

**INQUIRY INTO ISSUES RELATING TO THE OPERATIONS
AND MANAGEMENT OF THE DEPARTMENT OF
CORRECTIVE SERVICES**

Organisation: NSW State Parole Authority
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Date Received: 18/01/2006

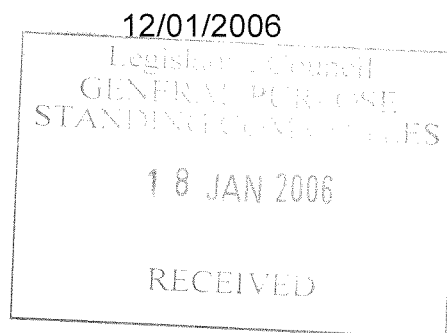
Subject:

Summary

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Hon Amanda Fazio MLC
Committee Chair
General Purpose Standing Committee No 3
Parliament House
Macquarie Street
SYDNEY NSW 2000



Dear Ms Fazio

Re: Inquiry into issues Relating to the Operations and Management of the Department of Corrective Services

I refer to your letter dated 7th December 2005 in which you extend an invitation to the NSW State Parole Authority to make a submission to the inquiry.

In considering the matters identified in the Terms of Reference for the inquiry, I will address my comments to item three (3) as the State Parole Authority has not had any specific involvement in the matters identified in items (1) and (2).

3. The inter-state transfer of Offenders and Parolees with regard to:
(a) Communications and agreements between Authorities

The NSW State Parole Authority does not have any formal protocols or agreements with the Parole Board's or Correctional Authorities from other Australian States in respect of the inter-state transfer of offenders or parolees.

The administration of the inter-state transfer legislation is the responsibility of the NSW Department of Corrective Services and Attorney General's Department. The NSW State Parole Authority receives notification from the Department of Corrective Services when an inter-state parole order is registered in NSW. However, unless intervention is sought by way of a "breach report" or other application received in respect of a transferred parolee, the NSW State Parole Authority has no direct involvement in the management of such parolees whilst they are in the community.

The NSW State Parole Authority would support the introduction of formal protocols for the interstate transfer of all parolees including sex offenders subject to the development of suitable supervision arrangements in the receiving States.

(b) Ministerial sign-off under the Acts and informal arrangements made between jurisdictions.

As mentioned above, the NSW State Parole Authority is not involved in the administration of the interstate transfer legislation.

However, the NSW State Parole Authority is aware that "informal protocols" have existed for some years between the various Probation and Parole Services across Australia in respect of the supervision of parolees who seek to return to their home State. In many cases the supervision is undertaken pending the formal transfer of the parole order to the receiving State. In other cases where there is a very short period remaining until the full time sentence expires, supervision arrangements have been made without seeking the formal transfer of the order.


It is not uncommon for certain States to initiate a "trial" supervision period to assess the commitment and level of compliance demonstrated by the offender to the requirements of his/her order, before agreeing to the formal transfer of that parole order to their State.

The Parole Authority is also aware that the Commissioner for Corrective Services in NSW has recently taken action to formalise protocols for the interstate transfer of parole orders. The NSW State Parole Authority supports the development of formal protocols between all Australian States.

The NSW State Parole Authority is of the view that the combination of strong family/community support and the availability of supervision and program support via the Probation and Parole Service is the best combination to protect the community and to assist the offender. The ability to facilitate appropriate supervision arrangements in other States is therefore intrinsic to the overall protection of the community.

Accordingly, given the work/home/school scenarios that impact on offenders in the community, particularly in regions such as Albury/Wodonga and Tweed Heads/Coolangatta, the State Parole Authority would support a degree of flexibility, as identified above, in the development of any formal protocols between NSW and other States.

Yours sincerely


P. Byrnes
Director and Secretary