmate to think about their plans if parole is granted, where they wish to live, what they want to do, what support they might need and what steps they need to take while they are on parole to ensure they don't return to prison.

Following the meeting the Parole Board may decide to release the inmate on a particular date, deny parole, or defer consideration for a period of time to gather more information.

What does the Parole Board receive?

The Parole Board will receive reports from a number of people including; the PPO, Prisoner Services, Treatment Services, Custodial Staff, the victim/s and community members.

Will the inmate appear before the Parole Board?

Generally no, the Parole Board will decide parole matters on written information. However, an inmate can write to the Parole Board and request that they attend.

Does an inmate need to have a lawyer represent them?

Inmates do not require legal representation, although if they wish to be represented they can be. The Department has entered into an agreement with NAAJA and CAALAS to support inmates through the parole process.

The legal representative takes direction from the inmate and prepares a submission to the Parole Board on their behalf, if you do not have legal representation you can still prepare your own submission to the Parole Board.



What role does the victim play?

A victim has a right to make a submission to the Parole Board and hear the outcome. The PPO will contact the victim whilst compiling the report to give the victim an opportunity to provide information.

The Parole Board encourages victims to participate in the process, and the information provided by victims is kept private. The inmate will only be able to access the submission of the victim if the victim agrees to disclose it.

The conditions placed on a parolee may be influenced by the comments of the victim, particularly in relation to non-association.

Are elders or members of the community consulted?

PPO's consult with family, elders and local police when writing reports for the Parole Board about the release of an inmate, particularly to a remote community. The process of consulting with family and elders is essential in providing the parolee with a secure and supportive environment that is more likely to end in a successful parole application and completing parole. The PPO and the Parole Board will take into account information from the community and their comments may influence the conditions placed on the parolee.

If an inmate's parole application is refused what can they do?

The inmate will receive a letter from the Parole Board advising that their application has been refused and the reasons why. When the inmate wants to reapply for parole they must write to the Parole Board and tell them how they have progressed since their refusal, particularly about the matters that led to their earlier application being denied.

If the Parole Board requests a further report the PPO will work with the inmate again to complete a report for the Parole Board and their application for parole will be reconsidered.

What if the inmate doesn't want parole?

Some inmates may decide they do not wish to be considered for parole, if this is the case they should write to the Parole Board to advise. Inmates are able to change their mind and apply for parole at any time after their non-parole period has passed.

If an offender's parole is cancelled, when can they ask for parole again?

If the offender has breached the conditions of their parole they will need to write to the Parole Board asking to be considered for parole again. The Parole Board will decide if they want to start gathering information to see if the person should be released again.

If the offender has reoffended and has been given a new sentence, they are required to serve the non-parole period before they can reapply for parole.