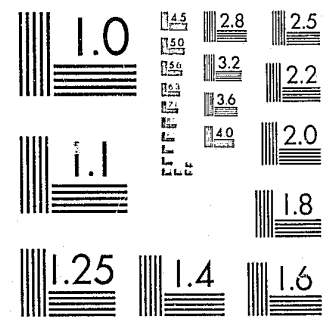


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OFFENDERS PROBATION AND PAROLE ACT, 1963-1977

PAROLE BOARD REPORT

FOR THE YEAR ENDED

30th JUNE, 1978

OFFENDERS PROBATION & PAROLE ACT, 1963-1977

To:

THE HONOURABLE THE ATTORNEY-GENERAL

From:

THE PAROLE BOARD OF WESTERN AUSTRALIA

REPORT UNDER SECTION 34(1)

Year ended 30th June, 1978

MALE OFFENDERS

PAROLE BOARD

The following persons constituted the Male Parole Board of Western Australia during the period 1/7/77 to 30/6/78.

Chairman—The Honourable Mr. Justice Jones, Judge of the Supreme Court of Western Australia

Members—Mr. C. W. Campbell, Director, Department of Corrections (ex-officio) (deceased 28/9/77)

Mr. W. Kidston, Acting Director, Department of Corrections (ex-officio)

Mr. L. S. Turnbull, J.P.

Mr. J. R. Mackay

Mrs. R. Clarke

Miss S. McClemons, O.B.E.

Supt. J. R. Wilson

THE PAROLE PROCESS

Over the past three years public concern is being continually expressed about the inequities and failures of the criminal justice system. With the rising crime rate and the publicity given to this situation by the media this is an understandable reaction. Most of the attacks on the present parole system centre around the view that more concern is shown for the welfare of offenders at the expense of the law abiding citizen and the protection of the community. As a result of this area of concern a trend is emerging whereby it is sought to promote punishment, deterrence and protection of the public as the fundamental purposes of the criminal justice system. Where then does rehabilitation and cost-effectiveness fit into this approach?

Too often reformers and some of the public are inclined to recommend radical changes without sufficient supporting data or research into the subject matter. A present tendency has been to urge determinate and mandatory sentencing, the voluntary participation of offenders in rehabilitative programmes and the abolition of parole. Is such an approach desirable or justified? An analysis of the present parole process is certainly merited in the first instance.

It is claimed that parole can and often does provide a secondary screening process that may actually balance severe sentencing disparities. Parole is also intended to enable early and relatively safe release of many offenders who otherwise would be imprisoned for inordinate periods of time. Parole is also seen as one method of offering a general deterrent and control for the majority of selected offenders who participate in the scheme. Should parole be abolished no-one seems to be aware of what the specific impacts will be or whether a more coercive alternative will be more effective. Certainly the demands for change must rest upon close examination of the entire criminal justice process, including sentencing, and not upon parole isolation. If the parole process is not measuring up to these ideals, a modification of the present system is obviously needed. It would seem wise therefore to proceed carefully in order to safeguard positive gains and values already achieved over a number of years that do protect community interests and assist in the rehabilitation of the offenders.

THE PAROLE SERVICE

The total establishment at 30th June, 1978 including Chief Parole Officer was:

Professional Officers	....	....	....	....	49
Officers Supervising Parolees	....	....	....	....	42
Clerical Officers	....	....	....	....	23

Over the past twelve months 877 parolees were supervised by the Parole Service. During this period 349 persons were released back into the community on parole. This is less than the number of persons released on parole in the previous year, 395.

Considerable advancement was achieved during the period under review in providing more effective supervision of parolees by establishing two regional offices at Port Hedland and Bunbury, and the opening of five reporting centres in urban districts in Perth. These developments have also resulted in a more realistic service to the local prisons and the local community in the release and management of parolees. There is still a need however to provide adequate professional and support staff if the Service is to cope with the increasing demands made on it.

Future Trends

Developments in the next twelve months will depend largely on the availability of economic resources. It is hoped to open a new office in Broome to serve the Kimberley area and it is also planned to move one team of officers presently based in Head Office into the Mirrabooka area. With the appointment of a Research Officer in April 1978, the Parole Service is now in a position to undertake research that will evaluate the effectiveness of its work. Some of the areas of concern that are likely to be examined are factors involved in the breakdown of parole which may assist the Board in its decision making.

OPERATION OF THE ACT (SECTION 34)

The Board submitted fifteen reports to the Honourable the Attorney-General pursuant to this Section.

The Board submitted four reports pursuant to Section 34(2)(a).

The first was in relation to a person being held in custody pursuant to Section 653 of the Criminal Code, having been found not guilty of Attempted Unlawful Killing because of unsound mind. The Board recommended that this person be transferred from Strict to Safe Custody.

The second was in relation to a person being held in custody pursuant to Section 653 of the Criminal Code having been found not guilty of Wilful Murder because of unsound mind. The Board recommended that this person be transferred from Strict to Safe Custody.

The other two reports were on two persons held under Section 653 of the Criminal Code. The Board recommended that no action be taken in both cases.

The Board submitted one report pursuant to Section 34(2)(ba)(i). It concerned a person serving a life sentence, commuted from Death for Wilful Murder. The Board recommended no release on parole.

The Board submitted two reports pursuant to Section 34(2)(ba)(ii). Both were in relation to persons serving life sentences for Murder.

The first recommended release on parole for a person who had been in custody for ten years and five months. The second recommended release on parole for a person who had been in custody for seven years.

The Board submitted seven reports on its own initiative.

Two reports were in relation to one person who was being held in custody pursuant to Section 19(6a)(a) of the Criminal Code for Rape. Both reports recommended that this person be transferred from Strict to Safe Custody.

The third was in relation to a tribally oriented Aboriginal person serving a life sentence for Murder. The Board recommended release on parole for this person who had been in custody for three years six months.

The fourth was in relation to a person held in custody for three years eight months pursuant to Section 661 and 662 of the Criminal Code for various offences against property. The Board recommended that he be released on parole.

The fifth was in relation to a person serving a life sentence commuted from Death for Wilful Murder. This person had previously breached parole terms three times by offences of dishonesty. The Board made no recommendation.

The sixth was in relation to a person being held pursuant to Section 19(6a)(a) and 662 of the Criminal Code for Rape and Unlawful and Indecent Assault. This person had previously breached parole on three occasions. On two occasions the Parole Board cancelled his parole for failure to comply with conditions of his parole and on the third occasion following further conviction. After he had been in prison for two months, the Board recommended release on parole.

The final report was in relation to a person serving a life sentence for Rape. This person had breached parole on two previous occasions. The Board recommended release on parole.

Meetings

The Board held twenty-six regular meetings for decision making. A further twenty-three meetings were held for the purpose of interviewing persons upon release from prison and current parolees required to attend for disciplinary reasons. At the decision making meetings the Board considered a total of 1063 cases for various reasons. The Board interviewed 176 parolees during the year.

Decisions

The Board made the following decisions:— (Figures in parentheses are for preceding year).

Nature of Decision	Number Made
To direct release on parole	283 (298)
To direct release on re-parole	66 (97)
To defer parole	157 (126)
To defer re-parole	160 (173)
To deny parole	108 (89)
To deny re-parole	34 (22)
To cancel parole	61 (72)
Permit to leave State	68 (54)
Repremand	23 (11)
*Miscellaneous	76 (70)
Waive Breach Action	67 (73)

* The Miscellaneous decisions related mainly to ratification of action taken by members of the Board or Chief Parole Officer between meetings, and recommendations to Director of Corrections.

Special Conditions

The Board made special conditions of parole as listed below:— (Figures in parentheses are those for preceding year).

Nature of Decision	Number Made
To abstain from alcohol	5 (4)
To undergo psychiatric, psychological or medical treatment as directed	6 (1)
To refrain from associating with certain persons	6 (3)
Special conditions relating to deportation, extradition	13 (3)
To refrain from visiting certain places	2 (2)
To go to a particular place on release	1 (2)
Special conditions relating to employment (e.g. not to change employment without permission of Parole Officer; to work at a particular place, etc.)	208 (222)
Conditions relating to accommodation	14 (6)
To obtain treatment for drug abuse	2 (—)
Miscellaneous	— (3)
	257 (246)

STATISTICS OF RELEASE ON PAROLE AND RELATED MATTERS

Section 34(1)(b) requires information to be submitted to the Minister annually as to (1) the number of persons released on parole each year, and (2) the number returned to prison upon cancellation of parole in the same period. Statistical Tables 1-3 in the Appendix to the report contain the above information. Other relevant information is set out in Tables 4-7.

Below is an analysis of 355 persons released according to categories:— (Figures in parentheses are those for preceding year).

Nature of Decision	Number Made
Prisoners released on parole whose minimum terms were fixed by the Board (Section 41(1)(a))	2 (3)
Prisoners released on parole whose minimum terms were fixed by a Court (Section 41(1)(a))	278 (283)
Other prisoners in reformatory sections of prisons (Section 41(1)(c) or (d))	3 (12)
Re-paroled after one breach	44 (63)
Re-paroled after two breaches	16 (22)
Re-paroled after three breaches	4 (6)
Re-paroled after four breaches	— (5)
Re-paroled after five breaches	2 (1)
	349 (395)
Released by order of the Governor in Executive Council	6 (2)
	355 (397)

Of those paroled a second time—
38 (57) were persons serving minimum term sentences
6 (5) were persons serving G.P. S.662 C.C.

Of those paroled a third time—
14 (17) were persons serving minimum term sentences
2 (3) were persons serving G.P. S.662 C.C.

Of those paroled a fourth time—
2 (5) were persons serving minimum term sentences
2 (1) were persons serving G.P. S.662 C.C.

Of those paroled a sixth time—
1 (1) was a person serving a minimum term sentence
1 (–) was a person serving G.P. S.662 C.C.

Of those offenders released on parole for the first time nearly 71 per cent were granted parole and released within a week of their earliest eligibility date for release (Table 7). (A decrease of 15 per cent on last year). Less than two per cent of those eligible for release on parole were required to remain in custody for six months or more after their earliest eligibility date for release.

ACKNOWLEDGEMENTS

The Parole Board acknowledges with gratitude the work of the Parole Service, professional and clerical staff. It is also appreciative of work of the Honorary Probation and Parole Officers throughout the State. Without the support and assistance too, from voluntary organisations who are always willing to help offenders, the efforts of offenders to establish themselves again in the community, would be that much more difficult. The Board wishes furthermore to pay a special tribute of gratitude to the Civil Rehabilitation Council for its continuing support to parolees and the many employers who enable parolees to become self supporting again.

Finally the Board is appreciative of the co-operation provided to the Parole Service by the Department for Community Welfare, the Department of Corrections, the Police Department, the Mental Health Services and the Alcohol and Drug Authority.

THE LATE COLIN CAMPBELL

On the 28th September, 1977, suddenly, to the great shock and sadness of his many friends and colleagues, Colin Campbell died. 'Colin', as he was always affectionately known, had been the Director of Corrections since 1966, and by virtue of that office had been a statutory member of the Parole Board during that time.

In that capacity he was a tower of strength—calm, steady, wise, always ready to fight for a cause, but equally ready to see the other point of view. Physically a very big man, he was an imposing presence possessing a rich sense of humour and one always expected that whatever else happened Colin would be there. So his sudden death was the greater shock. But his memory certainly lives on—and not least with many of his former 'clients': a great tribute indeed. He is sadly missed. Vale, Colin Campbell.

R. E. JONES, Chairman
C. W. CAMPBELL, Member
(deceased 28/9/77)
W. KIDSTON, Member
L. S. TURNBULL, Member
S. McCLEMAN, Member
R. CLARKE, Member
J. R. MACKAY, Member
J. R. WILSON, Member

Table 1
PAROLE RELEASES, CANCELLATIONS, COMPLETIONS ETC. DURING 1977/78

	Under 20	21-25	26-30	31-35	36-40	41-45	46-50	Over 50	Total
Number of orders for release on parole during 1977/78	69	127	66	34	21	18	6	8	349
Number released by order of the Governor in Executive Council	6
Number on parole at 30/6/77	522
Total supervised during 1977/78	877
Less completions of parole	256
Less Parole Board cancellations	61
Less automatic cancellations by re-imprisonment	58
Less remittance of sentence, notified deaths	1
Less Governor's release completions
Less Governor's release cancellations
Less parole order revoked before release	4
Total on parole at 30/6/78	497

Table 2
LENGTH OF PAROLE PERIOD FOR PERSONS RELEASED DURING 1977/78
(Does not include Governor's Releases)

Length of Parole Period						Number	Percentage
Under 3 months	....	....	....	....	....	3	0.86
3 months and under 6 months	....	....	....	....	....	11	3.15
6 months and under 9 months	....	....	....	....	....	40	11.46
9 months and under 12 months	....	....	....	....	....	36	10.32
12 months and under 18 months	....	....	....	....	....	94	26.93
18 months and under 2 years	....	....	....	....	....	58	11.62
2 years and under 3 years	....	....	....	....	....	55	15.76
3 years and over	....	....	....	....	....	52	14.90
Total Sentences	....	....	....	....	....	349	100.00

Table 3
ANALYSIS OF CANCELLATIONS OF PAROLE—1977/78

Period on Parole before Cancellation	Board Cancellations		Automatic by Re-imprisonment		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Under 1 month	7	11.47	4	6.90	11	9.25
1 month and within 2 months	4	6.56	5	8.62	9	7.56
2 months and within 3 months	3	4.92	4	6.90	7	5.88
3 months and within 6 months	19	31.15	15	25.86	34	28.57
6 months and within 9 months	4	6.56	7	12.07	11	9.25
9 months and within 12 months	5	8.19	8	13.79	13	10.92
12 months or more	19	31.15	15	25.86	34	28.57
	61	100.00	58	100.00	119	100.00

Table 4

LENGTH OF POSSIBLE PAROLE PERIOD IN MINIMUM TERM SENTENCES IMPOSED DURING 1977/78
(i.e., difference between sentence and minimum term)

Length of Possible Parole	Number	Percentage
Less than 3 months	7	1.84
3 months but less than 6 months	23	6.04
6 months but less than 9 months	26	6.82
9 months but less than 12 months	46	12.07
12 months but less than 18 months	88	23.10
18 months but less than 2 years	64	16.80
2 years but less than 3 years	86	22.57
3 years and over	41	10.76
Total Sentences	381	100.00

Table 5

ANALYSIS OF TERMS SET BY COURTS 1977/78—BY MAXIMUM AND MINIMUM TERMS

Maximum Sentence	Less than 1 year	1 year but less than 2 years	2 years but less than 3 years	3 years but less than 4 years	4 years but less than 5 years	5 years but less than 10 years	10 years and over	Totals	Percentage
Minimum term sentence									
Less than 3 months	7	1	....	....	....	....	....	8	2.10
3 months but less than 6 months	6	16	2	....	....	....	....	24	6.30
6 months but less than 9 months	6	50	23	2	....	....	....	81	21.26
9 months but less than 12 months	....	36	26	4	3	....	....	69	18.11
12 months but less than 18 months	....	6	41	29	4	1	....	81	21.26
18 months but less than 2 years	....	....	6	26	20	2	....	54	14.17
2 years but less than 3 years	....	....	1	2	16	21	....	40	10.50
3 years and over	....	....	....	....	....	22	2	24	6.30
Totals....	19	109	99	63	43	46	2	381	....
Percentage	4.99	28.61	25.98	16.53	11.29	12.07	0.53	....	100.00

Table 6

ANALYSIS OF GOVERNOR'S PLEASURE PAROLEES SUPERVISED DURING 1977/78

Released in 1977/78	Completed	Breached	Current 30/6/78	Total
First Release G.P. 662	....	....	3	3
G.P. 661	....	....	....	....
G.P. 19 (6a) (a)	....	....	....	....
Re-parole G.P. 662	1	1	9	11
G.P. 661	....	....	....	....
G.P. 19 (6a) (a)	....	....	....	....
Total	1	1	12	14

Released Prior to 1977/78	Completed	Breached	Current 30/6/78	Total
First Release G.P. 662	5	1	3	9
G.P. 661	....	....	1	1
G.P. 19(6a) (a)	....	....	....	....
Re-parole G.P. 662	4	5	3	12
G.P. 661	....	1	....	1
G.P. 19(6a) (a)	....	....	....	....
Total	9	7	7	23

Total first release 13

Total re-parolees 24

Total supervised 1977/78 37

Table 7

PAROLE BOARD DECISIONS RELATING TO PERIOD SERVED IN PRISON AFTER EARLIEST ELIGIBILITY DATE OF RELEASE—1977/78

Period Served After Earliest Date of Release	Totals	Percentage
Released on Earliest Date of Release		
Less than 1 week	140	50.00
1 week but less than 2 weeks	58	20.71
2 weeks but less than 1 month	12	4.29
1 month but less than 2 months	25	8.93
2 months but less than 6 months	17	6.07
6 months and over	24	8.57
Totals	280	100.00

To:

THE HONOURABLE THE ATTORNEY-GENERAL

From:

THE PAROLE BOARD OF WESTERN AUSTRALIA

REPORT UNDER SECTION 34(1)

Year ended 30th June, 1978

FEMALE OFFENDERS

PERSONNEL

There was no change in the constitution of the Board during the year. At 30th June, 1978 members of the Board dealing with female offenders were:

Chairman—The Honourable Mr. Justice Jones, Judge of the Supreme Court of Western Australia

Members—Mr. C. W. Campbell, Director, Department of Corrections (ex-officio) (deceased 28/9/77)

Mr. W. Kidston, Acting Director, Department of Corrections (ex-officio)

Mr. L. S. Turnbull, J.P.

Miss S. McClemons, O.B.E.

Mrs. R. Clarke

THE OPERATIONS OF THE BOARD UNDER THE ACT (SECTION 34(1))

The operations of the Board were similar in nature to those of the Board dealing with male offenders.

Meetings

The Board held eleven meetings for decision making and a further one meeting for the purpose of interviewing parolees following release from prison.

Decisions

The Board directed that three women be released on parole; consideration was deferred in relation to eight others; two women were denied parole. One of the women released was seen by the Board upon release. The Board granted permission to leave the State for three parolees.

No parole was cancelled by the Board during 1977/78 and the Board decided to defer action on breach twice. A request by a prisoner to have her case reviewed after being denied parole was refused by the Board.

STATISTICS (SECTION 34(1)(b))

At 1st July, 1977 there were twelve parole orders current. There were three releases during the year making a total of fifteen parolees under supervision during the year. In this period seven women completed their parole and no parolee had her parole cancelled.

As at 30th June, 1978 there were eight parole orders current.

ACTIVITIES OF THE PAROLE OFFICERS (SECTION 34(1)(c))

Female officers continued to supervise both male and female parolees. At 30th June, 1978 nine female officers (excluding the Supervisor) were supervising 73 parolees (85 last year for six female officers) and 439 probationers (263) in addition to carrying out pre-parole duties with respect to 107 (103) pre-parole cases in prison, a total of 619 cases as against 451 last year.

R. E. JONES, Chairman
C. W. CAMPBELL, Member
(deceased 28/9/77)
W. KIDSTON, Member
L. S. TURNBULL, Member
S. McCLEMONS, Member
R. CLARKE, Member

END