

Parole Board | Queensland

Annual Report 2022–23



Queensland
Government

Acknowledgement of Country

The Parole Board Queensland acknowledges the Traditional Custodians of country throughout Queensland and their connections to land, sea and community. We pay our respect to the Elders—past, present and emerging—for they hold the memories, traditions, the culture and hopes of Aboriginal peoples and Torres Strait Islander peoples across the state.

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22 September 2023

The Honourable Mark Ryan MP
Minister for Police and Corrective Services and
Minister for Fire and Emergency Services
Member for Morayfield
PO Box 15195
CITY EAST QLD 4002

Dear Minister

In accordance with the requirements of section 242F of the *Corrective Services Act 2006*, I am pleased to present the Parole Board Queensland Annual Report 2022–23, detailing its operations and activities.

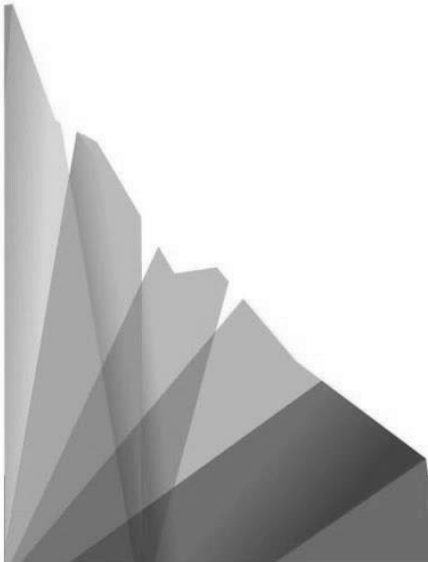
Yours sincerely

Peter Shields

Peter Shields
Acting President
Parole Board Queensland

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President's foreword

I am pleased to report that this financial year has demonstrated what the Board can achieve with appropriate funding, combined with a dedicated and diligent membership and staff. The support of the Government in allocating critical funding (\$20.5 million over four years in the 2022–23 Budget) has allowed that.

As a result, the Board has entirely cleared the backlog of parole applications experienced in 2020–21 and 2021–22. New parole applications are now being considered by the Board well within the statutory timeframe.

That has been achieved by the continuation of the temporary fourth and fifth operating teams, and the commencement of a sixth, as well as the commitment of the Board's people.

With an additional \$23.5 million to the Board until 30 June 2025, which was announced in the 2023–24 Budget, the temporary sixth operating team will remain, and a seventh established. That will allow for the expansion of Board initiatives and continuous improvement of Board processes.

Membership of the Board has increased accordingly. We have welcomed 12 new and returning Acting Professional Board Members, with legal qualifications and a wealth of experience, to Chair Board meetings and meet the Board's 24/7 suspension function.

Additional Public Service and Queensland Police Service representatives for the sixth team also come with hands-on knowledge from Queensland Corrective Services and Queensland Police Service, respectively. I thank both agencies for their continued support in facilitating the recruitment of valued members of the Board.

The Board has also welcomed 27 new and returning Community Board Members. A number of former Queensland Police Service representatives have returned as Community Board Members, following their retirement, and we are grateful for their ongoing commitment.

New Community Board Members come to the Board with diverse backgrounds and impressive achievements.

The Government's support for a properly resourced Board has paid dividends in easing the pressure placed on the criminal justice system during the period of the backlog, and it will be important into the future, with increasing demands a constant for the Board.

Some notable increases in the workload of the Board in 2022–23 are as follows:

- Applications for parole received—4332 (21 per cent increase).
- Meetings held—885 (12 per cent increase).
- Request to immediately suspend a parole order—5806 (14 per cent increase).

In addition, the Board has determined five No Body No Parole matters. Furthermore, the President minuted 57 considerations of Restricted Prisoner applications. As outlined in previous reports, both types of matters are complex and involve significant work for Board members and support staff. Importantly too, both types of matters have significant consequences for victims and prisoners.

Last year, I foreshadowed that the Board would have the opportunity to address process improvements and realise efficiencies that have proved challenging over the last five years.

This year, the Parole Board Queensland Review Implementation Project was commenced by Queensland Corrective

Services (as the Board's parent agency). The project is a response to recommendations, supported in principle by the Queensland Government, which were made by an independent review of the Board's processes in 2021. The reviewers conducted a 'current state' analysis and provided advice on future efficiencies to ensure a sustainable operating model for the Board.

The Board has worked closely with the Transitions Team driving the project, and as members of the Steering Committee and relevant Working Group. The Board's close involvement in this body of work is important to ensure improvements are fit for purpose, and to ensure the Board's independence as a statutory decision-making body.

Further, Senior Board Members developed the Strategic Plan for 2022–26, along with objectives that will see in new leadership in July 2027.

More generally, the Board continues to work closely with Queensland Corrective Services—in particular, to facilitate appropriate information sharing and process improvement.

I was grateful to the Hon. Mark Ryan MP for highlighting the Board's Culturally Engaged Release of Indigenous Parolees (CERIP) initiative during the 2023 Estimates Hearing for the Legal Affairs and Safety Committee. As the Minister said:

'... this is an initiative that was developed by the Board itself in recognition of the over-representation of First Nations people in custody. It sees a collaborative and culturally sensitive approach to the Board's consideration of eligible First Nations prisoners' parole applications.

... it involves the Board engaging with community justice groups from the community the prisoner is from. This comprises elders and respected community members.'

The support of the Government for the continuation of the temporary sixth, and establishment of a seventh team will allow the Board to expand that important initiative.

It will also allow the Board to continue its work on other initiatives and maintain continuous improvement to ensure the Board makes the best decisions it can, with community safety its highest priority.

I, along with my Deputy Presidents, Julie Sharp and Peter Shields, acknowledge the support of Commissioner Paul Stewart APM and the Hon. Mark Ryan MP, and his staff, in furthering the Board's endeavours.

We also take this opportunity to thank all Members and staff at the Board for your unfailing commitment to the work of the Board, and your diligence in carrying out your difficult duties.

Our people and functions

Our purpose, vision and values

The Parole Board Queensland Strategic Plan 2022—26 highlights:

Our purpose

To make independent, just and evidence-based decisions where the highest priority is community safety.

Our vision

The community is safer because the risk of reoffending is reduced.

Our values

- We make the best decisions we can.
- We respect human rights.
- We respect diverse peoples and cultures.
- We partner with First Nations people to improve outcomes.
- We have strong collaborative relationships with other agencies.
- We have a safe and positive workplace culture.

Our people

The Board is comprised of the following members, as of 30 June 2023:

- 1 x President
- 2 x Deputy Presidents
- 5 x Professional Board Members (PBM)
- 48 x Community Board Members (CBM)
- 3 x Police Representatives
- 3 x Public Service Representatives (PSR)

These numbers do not include acting Professional Board Members and

temporary Public Service and Queensland Police Service Representative Members currently serving to enable the operation of the fourth, fifth and sixth operating teams.

The President, Deputy Presidents, Professional Board Members and Community Board Members are ‘appointed’ Board Members under the *Corrective Services Act 2006* (the Act) and are appointed for fixed terms by the Governor-in-Council.

The President and Deputy Presidents hold office for five years, and they may be reappointed, but they cannot hold office for more than 10 years.

Professional Board Members hold office for a three-year term and may be reappointed. They must have a university or professional qualification that is relevant to the functions of the Board, such as a legal or health qualification.

Community Board Members hold office for a three-year term and may be reappointed. They do not require a formal qualification and are sessional members. They represent the diversity of the Queensland community, in their knowledge, expertise and experience.

Of the 56 appointed Board members, there are 25 men (45 per cent) and 31 women (55 per cent); and of those people, 14 are Aboriginal or Torres Strait Islander people (25 per cent), and eight are located in regional Queensland locations (14 per cent).

The Police Representatives and the Public Service Representatives are ‘nominated’ Board members, under the Act. They are nominated for transfer to the Board by the Commissioner of Police and the Commissioner of Queensland Corrective Services, respectively. Both Commissioners continue to provide the Board access to skilled and dedicated officers who play a crucial role in the

evidence-based decision-making process. Significantly, these officers can provide the Board with contemporaneous information from their respective databases.

Secretariat and Legal Service

Unit

The Board is supported by a Secretariat, which is subject to the direction of the President and led by the Executive Director and Manager of Secretariat Operations.

Members of the Secretariat work tirelessly ‘behind the scenes’—preparing files for consideration, taking minutes during Board meetings, assembling huge volumes of correspondence, and dealing with equally voluminous incoming correspondence and other communications—to ensure the Board can properly perform its functions.

In the absence of dedicated information technology support, this team also ably attends to constant issues in this Covid-19 era when technology is critical to connecting people working away from the office.

Business services—for example, rostering and payroll, and financial functions—fall to a diligent team of five officers.

The Legal Services Unit (LSU) is comprised of a paralegal, junior and senior lawyers, and Associates to the Senior Board Members. It is led by the Director, Lisa Hendy. The Legal Services Unit deals with work that includes:

- preparing applications for judicial reviews to be heard in the Supreme Court of Queensland
- preparing Statements of Reasons
- preparing briefs for No Body No Parole matters and instructing Counsel Assisting at hearings
- preparing briefs for Restricted Prisoner matters
- responding to Right to Information

applications

- preparing affidavits and material for *Dangerous Prisoner (Sexual Offenders) Act 2003* matters.

Functions of the Board

Parole Board Queensland was established under section 216 of the *Corrective Services Act 2006*, and it commenced operation on 3 July 2017. It is an independent statutory authority.

The Board’s independence requires that its decisions are made in accordance with relevant legislation, common law principles, and the Guidelines issued by the relevant Minister (under section 242E of the Act), without influence or pressure from external sources.

The functions of the Board, provided by section 217 of the Act, are:

- (a) to decide applications for parole orders, other than court-ordered parole orders
- (b) to perform other functions given to it under this Act or another Act.

Those other statutory functions include:

- deciding if satisfactory cooperation has been given by a No Body No Parole prisoner, and making no cooperation declarations
- deciding applications for parole made by prisoners with links to terrorism
- deciding applications for exceptional circumstances parole
- for Prescribed Board Members—a 24/7 function to decide requests by the chief executive for immediate suspension of parole order (including court-ordered parole orders)
- the Board considering whether to confirm those decisions, set them aside,

or cancel the parole order within two business days

- making decisions to amend, suspend or cancel parole orders (including court-ordered parole orders)
- making decisions about requests by parolees to travel interstate or overseas
- making parole orders for parolees transferred to Queensland from another State
- for the President and Deputy Presidents—deciding whether to make a restricted prisoner declaration

In order to perform those functions, the Board conducts 14 meetings per week, as well as additional meetings to consider Restricted Prisoner and No Body No Parole applications, CERIP program matters, and any urgent matters.

No Body No Parole hearings are heard in public where permitted, to provide the public (including victims' family and loved ones, most importantly,) with an opportunity to see the Board at work. These hearings also aim to ensure a rigorous process for parole applicants who sometimes face spending the rest of their lives in prison, due to the outcome of the Board's decision.

The composition of the Board depends on the types of parole matters being decided. For the most serious matters, the President (life-sentenced prisoners, prisoners with links to terrorism, No Body No Parole prisoners, and applications for exceptional circumstances parole) or a Deputy President (serious violent offences, No Body No Parole prisoners) Chair the Board.

Parole Board Queensland has a Code of Conduct, which can be located on the Board's website at www.pbq.qld.gov.au. Education and training about public sector ethics and the *Human Rights Act 2019* is incorporated into our staff meeting and training schedule, including presentations

by external facilitators and online training programs.

Proper regard is given to the *Public Service Ethics Act 1994* and the Board's Code of Conduct in our administrative procedures and management practices, including in recruitment processes, the management of information and our people, and in our engagement with external stakeholders.

The internal audit function for the Board is delivered by the QCS Audit and Assessment Group.

Detailed information regarding the way the Board performs its functions, including matters considered in deciding parole matters and the types of conditions imposed on parole orders, is available on the Board's website. Decisions of the Board in relation to No Body No Parole applications and Restricted Prisoner declarations are also published there. This is part of the Board's ongoing efforts to perform its important functions in a way that is transparent.

Spotlight: notable activities and achievements 2022–23

The Board has continued to be involved in a range of activities to learn, develop and educate. It is critical for a modern and professional Board to be committed to continuous improvement for its people, as well as within its processes, and to continue to educate others about the important work we do.

Strategic planning

This year, the Board developed its Strategic Plan for 2022–26. The process was valuable in that it allowed Senior Board Members to reflect on how far the Board has come since 2017 and to focus on the future. The Strategic Plan, including Strategic Objectives, is published on the Board’s website at www.pbq.qld.gov.au.

Importantly, and through much reflection and discussion, the Board’s purpose, vision and values have been refined and are articulated as follows:

Our Purpose

To make independent, just and evidence-based decisions where the highest priority is community safety.

Our Vision

The community is safer because the risk of reoffending is reduced.

Our Values

- We make the best decisions we can.
- We respect human rights.
- We respect diverse peoples and cultures.

- We partner with First Nations people to improve outcomes.
- We have strong collaborative relationships with other agencies.
- We have a safe and positive workplace.

Commitment to education, training and development

Two comprehensive training and development programs were delivered by the Board this financial year.

A two-day Professional Board Member Training Conference was held, covering a range of topics to sharpen and expand knowledge and skills.

A senior First Nations barrister gave a powerful presentation that will not be forgotten quickly. We are grateful to Mr Joshua Creamer for providing Board members with a deeper understanding of the importance of truth-telling and particular issues facing First Nations people.

Magistrate Steve Courtney also generously gave his time to attend and speak about the court’s experience dealing with the ever-increasing (in volume and seriousness) cohort of domestic violence offenders.

That was in line with the Board’s continuing commitment to improve its processes and decision-making in respect of this very difficult area of our work. Efforts continue to be made to improve information sharing with the Magistrates Court, particularly in relation to transcripts of relevant proceedings.

In December 2022, 12 Acting Professional Board Members were appointed or reappointed and attended two weeks of comprehensive induction and training, shadowing parole meetings and receiving mentoring from experienced Professional Board Members.

Following the appointment of 27 new and returning Community Board Members in March 2023, a four-day induction and a three-day training conference was held in early May 2023. This was attended by both Community

Board Members and Acting Professional Board Members. The conference included the shadowing of parole meetings, overviews and training provided by Queensland Corrective Services on aspects such as Community Corrections, Custodial Operations, Sentence Management, Offender Rehabilitation, Victims Register, Intelligence, and other related topics. Training was provided by Senior Board Members and the legal team, which covered decision-making and brief overviews on the courts and justice related processes.

Senior Board Member presentations

Senior Board Members gave presentations in a range of forums this year with the aim of increasing transparency and knowledge, dispelling myths and educating about Board processes and decision-making.

The President was the Australian Representative at the World Congress of Probation and Parole in September 2022.

Deputy President Peter Shields again delivered the Parole Lecture in the Correctional Practice subject at the University of Queensland. Mr Shields also presented on the topic 'Parole: Why it Matters' at the Pan Europe Pacific Conference, and at the North Queensland Law Association Conference.

Deputy President Julie Sharp gave educational presentations to a number of stakeholders, as outlined below, and met with the Parole Board for England and Wales to exchange learnings from similar experiences.

Commitment to stakeholder engagement

The Board continues to foster and develop important stakeholder relationships.

Engagement with the judiciary

The President Michael Byrne QC and the Deputy Presidents have continued to be engaged directly with counterparts, which include regular meetings of the heads of jurisdiction.

Those meetings are an important mechanism to identify and address issues arising across the criminal justice system.

Queensland Sentencing Advisory Council (Consultative Forum), the Streamlining Criminal Justice Committee, and the Streamlining Criminal Justice Committee (Remand Committee)

These reform bodies play an important role in criminal justice system improvement. Recognising the Board's important place in that system, Deputy President Peter Shields continues as the Board's representative, attending regular meetings and preparing submissions.

Other stakeholder engagement

The Board continues to seek ways to engage with stakeholders to improve its processes and decision-making.

Importantly, the Board maintains a strong relationship with Queensland Corrective Services as its parent agency. Regular interactions are had with QCS staff about day-to-day and broader issues.

The Board continues to benefit from engagement with the Queensland Police Service on a range of issues. In particular, the Board appreciates the generous assistance with recruiting highly experienced officers to work as full-time Board members.

The Board also maintains an excellent relationship with Queensland Health, in particular Prison Mental Health Service and Prisoner Health services. That relationship benefits significantly from a dedicated liaison officer, Stephanie Linn. The Board is grateful to Ms Linn for her work in assisting with information sharing and relationship building.

Deputy President Julie Sharp gave a number of presentations to Queensland Health staff this year, aimed at improving the understanding of the Board's processes and the importance of health information in decision-making.

Ms Sharp also presented to a group of

Official Visitors (OVs), to help them in providing the best information to prisoners seeking assistance with parole matters. A number of OVs will attend Board meetings in the coming year, to further expand their understanding of the decision-making process.

The Board continues to welcome transparency and communication with members of the legal profession and advocacy groups.

Commitment to improving outcomes for First Nations parolees

The President, Michael Byrne KC, and Deputy President, Julie Sharp, were invited to attend the Queensland Police Service: First Nations Mayors Summit in Cairns earlier this year and are presenting at a further Summit in September 2023.

These are important events that provide opportunities for conversations directly with First Nations people about issues and challenges in their particular community. It is well understood by the Board that what works in one remote or discrete community, as far as reintegration of prisoners is concerned, may not work in another.

The conversations and learnings from our involvement in this Summit will continue to be valuable in improving processes and decision-making in relation to First Nations prisoners. Such improvement can only benefit community safety.

As mentioned in the Foreword, the Board is committed to its CERIP initiative and are keen to expand it, as resources permit.

Commitment to diversity and inclusion

The Board has welcomed many new Community Board Members from diverse

backgrounds. Such diversity is valued at the Board.

As in previous years, the Board has fostered a workplace culture that is safe and inclusive.

This is manifested in various activities throughout the year. For example, a library of books by First Nations authors was established during NAIDOC week, which remains available for all staff.

Fundraising during National Reconciliation Week involved staff using bush foods in their baked goods with proceeds going to support a First Nations children's charity. That week, the Board was also lucky to hear Grace Sarra speak the truth about her family history.

Staff and Board members are to be commended for their genuine enthusiasm in taking real action during these important weeks, and for other annual events such as Wear it Purple Day for LGBTIQ+ awareness, and RUOK Day to promote mental health.

Commitment to a positive and safe workplace

Senior Board Members and the executive leadership team are committed to maintaining a positive and safe workplace, and we are not alone. Full-time Board Members, and staff of the Secretariat are impressive in their dedication to making Parole Board Queensland a positive place to work.

That is not to be underestimated, given the nature of the work of the Board. Members and staff are exposed to very confronting material and personal stories every day. Notwithstanding that, there is an energy and diligence in those who contribute to the performance of the Board, which is to be commended.

The Board is committed to providing ongoing support to its members and staff through, for example, vicarious trauma training, employee assistance services, education, training, and informal channels.

The year in review: in numbers

2022–23 Financial Year	
Conduct of Business (s230)	
Meetings	881
Average Matters	20.5
Considered Matters	17915
Video Conferences	198
Open Hearings	8
Application for Parole s176 (Exceptional Circumstances) and s193 (Parole Order)	
Received	4332
Considered	6964
Decided	3241
Released to Parole	2562
Application for a Parole Order – No Body No Parole (s193A)	
Received	5
Decided	2
Declarations made	2
Released	0
Application for a Parole Order – Restricted Prisoners (s193AA)	
Received	8
Decided	6
Declarations made	5
Released	0
Amendment, Suspension and Cancellation (s205)	
Request to Amend	908
Amend Parole Order	1966
Suspend Parole Order	88
Cancel Parole Order	1104
Request for Immediate Suspension (s208)	
Request to Immediately Suspend	5806
Immediately Suspend Parole Order	5748
Confirm Suspension of Parole Order	5613
Interstate and Overseas Travel Requests (s212 and s213)	
Interstate	100
Overseas	27
Interstate Registrations	
Parole Orders registered in Queensland from interstate	43
Judicial Review	
Filed	38
Discontinued	16
Decided	15

