



LIFE CHANGING

# Community Corrections & Parole

GETTING STARTED

6

## **This is Booklet 6 in the Getting Started Series.**

### **Getting Started is a guide for people leaving prison.**

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This Booklet was last updated in January 2015. If any information has changed or you notice an error please contact Corrections Victoria on (03) 8684 6600 or email: [corrections@justice.vic.gov.au](mailto:corrections@justice.vic.gov.au)

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## Post-release Orders

Many people leaving prison have some form of order when they get out. This could be Parole or a Community Corrections Order.

The order will restrict what you can and can't do. Sometimes it might feel like it makes life difficult. You need to remember that you are still under sentence and so the order is required as a part of your conditional release. The order should also provide a level of support.

The best way to get through this is to understand all the rules and try to stick to them.

## Parole

Getting Parole is not the same as being free. You are doing time but you get to finish your sentence in the community. If you break any rules, you can be sent back to prison to serve the remainder of your sentence.

If you are sent back to prison, the time that you were out on Parole may not be counted as time served.

The rules on Parole are called 'terms and conditions' and they are different for everyone.

*The Adult Parole Board (APB) decides if you will get Parole or not and also set the terms and conditions. With the exception of automatic parole cancellation laws, the APB decide what happens if you breach your terms and conditions (see Breaching Parole page 15)*

### **Getting Parole**


You cannot be released prior to your Earliest Eligibility Date (EED). It is not a given that you will be released on your EED as parole is a privilege, not a right.

Before your EED a Corrections Officer will interview you for a parole assessment.

The report is not just based on the interview. They will also get information from other people, other relevant reports and will also look at your behaviour in prison.

If you don't know much about Parole, ask the CCS Officer about it at the interview. You will also learn about Parole when you do the Transitional Assistance Program (TAP).

The Interview for Parole will be at the prison or by video linkup. It will take about an hour. They will ask you about:

- Your background (family supports, education, employment)
  - Your plans and goals
  - The programs you've done in prison (if you have certificates it is a good idea to bring them to the interview)
  - Your record in prison
  - Drug or alcohol problems
  - Health issues
  - Housing after prison
  - Employment or training plans
- 

## The Decision

The APB will look at the following information:

- The Parole Assessment Report
- Prison Behaviour
- Drug use in prison
- Any other information they have asked for
- Your housing plans

You may have to go and speak to the APB before they make a decision.

## Parole & Housing Plans

The APB want people to have somewhere stable to live when they get out. This could be with family, good friends, a partner or independently.

The Parole Board generally won't approve a plan to live with co-offenders.

A CCO will confirm the address where you plan to live if parole is granted. Depending on your offence type CCS may be required to complete:

- An environmental scan
- A home assessment

These involve CCS attending the proposed residence and interviewing co-residents to assess suitability of the accommodation.

Ask to see the Prison Housing worker if you don't have a suitable place to live when you leave prison. Finding housing can be difficult, so its best to start thinking about this well before you leave prison.

*See Getting Started 2: Housing*

### **Released on Parole**

Before release you will be given your first parole appointment with details of the CCS location you must report to. Prison staff will give you a map and directions if you need them. They will also give you a copy of your Parole Order.

If you don't understand all the Parole conditions you can easily mess it up. Ask the prison staff, the R&A Committee or CCS Officer if you are unsure about anything.



## Reporting to the Community Correctional Service (CCS)

You are required to report within two working days of your release however you should always have a first appointment arranged prior to your release, that would generally be within the first two days of release.

Make sure you go to your first appointment. Be there on time. The APB may be notified if you don't. It is important to get off to a good start.

The CCS Officer will explain the order in detail. If you don't understand anything ask the CCS Officer to explain.

It is important to stay on good terms with your CCS Officer. They are not there to be your friend or to make life hard for you.

The CCS Officer's job is to assist you to meet all of your Parole obligations.

Be respectful and always go to appointments. This helps to build up trust. If something comes up and you can't get there, tell your CCO as soon as you can.

Missing an appointment could still be recorded as 'non compliance' if you do not have a good enough reason for why you didn't make it. Wherever possible, make sure you have documentation to support why you missed the appointment.

Lateness to appointments may also be seen as not complying with your obligations. You must ring your CCS Officer beforehand to tell them if you can't make an appointment and ask to book another time however re-scheduling would only be allowed on the odd occasion.

Balancing appointments with work and other commitments can be difficult. Some CCS Offices will have after-hours appointments available. Talk to the CCS Officer about the best way to manage your appointment times before you make other commitments, including starting a new job.

You have the right to:

- Ask to change your CCS Officer
- Be supervised by someone of your own gender
- Make a complaint if you feel you are being treated unfairly.

## Complaints

The following steps are available to make a complaint about a CCS Officer or CCS location:

- 1** Speak to a senior officer at the CCS about the issue
- 2** If you don't feel the senior officer could assist, you can then write to the Regional General Manager
- 3** Write to the APB
- 4** If you don't feel the APB could resolve the issue, then you can contact the Ombudsman

## Contract

Your CCO may ask you to sign a contract for some of the terms and conditions on your parole order. This contract will state that you understand and agree to certain requirements.

Your CCS Officer will also work with you to develop a plan to help you avoid re-offending. To develop this plan, you and your CCS Officer will talk about your past offences and current situation.

## Parole Terms and Conditions

All Parole Orders have mandatory terms and conditions including:

- You must not break any law
- You must report to CCS within 2 working days of the order coming into force
- You must notify a community corrections officer of any change of address and employment at least 2 clear working days of the change of address or employment
- You are under the supervision of a community corrections officer
- You must report to and receive visits from a CCO as and when directed by the CCO
- You must be available for interview by a community corrections officer, the GM or the APB at the time and place as directed
- You must attend in person at a community corrections centre as directed in writing by a community corrections officer
- You must not leave Victoria without the written permission of the Regional Manager

- You must comply with any direction given by a community corrections officer or the Regional Manager or the Adult Parole Board that is necessary for a community corrections officer or the Regional Manager or the Adult Parole Board to give, to ensure that you comply with the order

Other Parole Conditions may include:

- Reporting to Parole Board after you are released
- Unpaid community work
- Abstinence from alcohol
- Drug and alcohol treatment
- Urine testing
- Program assessment and participation
- Restrictive conditions (i.e. residential condition requires that you stay at your residence each night unless approved otherwise or electronic monitoring)
- Other terms and conditions (as listed on your Parole Order)

There may be other conditions. Make sure you know what they are and ask if you are unsure.

## Intensive Parole

Most people on Parole go through an Intensive Parole Period. The APB specifies the duration of the Intensive Parole Period (generally 3 months).

This means you will have to:

- Report to CCS twice a week
- Complete unpaid community work for up to 8 hours a week – unless exempt (see below)
- Comply with other conditions of Parole

After the Intensive Parole Period you may not have to report to CCS as often.

## Community Work

Most people on Intensive Parole will have to do community work.

You will have to sign an agreement at your first CCS Officer appointment. The CCS Officer can answer questions about what you will be doing.

You may be exempt from community work if you are:

- Doing more than 20 hours of paid work per week

- Physically incapable
- Are participating in a relevant program

Community work is often outdoors and involves physical labour. If you have a medical condition you may be able to do light duties. You will need to provide evidence from a doctor about your condition. You can also use your health discharge summary from the prison Health Centre.

*The CCS Officer will not accept a letter from Centrelink as evidence of a medical condition.*

### Urine Tests

If you need to do urine tests you will be told when and where to go to do them. They could be regular or random. Urine tests will also be supervised – this means a nurse will watch you (you can request that the nurse be the same gender).

### Programs

The CCO will discuss what programs you need to attend. The programs you need to do will depend on your offences, the requirements of your order and the programs you completed in prison.

## Reporting to the Adult Parole Board

You may have to report to the APB at some stage during your sentence. They may want to see you to:

- Monitor your progress
- Give you a warning
- Cancel or vary your Parole
- Have the terms and conditions of your Parole order re-explained

You normally report in person but may be able to report by video link-up from a CCS office.

Family and friends are not allowed into APB meetings. If you have a support worker they may be able to go with you, but check this with your CCO first for arrangements to be sought.

You will need to go through a metal detector when you visit the APB.

It is important to respond to any request by the APB. If you do not report when asked your Parole may be cancelled and you will be returned to prison.



If you breach your Parole Order, a warrant will be issued and the police can arrest you and return you to prison.

### Breaching Parole

Breach of Parole has two meanings;

1. 'Breach of Parole' as an offence –
  - If you fail to comply with a prescribed term and condition of your Parole order, Legislation states that you may be charged with the 'Breach of Parole' offence which carries up to 3 months imprisonment to be served on top of any existing sentence or a fine of up to 30 penalty units, or both.
  - Victoria Police members have the power to arrest and detain you if they suspect that you have committed an offence for breach of parole. If you are arrested for breach of parole, Victoria Police will notify the APB who will make decision about your time in detention.

2. Breach of Parole by non-compliance with terms and conditions that do not carry a Breach of Parole offence;
  - This could be absences from appointments with your case manager that can lead to a report being submitted to the APB. This may result in warning by the Board, cancellation of Parole, variation of your terms and conditions, etc.

### **Cancellation of Parole:**

If your parole order is cancelled you will be arrested and sent back to prison.

- Any prisoner on parole who is returned to prison due to further offending on parole must serve at least half of their unexpired parole period in prison before being reconsidered for parole.
- The APB will separately consider how much, if any of the period completed is credited toward the overall sentence. The APB will decide when to consider re-releasing you.
- You can write to the APB and ask to have another chance at parole.

- Your parole will be automatically cancelled if you are sentenced to imprisonment whilst on parole and/or if you are classified as a Serious Violent or Sexual Offender (SVOSO) and are found guilty of a further violent or sexual offence whilst on parole.

In this letter you may:

- Give the reasons why you think you will do better the next time
- Take responsibility for your past behaviour
- Tell them about the supports you will have in place if you were to be released

*Do not make excuses for a previous non-compliance with parole requirements.*

The APB will arrange to speak with you after they receive your letter. They may come to the prison or arrange a meeting via video link-up.

### **Staying Out on Parole**

You will be expected to remember all your appointment times. The CCS Officer will give you an appointment card but nobody will call you to remind you.

Use a diary and write down where you need to be on each day. Ring to check with your CCS Officer if you are not sure of anything.

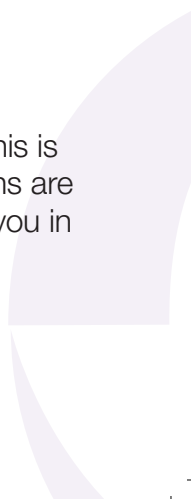
Ask your CCS Officer to write into your diary the addresses of where you need to be and the contact telephone numbers.

Your CCS Officer may put you in contact with other services. If you feel you need extra support to get through Parole, ask them about support services.

### **Community Corrections Orders**

Some people are serving a combined sentence of prison and a Community Corrections Order (CCO).

In this case you will go straight onto your CCO conditions when you leave prison. This is different to normal Parole but the conditions are similar. Your CCS Officer can explain it to you in detail at your first appointment.



## More Information

### **Adult Parole Board of Victoria**

4/444 Swanston St

Carlton VIC 3053

Tel: (03) 9094 2111

Fax: (03) 9094 2125

**Interpreter Service: 131 450**

and ask for the Adult Parole Board

Email: [apb.enquiries@justice.vic.gov.au](mailto:apb.enquiries@justice.vic.gov.au)



## Appointments

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## Appointments

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