



Contacts

The Board adjourned my matter. Can I ask for my hearing to be brought forward?

The Board must allow a minimum of eight weeks from the date of programme completion before it can consider a matter. This time allows four weeks for the facilitators to complete their report, adequate time for the Community Corrections Officer to complete their report, the availability of hearing dates at the Board and any public holidays. Adequate time is also required for undertaking of administrative duties in relation to file preparation by the Board and adequate time for the Board Members to read all information prior to the hearing date.

While programme facilitators may advise a prisoner that their completion report will be completed urgently, as a priority or within a few weeks, the minimum of eight weeks is required as outlined above.

Will I definitely be granted parole after I complete a programme?

Successful programme completion will not necessarily result in release on parole. The Board will need to be satisfied, through the Programme Completion Report and other reports received from the prison and the Community Corrections Officer that the risk to the safety of the community has been reduced.

Can the Board's decision to adjourn my matter be reviewed?

Under subsection 115A(4) of the Act the decision made by the Board to adjourn your matter is not a reviewable decision.

How can I find out the reasons why the Board made their decision?

The reasons for the Board's decision are stated in the letter sent to you from the Prisoners Review Board on the day of the decision.

Prisoners Review Board

For parole applications, reapplications or requests for reviews of Board decisions.

GPO Box C127
PERTH WA 6839

email:
prisonersreviewboard@justice.wa.gov.au

Department of Corrective Services

For complaints, compliments or suggestions about the Department of Corrective Services including prisons, prison staff, Community Corrections Officers and Treatment Programmes.

Private and Confidential – ACCESS

PO Box Z5124
St Georges Terrace
PERTH WA 6831

Ph: 1300 306 922
between 8:30am-4:30pm weekdays,
excluding public holidays

Prisoners Review Board

Information for prisoners about Board decisions

This pamphlet contains answers to questions prisoners frequently ask about decisions made by the Prisoners Review Board.

Prisoners are encouraged to read this pamphlet carefully before writing to the Prisoners Review Board about Board decisions.

My parole has been denied, suspended or cancelled. Can I be considered for parole again?

Under the Sentence Administration Act 2003 (the Act) there are two ways that a prisoner can seek to have their release on parole considered again by the Board (after the Board has denied, suspended or cancelled their parole). Either way, **only the prisoner** can seek to have their matter considered. A family member cannot make the request on a prisoner's behalf.

1) Requesting a review of the Board's decision

A request for a review of the decision to deny, suspend or cancel parole can be made on the grounds set out in s 115A(6) of the Act. Under section 115A the only grounds on which a prisoner may rely are that the Board, in making its decision:

- (a) did not comply with the Act or the regulations;
- (b) made an error of law; or
- (c) used incorrect or irrelevant information or was not provided with relevant information.

A request for review must clearly identify which of these grounds are relevant to the prisoner's request. If a prisoner decides to request a review, they should make sure that they provide all the information which is relevant to their request.

The information should support one or more of the grounds on which the prisoner relies. A prisoner can only request a review one time and it is important that they provide all relevant information at that time. If new information has come to light since the decision i.e. a new address or inclusion in a programme, this would be a re-application rather than a request for a review.

Under subsection 115A(4) of the Act the decision made as a result of a request for review is not a reviewable decision. This means that the prisoner has only one opportunity to challenge the Board's decision.

2) Re-applying for release after parole denied, suspended or cancelled.

The Board may consider a re-application request if the prisoner is able to demonstrate a significant change in circumstances and have reduced their risk of re-offending and the risk to the safety of the community.

Reasons denying or cancelling parole will have been outlined in the decision letter. The new Parole Plan should outline how the prisoner has addressed these concerns.

A revised parole plan should address the release considerations of section 5A and 5B of the Act and include details of a significant change in circumstances, protective strategies and supports the prisoner will utilise to lead a law abiding life if released in the community on parole. The presentation of the same information and release plan does not constitute new information and/or a significant change in circumstances for the Board to consider as a re-application request.

Prisoners who consider re-applying for parole, should contact their Case Management Co-ordinator, Unit Supervisor or Community Corrections Officer who will be able to provide a copy of section 5A of the Act which details the release considerations of a prisoner to parole.

The Board denied my release stating that I have unmet treatment needs. What does this mean?

It means the Board considers the prisoner's release poses an unacceptable risk to the safety of the community because they have not received adequate treatment to address their offending behaviour. Treatment is usually provided by prisons in the form of programmes.

The unavailability of programmes for any reason, does not remove the requirement of the Board to consider the risk of re-offending and the risk to the safety of the community posed by a person's release if treatment needs have not been met. If the sentence is under 12 months, intensive treatment programmes may not be available, however, prisoners are encouraged to engage with voluntary organisations and programmes wherever possible which could demonstrate motivation or willingness to address the offending behavior.

Complaints regarding the unavailability of programmes or any other prison matters including the treatment of prisoners, should be directed to the Department of Corrective Services.