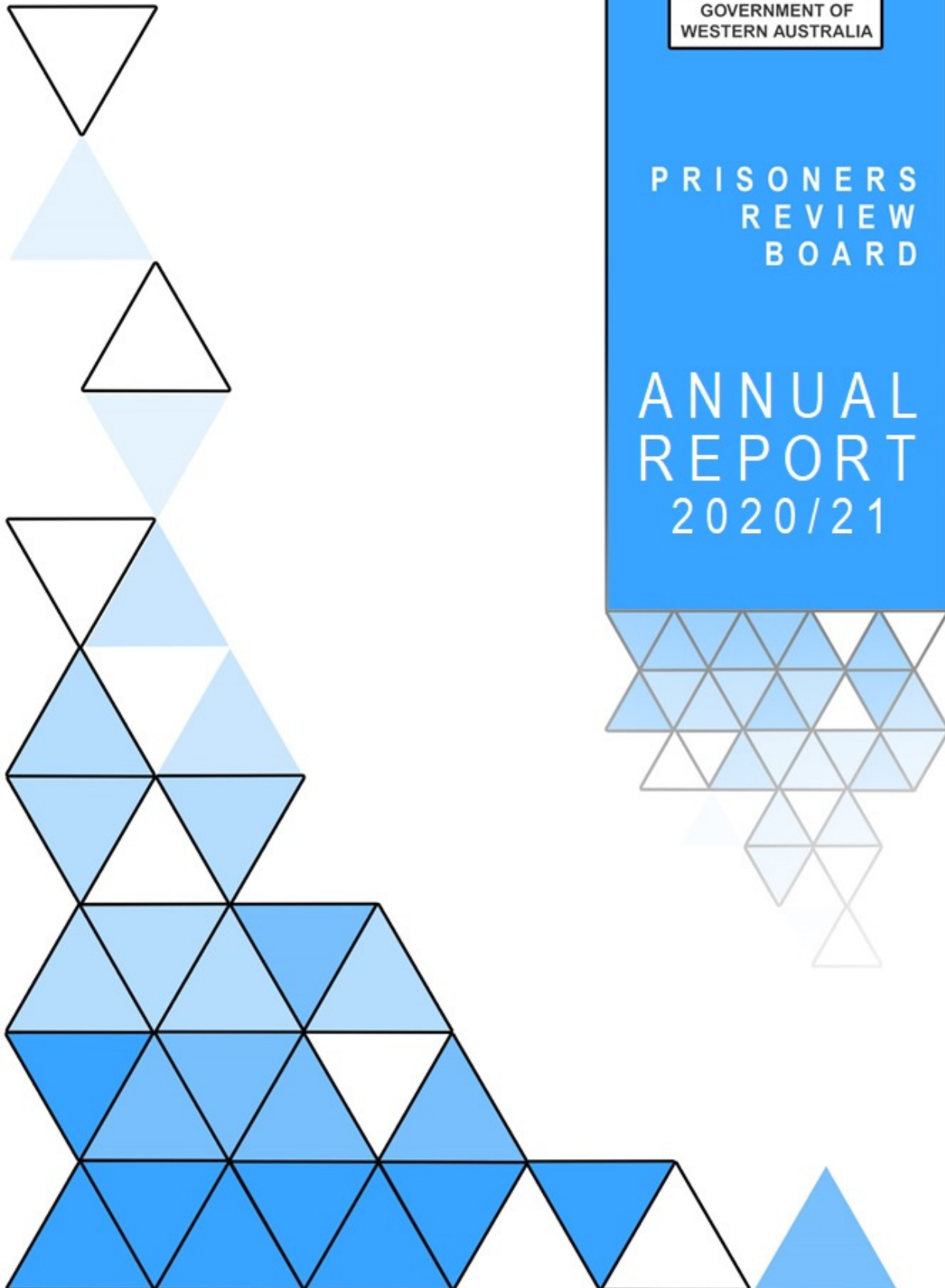
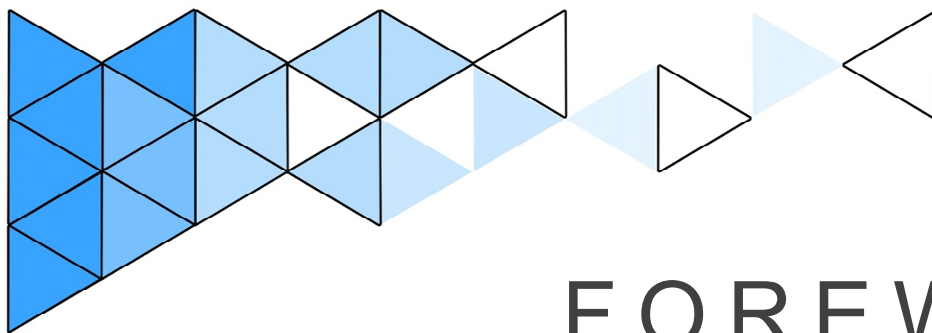




PRISONERS
REVIEW
BOARD

ANNUAL
REPORT
2020/21





FOREWORD

THE HON. JOHN ROBERT QUIGLEY MLA
ATTORNEY GENERAL

To the Attorney General,
The Honourable John Robert Quigley, MLA

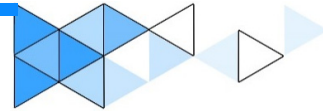
In accordance with section 112 of the *Sentence Administration Act 2003* (WA), I present to you the Annual Report of the Prisoners Review Board for the year ending 30 June 2021.

A handwritten signature in black ink, reading "Allan Fenbury". The signature is written in a cursive, flowing style.

His Honour Mr Allan Fenbury
Chairperson
Prisoners Review Board

CHAIRPERSON'S OVERVIEW

INTRODUCTION



I was initially appointed to the role of Chairperson, Prisoners Review Board (the Board) on 1 April 2018 for a term of three years. In the 2020/21 period, I was re-appointed for a further three years.

As Chairperson of the Board in Western Australia I am responsible for chairing scheduled meetings of the Board including the majority of meetings which review life and indefinitely sentenced prisoners, as well as the continuing education, training and professional development of Members of the Board.

In considering whether to release a prisoner to parole, the Board is obliged to consider numerous factors, however, under the *Sentence Administration Act 2003* (WA), the safety of the community is its paramount consideration. Put simply, the Board is responsible for balancing the safety of the community with the management of the risk posed by the prisoner. When imposing parole conditions, the Board endeavours to minimise that risk to the full extent to which that is possible. Risk can never be completely eliminated. If the Board is unable to formulate suitable parole conditions to sufficiently reduce the risk to the safety of the community to what the Board regards as an acceptable level, it has no alternative but to deny that prisoner the opportunity of release on parole.

Once the Board authorises the release of a prisoner, by making a parole order, we continue to monitor their progress on parole in consultation with numerous important stakeholders, but primarily with the Corrective Services division of the Department of Justice. We take immediate action to suspend or cancel parole should we believe that the risk to the safety of the community is ever increased to a level incompatible with our paramount responsibility to maintain the safety of the community.

Board decisions are the product of careful consideration and collaborative discussions between Board members at meetings. Naturally we do not always produce a unanimous outcome and at times the discussions are robust, however, Members invariably maintain their respect for the views of others, despite their differences. There have been several changes in the membership of the Board during the 2020/21 period with several new Board Members appointed. I believe that the Board is most effective in its decision-making processes when there is diversity in membership of the Board. The appointment of new Members certainly attempts to be more responsive to, and reflective of, the community the Board serves.

I would like to take this opportunity to acknowledge the work of the administration staff and Members of the Board during several 'lock-down' periods and other restrictions imposed by the State Government as a result of the evolving COVID-19 pandemic. The Board provides an essential public service and is required to maintain its operations and continue functioning to fulfil its statutory obligations. These uncertain times can present a challenge for many of us. I am pleased with the manner in which Members and staff competently responded to the restrictions imposed and continued to undertake their duties in a professional manner. I thank the Members and staff for maintaining their excellent standard of service to the Western Australian community.

A handwritten signature in black ink, reading "Allan Fenbury". The signature is written in a cursive, flowing style.

His Honour Mr Allan Fenbury
Chairperson
Prisoners Review Board

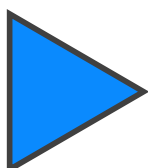
17 August 2021



STATISTICAL REQUIREMENTS

PURSUANT TO SECTION 112 OF THE ACT, THE BOARD IS REQUIRED TO PROVIDE THE MINISTER WITH A WRITTEN REPORT ON THE FOLLOWING:

A SNAPSHOT OF FACTS

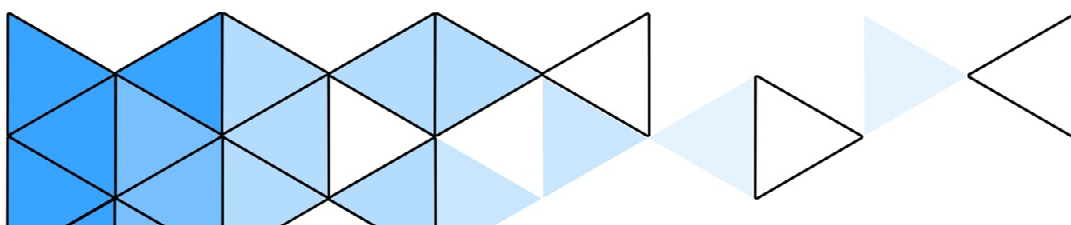


a. THE PERFORMANCE OF THE BOARD'S FUNCTIONS DURING THE PREVIOUS FINANCIAL YEAR;

During 2020/21 the Board held 602 meetings, including Registrar and Deputy Chair meetings, and considered 7122 matters. This represents a decrease of 2.9% in the number of meetings held compared with the previous financial year with a 8.3% decrease in the number of cases.

FINANCIAL YEAR	CASES CONSIDERED	NO. OF BOARD MEETINGS
2020/21	7122	602
2019/20	7767	620
2018/19	7618	592
2017/18	7846	596

"Cases Considered" includes all matters listed before the Board including listings in relation to the administration of parole orders. Individual prisoners can have more than one listing over a 12 month period.



	2019/20	2020/21	CHANGE (%)
PAROLE ORDERS MADE BY THE BOARD AND GOVERNOR	1895	1648	13% ↓
PAROLE ORDERS CANCELLED OR SUSPENDED	416	331	20.4% ↓
PAROLE APPLICATIONS DENIED BY THE BOARD AND GOVERNOR	1525	1269	16.8% ↓
PAROLE CONSIDERATION DENIED AT REQUEST OF PRISONER	594	633	6.6% ↑
TOTAL PAROLE APPLICATIONS DENIED BY THE BOARD AND GOVERNOR	2119	1902	10.2% ↓

The total number of parole applications denied by the Board has been broken down to delineate between where offenders have denied their own parole and where parole has been denied by either the Board or the Governor.

- b. THE NUMBER OF PRISONERS WHO BECAME ELIGIBLE TO BE RELEASED UNDER A PAROLE ORDER DURING THE PREVIOUS FINANCIAL YEAR;

	2019/20	2020/21	CHANGE (%)
TOTAL NUMBER	3487	2669	23.5% ↓

A prisoner's eligibility for parole is determined by the Court as part of their sentence.

- c. THE NUMBER OF PRISONERS WHO APPLIED TO BE RELEASED UNDER A RE-ENTRY RELEASE ORDER DURING THE PREVIOUS FINANCIAL YEAR;

	2019/20	2020/21	CHANGE (%)
TOTAL NUMBER	0	2	200% ↑

Prior to 2007, prisoners eligible for parole could also apply for early release under a Re-entry Release Order, pursuant to Part 4 of the Act. Those prisoners sentenced after 2007 may only be released via a Re-Entry Release Order if the sentencing court determined not to make an order that an offender was eligible for parole.

- d. THE NUMBER OF PRISONERS WHO WERE REFUSED AN EARLY RELEASE ORDER BY THE BOARD OR THE GOVERNOR DURING THE PREVIOUS FINANCIAL YEAR;

	2019/20	2020/21	CHANGE (%)
TOTAL	1964	1775	9.6% ↓

- e. THE NUMBER OF PRISONERS RELEASED UNDER AN EARLY RELEASE ORDER BY THE BOARD OR THE GOVERNOR DURING THE PREVIOUS FINANCIAL YEAR;

	2019/20	2020/21	CHANGE (%)
TOTAL	1887	1648	12.7% ↓



RELEASE ORDER :

ea. THE NUMBER OF PRISONERS WHOSE COOPERATION WAS CONSIDERED BY THE BOARD FOR THE PURPOSES OF SECTION 66B(1)(a) DURING THE PREVIOUS FINANCIAL YEAR;

66b1 = Board not to release or recommend release unless prisoner cooperates or victim's remains located

(1) *The Board must not make a release decision, or take release action, in relation to a relevant prisoner in custody for a homicide offence or homicide related offence unless the Board is satisfied that —*

- (a) *the prisoner has cooperated with a member of the Police Force in the identification of the location, or last known location, of the remains of the victim of the homicide offence; or*
- (b) *a member of the Police Force knows the location of the remains of the victim of the homicide offence.*

	2019/20	2020/21	CHANGE (%)
TOTAL	0	0	0%

eb. THE NUMBER OF PRISONERS REFERRED TO IN PARAGRAPH (EA) WHO WERE RELEASED UNDER AN EARLY RELEASE ORDER BY THE BOARD OR THE GOVERNOR DURING THE PREVIOUS FINANCIAL YEAR:

	2019/20	2020/21	CHANGE (%)
TOTAL	0	0	0%

f. THE NUMBER OF PRISONERS WHO COMPLETED AN EARLY RELEASE ORDER DURING THE PREVIOUS FINANCIAL YEAR;

	2019/20	2020/21	CHANGE (%)
TOTAL	1142	1152	0.9% ↑

"Completed" means the prisoner's parole order was neither suspended nor cancelled during the parole period.

SUSPENSION & CANCELLATION OF PAROLE ORDERS IN THE FINANCIAL YEAR 2019/20

- g. THE NUMBER OF EARLY RELEASE ORDERS SUSPENDED OR CANCELLED DURING THE PREVIOUS FINANCIAL YEAR AND THE REASONS FOR SUSPENSION OR CANCELLATION¹;

	2019/20	2020/21	CHANGE (%)
PAROLE ORDERS CANCELLED	380	310	18.4% ↓
PAROLE ORDERS SUSPENDED	36	21	41.7% ↓
TOTAL	416	331	

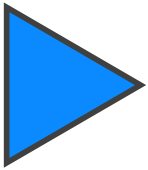
- ga. THE NUMBER OF PRISONERS WHO WERE THE SUBJECT OF A REPORT UNDER SECTION 74C OF THE *SENTENCE ADMINISTRATION ACT 2003* (WA):

	2019/20	2020/21	CHANGE (%)
TOTAL	435	605	39.1% ↑

- gb. THE NUMBER OF PERSONS RELEASED SUBJECT TO PSSO'S DURING THE PREVIOUS FINANCIAL YEAR.

	2019/20	2020/21	CHANGE (%)
TOTAL	89	121	36% ↑

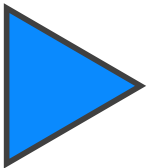
¹ Decisions to suspend/cancel parole should not be compared to the number of prisoners released on parole for the same reporting period as the decision to suspend/cancel can relate to an offender who was granted parole in a previous reporting period. Figures reflect decisions of the Board and do not include Adult Community Corrections decisions to suspend parole.



- h. THE NUMBER OF PRISONERS FOR WHOM PARTICIPATION IN A RE-SOCIALISATION PROGRAMME WAS APPROVED BY THE BOARD OR THE GOVERNOR DURING THE PREVIOUS FINANCIAL YEAR;

	2019/20	2020/21
TOTAL	4	6

A re-socialisation programme is designed to allow long term prisoners the opportunity to be gradually reintegrated into the community in preparation for release from prison. The purpose of a re-socialisation programme is to equip a prisoner for re-entry into the general community by addressing their education, employment, family and community support networks. The aim is to improve the prisoner's ability to pursue and maintain a pro-social and law-abiding lifestyle.

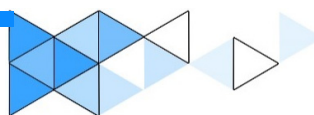


- i. THE NUMBER OF PRISONERS WHO COMPLETED RE-SOCIALISATION PROGRAMMES DURING THE PREVIOUS FINANCIAL YEAR;

	2019/20	2020/21
TOTAL	6	9

Re-socialisation programmes can run for varying durations of time, from six months to two years and can encompass multiple stages. As such, not all re-socialisation programmes commenced in a financial period will end in that same financial period.

BOARD REMUNERATION



Information relating to the remuneration of Board Members this year is contained with the Annual Report of the Department of Justice. The Department of Justice provides administrative support to the Board and is responsible for remunerating Board Members where such payment is incurred.