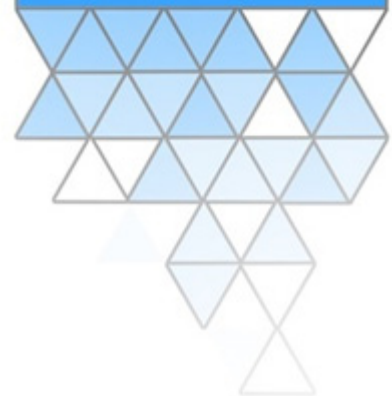
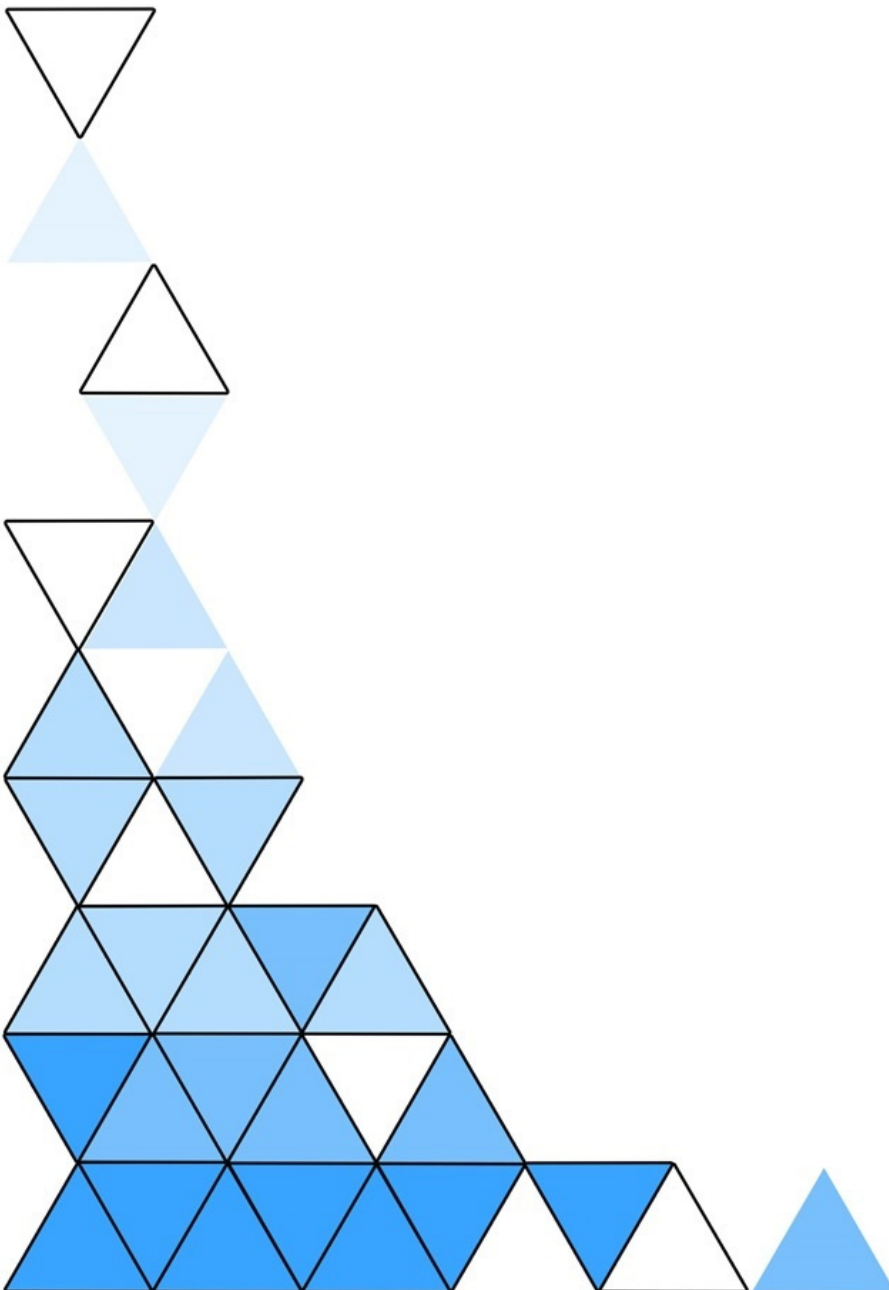
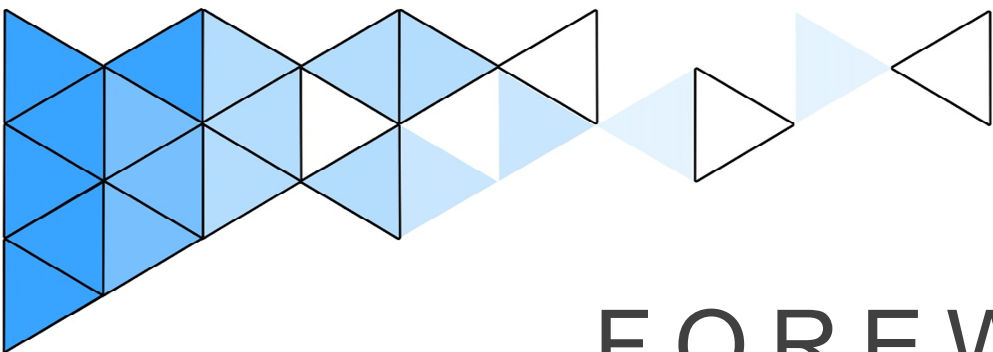




PRISONERS
REVIEW
BOARD

ANNUAL
REPORT
2022/23





FOREWORD

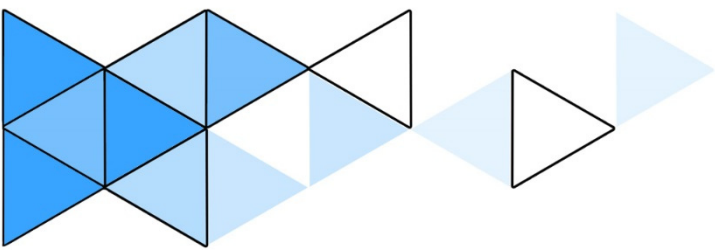
THE HON. JOHN ROBERT QUIGLEY LLB JP MLA
ATTORNEY GENERAL

To the Attorney General,
The Hon. John Robert Quigley MLA LLB JP

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 2023.

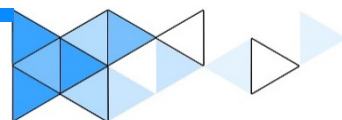
The Honourable Jeremy Curthoys
Chairperson
Prisoners Review Board

August 2023



CHAIRPERSON'S OVERVIEW

INTRODUCTION



I am pleased to present the annual report of the Prisoners Review Board (the Board), for the reporting period from 1 July 2022 to 30 June 2023. This report highlights the significant achievements and milestones we have reached in fulfilling our responsibilities of ensuring prisoners are able to access parole in circumstances when it is appropriate.

Since my appointment in January 2023, I have been impressed by the remarkable quantity of matters considered each year.

I was appointed to the position of Chairperson of the Board on 9 January 2023, replacing His Honour Kevin Sleight who had been Chairperson since 29 April 2022. His Honour Kevin Sleight, is now enjoying a well-deserved retirement.

In broad terms, the Board has reviewed 6334 cases annually. These include applications for parole, breaches of parole, early release orders and Post Sentence Supervision Orders. To handle these matters, we have conducted 599 Board meetings throughout the year.

Our Board comprises of a dedicated team including the Chairperson or Deputy Chairpersons, representatives from the Corrective Services division of the Department of Justice (Corrective Services), nominees of the Commissioner of Police and community representatives. Each Board meeting consists of approximately five members, ensuring diverse perspectives. Our members, along with the Registrar and administrative staff, have worked tirelessly to accomplish the substantial workload.

When making determinations regarding parole, our actions are guided by the provisions of the *Sentence Administration Act 2003* (WA) (the Act). We are bound by sections 5A and 5B, which prioritise the assessment of an offender's risk upon release and the safety of the community. It is important to note that granting parole can often contribute to community safety as it allows for structured reintegration, supervised by a Community Corrections Officer, and subject to specific restrictions.

We have observed an increasing concern regarding the number of offenders reaching parole eligibility without undergoing assessment for their criminogenic treatment needs. This issue is significant as delays in assessments have led to parole denials for offenders in the previous year. Furthermore, the assessment

process itself appears flawed, with a focus on reducing the number of qualifying offenders rather than objectively evaluating treatment needs.

In certain cases, offenders deemed suitable for treatment programmes have been unable to progress due to waitlists before their parole applications are considered. These challenges can impact an offender's chance of being released on a Parole Order.

It is crucial to acknowledge that without parole, offenders will eventually return to the community without any restrictions or supervision. However, in limited circumstances, the Board can impose a Post Sentence Supervision Order for offenders serving fixed terms for serious offences when necessary to prevent harm to the community.

The Board relies on comprehensive reports assessing the criminogenic features of offenders, recommended treatment programmes, and satisfactory completion of those programmes when evaluating the level of risk they pose.

The sheer volume of work undertaken by the Board highlights the importance of allocating adequate resources. Insufficient resources have led to delays in assessments and flaws in the treatment programme evaluation process. We call upon the government to address these resource constraints within Corrective Services to ensure the effective management of these issues.

In conclusion, we commend the commitment and dedication of the previous Chairperson (His Honour Kevin Sleight), Board members, Registrar (Chris Rae) and staff in fulfilling our responsibilities. We remain committed to safeguarding the community while promoting the successful reintegration of offenders and we look forward to continuing our work with the support of increased resources.



The Honourable Jeremy Curthoys
Chairperson
Prisoners Review Board

August 2023



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 2022/23 the Board held 599 meetings (including Registrar meetings) and considered 6334 matters. The number of meetings convened in the current financial year is comparable to the number convened in the previous year whilst there was a 5.8% reduction in the number of cases.

FINANCIAL YEAR	CASES CONSIDERED	NO. OF BOARD MEETINGS
2022/23	6334	599
2021/22	6725	591
2020/21	7122	602
2019/20	7767	620

“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.

	2021/22	2022/23	CHANGE (%)
PAROLE ORDERS MADE BY THE BOARD AND GOVERNOR	1627	1398	14.1% ↓
PAROLE ORDERS CANCELLED OR SUSPENDED	287	265	7.7% ↓
PAROLE APPLICATIONS DENIED BY THE BOARD AND GOVERNOR	1202	1064	11.5% ↓
PAROLE CONSIDERATION DENIED AT REQUEST OF PRISONER	602	579	3.8% ↓
TOTAL PAROLE APPLICATIONS DENIED BY THE BOARD AND GOVERNOR	1804	1643	8.9% ↓

The total number of parole applications denied by the Board has been broken down to delineate between where prisoners 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;

	2021/22	2022/23	CHANGE (%)
TOTAL NUMBER	2392	2111	11.7% ↓

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;

	2021/22	2022/23	CHANGE (%)
TOTAL NUMBER	0	1	100% ↑

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;

	2021/22	2022/23	CHANGE (%)
TOTAL	1685	1546	8.2% ↓

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

	2021/22	2022/23	CHANGE (%)
TOTAL	1627	1398	14.1% ↓

BREAKDOWN OF TOTAL PRISONERS RELEASED UNDER AN EARLY 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.

	2021/22	2022/23	CHANGE (%)
TOTAL	1	0	100% ↓

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:

	2021/22	2022/23	CHANGE (%)
TOTAL	1	0	100% ↓

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

	2021/22	2022/23	CHANGE (%)
TOTAL	1222	1050	14.1% ↓

“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 2022/23

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

	2021/22	2022/23	CHANGE (%)
PAROLE ORDERS CANCELLED	270	255	5.6% ↓
PAROLE ORDERS SUSPENDED	17	10	41.2% ↓
TOTAL	287	265	

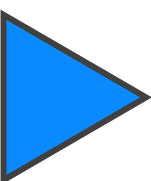
¹ Decisions to suspend/cancel parole should not be compared to the number of prisoners released on parole for the same reporting period as the decision to suspend/cancel can relate to an offender who was granted parole in a previous reporting period. Figures reflect decisions of the Board and do not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

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

	2021/22	2022/23	CHANGE (%)
TOTAL	657	676	2.9% ↑

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

	2021/22	2022/23	CHANGE (%)
TOTAL	116	99	14.7% ↓

- 
- 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;

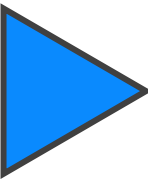
	2021/22	2022/23
TOTAL	5	13

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.

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

	2021/22	2022/23
TOTAL	11	4

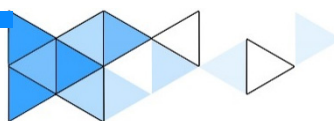
Re-socialisation programmes can run for varying durations of time, from six months to two years and can encompass multiple stages. As such, not all re-socialisation programmes commenced in a financial period will end in that same financial period.



- j. THE OPERATION OF THIS ACT AND RELEVANT PARTS OF THE *SENTENCING ACT 1995* SO FAR AS THEY RELATE TO EARLY RELEASE ORDERS AND PSSOS AND TO THE ACTIVITIES OF THE CCOS IN RELATION TO THOSE ORDERS DURING THE PREVIOUS FINANCIAL YEAR;

See “Chairperson’s Overview”.

B O A R D R E M U N E R A T I O N



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.

