

# What happens if my parole is suspended or cancelled?

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Parole is granted:

- by a court – Court Ordered Parole (COP); or
- by the Board – Board Ordered Parole (BOP)

Once you are released onto your parole order you must comply with the conditions of your order.

Parole Board Queensland (the Board) has the power to suspend and/or cancel both COPs and BOPs.

(For more information in relation to standard conditions, please refer to our Parole Conditions Explained Fact sheet).

***TIP: If you have concerns with complying with your order or if there has been a change in your circumstances, the Board encourages you to discuss these concerns or issues with your Community Corrections officer.***

## Immediate Suspension considerations

Whilst suspending and returning parolees to custody is considered to be a decision of last resort, where a Senior Board member (SBM) or Professional Board member (PBM) reasonably believes, on the evidence before them, that you:

- have failed to comply with your parole order;
- pose a serious risk of harm to someone else;
- pose an unacceptable risk of committing an offence;
- are preparing to leave the State without approval; or
- have been charged with committing further offence/s

the Board will likely immediately suspend your parole order.

Please note that the Board may suspend at any time during the operational period of your order.

## Warrant to issue

Once a decision has been made to immediately suspend your parole – the Board will issue a warrant for your return to custody.

There may be occasions when a warrant is not issued e.g. where you have already been remanded in custody in relation to alleged further offending.

### NOTE: Impact of time at large

Any time you spend in the community after your order is suspended will not be considered as time served under your sentence. This time 'at large' will be added to your custodial end date.

### Suspension confirmation

Within two (2) business days of the SBM or PBM deciding to suspend your parole order, your matter will be considered by the Board. The Board will determine whether to confirm or set aside the decision to suspend.

### Information Notice

If the Board agrees with the decision of the SBM or PBM, the Board will confirm the decision to suspend your parole order.

Upon your return to custody you will be issued with an Information Notice. The Information Notice will:

- confirm that your order has been suspended;
- outline the ground/s for your suspension and the reasons the Board determined to suspend your order; and
- ask that you 'show cause' within 21 days of receipt of the Information Notice.

Please refer to the "How to Show Cause" Fact Sheet for further information.

### Consideration of Submissions

Upon receipt of your Show Cause submissions, the Board will consider your matter on its merits.

The Board may:

- defer for further information (e.g. an Accommodation Risk Assessment (ARA));
- decide to lift the suspension and allow you to return to the community on your current parole order;
- decide to cancel the parole order; and/or
- decide to amend the parole order.

Following consideration of the matter, you will receive a letter from the Board outlining the decision.

### Cancellation

Where the Board determines to cancel your parole order you will receive a further Information Notice advising:

- your parole has been cancelled;
- the reasons why your parole has been cancelled; and
- you will be invited to show cause as to why the Board should change its decision.

Please refer to the Show Cause Fact Sheet for further information

Following receipt of any further submissions, the Board will determine whether to:

- not vary its decision i.e. your parole order remains cancelled; or
- exercise its discretion and change the decision to cancel.

### Automatic cancellation:

If you commit a further offence during the operational period of your parole order and are sentenced to a further term of actual imprisonment, your parole order will automatically be cancelled.

If you are sentenced to an intensive corrections order or a wholly suspended sentence your order will not be automatically cancelled but the sentence imposed will be considered by the Board in determining whether to cancel your order.

### When can I re-apply for parole following cancellation?

If your parole order is cancelled by the Board – **you may reapply immediately.**

Please complete the Form 29 application and submit an Accommodation Risk Assessment Request.

If you were previously on a COP you will need to apply to the Board for parole. A key requirement for board ordered parole is suitable accommodation therefore please ensure you complete the ARA request as soon as possible (refer to the ARA Fact Sheet).