



NEW ZEALAND
PAROLE BOARD

REPORT OF THE NEW ZEALAND PAROLE BOARD

for the year ended
30 June 2005



Cover Pattern

This Pou Tangata (tukutuku) pattern symbolises the main pole inside the meeting house. Pou represents the genealogical links that humanity has to the earth (Papatuanuku) and sky (Ranginui). Tangata represents the collective or individual continuity people have with Papatuanuku and Ranginui, and the cyclic journey of humanity.

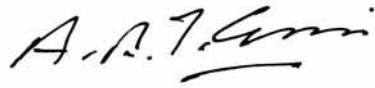
The pattern serves to remind all that family links and heritage are important; identity has a crucial place in our society; humankind's upward and downward journey; and that life has dark and light patches (represented by the pattern colours). The Board appreciates the input from Matt Hakiaha, a non-judicial member of the Board from the Northern Region, who assisted in the use of the tukutuku design.

Presented to the House of Representatives in accordance with section 119 of the Parole Act 2002



Foreword

Sir, I have the honour to forward the Annual Report of the New Zealand Parole Board for the year ended 30 June 2005.



Hon. Anthony Ellis QC
Chairperson
New Zealand Parole Board

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The law in this report is stated as the law as at 30 June 2005.
References to legislation in this report are not a substitute for the statutes themselves.



Chairperson's Message

After the dramatic increases in workload during the New Zealand Parole Board's first two years of operation, it is gratifying to see the number of hearings stabilise in the 12 months to 30 June 2005.

Just under 9000 hearings were conducted by the Board during the year, on a par with 2003/04. This followed an increase of 25 percent last year, and a workload in the Board's first year of operation 93 percent higher than had been anticipated.

With the number of hearings remaining high, the appointment to the Board of two additional Judges and five new non-judicial Members in September 2004 was welcome. The new appointees are Judge James Rota, Judge Arthur Tompkins, Darlene Cullen, Richard Lewis, Ievaivai Nua, Patrick Tavai, and forensic psychiatrist Associate Professor Philip Brinded.

NEW LEGISLATION

The Parole (Extended Supervision) Amendment Act gained Royal Assent on 6 July 2004, and made several key changes to the Parole Act 2002.

The amendment introduced Extended Supervision Orders as a means of imposing further monitoring on offenders convicted of designated offences – child sex offenders – with the Board given responsibility for hearing applications from the Department of Corrections for imposition of special conditions, once orders had been granted by the sentencing Court.

To date, 14 hearings have been conducted to impose special conditions.

The amendment is also designed to give sentencing Judges a greater “sifting” role when determining whether an offender should be given leave to apply for front-end home detention.

Reference to the “nature of the offence” has been removed as one of the Board's considerations – it is now a matter for consideration by sentencing Judges. This has, predictably, led to a reduction in the number of front-end home detention cases coming before the Board but has not prevented a number of offenders convicted of high profile

and serious offending applying for back-end home detention, sometimes several times.

The amendment also requires offenders given deferred sentences, with leave granted to apply for home detention, to be granted bail for two weeks – that being the time allocated for an application to the Board.

TRENDS

This period saw the Board approve parole in 32 percent of the 2584 parole hearings held, down from 41 percent in 2003/04. After two years of operation, the Board is now seeing for the first time offenders convicted since 1 July 2002 and sentenced to up to six years in prison. So more and more offenders convicted of serious offences are being seen as they reach one third of their sentences, unless they have received a longer minimum non-parole period.

Previously, many violent offenders would simply see the Board once, for the setting of release conditions, at the two-thirds point of their sentence. It is therefore not surprising that a greater proportion of these offenders are declined parole at their first hearing.

Similarly, approved back-end home detention applications for the period were 31 percent of 909 applications, compared with 40 percent in 2003/04. With offenders entitled to apply for back-end home detention when they are within five months of their parole eligibility date, the same group of offenders can reasonably be expected to have affected the figures.

Front-end home detention figures were comparable with 2003/04, with 49 percent of 2568 applications approved.

VICTIM PROJECT

This year saw the Board begin a project to assess the ways it interacts with victims of crime.

Victims registered as part of the victim notification system, were interviewed and submissions also invited from community groups working with victims.



Data collected from this process will be analysed over the coming months with a view to ensuring Board interactions with victims are meeting desired goals.

TRANSPARENCY

As part of efforts to increase transparency in the way the Board operates, a public website went on line in August and use of it has increased steadily. Around 2000 visits a month are recorded, on average, with an average of 10 pages accessed per visit.

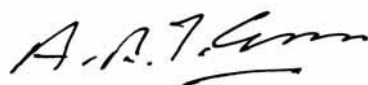
After considerable work over two years, a television documentary on the Board, *Up For Parole*, screened on TV3 in May. The programme followed three inmates through parole hearings and included interviews with Board Members and victims.

NEW CHAIRPERSON

In my final year as Chairperson of the Board, I reflect on three years of considerable achievement by Members and administration staff.

The workload has been vastly greater than anticipated when the Board came into existence in July 2002 but hearings have been conducted on a timely basis and there is no backlog – a notable effort in my view.

I pay tribute to the commitment and achievements of administration staff and Members of the Board and congratulate Judge David Carruthers on his appointment as the new Chairperson.



Hon. Anthony Ellis QC
Chairperson
New Zealand Parole Board



Purpose

This report has been prepared to inform Parliament, New Zealand Parole Board stakeholders and the general public about the operations of the Board. This report complies



Administrative Support Service staff prepare Board files.

with section 119 of the Parole Act 2002 where the Board is required to give an account on the performance of its functions from 1 July 2004 to 30 June 2005.

OBJECTIVES

The objectives of the New Zealand Parole Board are to:

- a. fulfil all statutory obligations under the Parole Act 2002,
- b. make independent and appropriate decisions regarding the release of offenders on parole and home detention,
- c. make appropriate orders recalling offenders to prison custody,
- d. hear applications for the imposition of special conditions on extended supervision orders.

Profile

The New Zealand Parole Board (the Board) is an independent statutory body established on 1 July 2002, under section 108 of the Parole Act 2002. The Board has 36 Members headed by a chairperson, with 19 Judges as panel convenors and 17 non-judicial Members.

Appointments are made by the Governor-General on the recommendation of the Attorney-General.

Former High Court Judge Mr Anthony Ellis QC completed his term as chairperson on 30 June 2005. Judge David Carruthers has been appointed to chair the Board from 1 July 2005.

Hearings before the Board are considered by panels with a minimum of three members and hearings are conducted at each prison at least once a month.

In accordance with the Parole Act 2002, the Board considers cases where offenders are eligible for consideration for release on parole, home



New Zealand Parole Board Members.

detention, compassionate release, and release at their statutory release date. It does not consider the release of offenders on short-term prison sentences of two years or less, unless they have the court's leave to apply for front-end home detention. The date offenders are eligible to be considered by the Board for parole depends on their sentence and this is determined by the Department of Corrections in accordance with section 88 of the Parole Act 2002.



Functions of the Board

The functions of the Board are to:

- a. consider offenders for parole and, if appropriate, to direct offenders to be released on parole,
- b. consider offenders for home detention and, if appropriate, to direct offenders to continue serving their sentences by way of home detention,
- c. consider offenders for release on compassionate release and, if appropriate, to give direction for their release on compassionate grounds,
- d. set the conditions for:
 - i. offenders released at their statutory release date,
 - ii. offenders released on parole or compassionate release,
 - iii. offenders detained on home detention, and
 - iv. offenders released at their final release date.
- e. consider and determine applications for:
 - i. the variation and discharge of release conditions and detention conditions,
 - ii. the variation and discharge of conditions of an extended supervision order, and
 - iii. interim and final recall from parole, home detention, or compassionate release.
- f. make postponement orders in relation to offenders,
- g. make and review orders under section 107 of the Parole Act 2002,
- h. review decisions in accordance with section 67 of the Parole Act 2002,
- i. impose special conditions on offenders in respect of whom extended supervision orders have been made, and
- j. do anything else it is required to do under the Parole Act 2002 or any other enactment.

Guiding Principles

When making decisions about, or in any way relating to, the release of an offender, the paramount consideration for the Board in every case is the safety of the community.

The statutory test applied by the Board is whether or not it is satisfied that the offender does not present an undue risk to the safety of the community or any person.

Other principles that must guide the Board's decisions are that:

- a. offenders must not be detained any longer than is consistent with the safety of the community, and that they must not be subject to release conditions or detention conditions that are more onerous, or last longer than is consistent with the safety of the community, and
- b. offenders must be provided with information about decisions that concern them, and be advised how they may participate in decision-making that directly concerns them, and
- c. decisions must be made on the basis of all the relevant information that is available to the Board at the time, and
- d. the rights of victims (as defined in section 4 of the Victims' Rights Act 2002) are upheld, and submissions by victims (as so defined) and any

restorative justice outcomes are given due weight.

When any person is required to assess whether under Part 1 of the Parole Act 2002 an offender poses an undue risk, the person must consider:

- a. the likelihood of further offending, and
- b. the nature and seriousness of any likely subsequent offending.

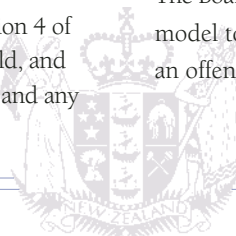
The Board considers information from a range of sources in making decisions.

These include the Police statement of facts of the offence(s), pre-sentence reports, the Judge's sentencing notes, and the offender's criminal history.

Reports from the Public Prison Service address what programmes the offender may have completed to address their offending. The Board also considers psychological assessments, plans for release into the community, and submissions received from victims and the Police.

The offender can make written and oral submissions to the Board, and the general public can make submissions.

The Board uses a structured decision-making (SDM) model to assist it in determining the level of risk an offender poses.



Victims of Offences

The Board recognises the concerns of victims and their families when offenders are released into the community.

If victims are registered as part of the victim notification system, the Board must take all reasonable steps to notify them of an offender's pending hearing (section 43(2) of the Parole Act 2002). Where the offender is subject to a long-term sentence (more than 2 years imprisonment), registered victims are also entitled to receive information on any programmes the offender may have undertaken during their imprisonment, their current security classification, and a list of any further convictions they may have received from the time they commenced their sentence.

Registered victims have the right to make written and oral submissions to the Board. In accordance with the Parole Act 2002, the Board must give due weight to victims' submissions.

Victims (as defined under the Victims' Rights Act 2002), who are not registered as part of the victim notification system have the right to make written and, with the Board's permission, oral submissions to the Board. Victims can also request information on hearing outcomes and be notified of hearing decisions and release or detention conditions that are of personal relevance. Furthermore, the Board may consider unsolicited submissions from the community.

VICTIM SUBMISSIONS

	2002/3	2003/4	2004/5
Oral	59	67	79
Written	205	220	248
Unsolicited in support of victims	204	469	122
TOTAL	468	756	449

Parole

OFFENDERS SERVING INDETERMINATE SENTENCES

Offenders sentenced to life imprisonment become eligible to be considered for release on parole after 10 years unless the court has imposed a longer minimum non-parole period.

Offenders sentenced to preventive detention become eligible to be considered for release on parole after five years unless the court has imposed a longer minimum non-parole period.

OFFENDERS RELEASED SERVING INDETERMINATE SENTENCE

	2002/03	2003/04	2004/05
Life imprisonment	29	18	22
Preventive detention	3	2	1
Total	32	20	23

OFFENDERS RECALLED TO RESUME INDETERMINATE SENTENCE

	2004/05
Life imprisonment	16
Preventive detention	2
Total	18



OFFENDERS SERVING DETERMINATE SENTENCES

Under the Parole Act 2002, offenders who receive short-term (two years or less) sentences of imprisonment are automatically released after serving half of their sentence.

They do not appear before the Board unless they are given leave by the sentencing Judge to apply for home detention and make an application to the Board.

Offenders who receive sentences of more than two years must, by law, be considered for parole after completing one-third of their sentence, unless given a longer minimum non-parole period. If declined parole, they must be seen again by the Board within 12 months, unless the hearing is postponed under s27 of the Act.

Offenders sentenced prior to 1 July 2002, under the Criminal Justice Act 1985, ordinarily become eligible for consideration for parole after serving one-third of their sentences and must be released after serving two-thirds at their Final Release Date (FRD).

Offenders who were classified as Serious Violent Offenders (SVO) do not become eligible for parole and must be released after serving two-thirds of their sentence. The Board's only role in these cases is to set the release conditions, not to decide whether or not to release the offender.

Under s107 of the Parole Act 2002, the Department of Corrections may apply to have an offender kept in prison beyond their FRD. Applications are made to the Board and if granted, must be reviewed every six months.

ELECTRONIC MONITORING

New legislation introduced in July 2004 enables the Board to impose electronic monitoring as a condition of release for offenders on parole.

As with home detention, this would involve offenders wearing an electronic anklet to enable their movements to be monitored to ensure, for instance, that they are adhering to conditions such as a curfew which may be imposed.

Home Detention

Home detention is an alternative to imprisonment for some offenders, and operates in two ways.

Offenders sentenced to up to two years in prison may be given leave by the Judge to apply to the Board to serve their sentence at an approved address.

If given a deferred sentence, an offender must, as part of their bail conditions, apply to the Board within two weeks of being granted bail.

Offenders serving a sentence of more than two years in prison may apply to serve the remainder of their sentence on home detention when they are

within five months of their parole eligibility date.

If home detention is granted, they will not be released on home detention until they are within three months of their parole eligibility date. This is called back-end home detention.

Offenders serving sentences on home detention are fitted with an electronic anklet which is monitored to ensure they do not leave their approved address without prior approval.

As with all of its deliberations, the Board's primary role in considering home detention applications is the safety of the community.



New Legislation

The Parole (Extended Supervision) Act 2004 took effect from 7 July 2004 and amends the Parole Act 2002.

Under this new legislation, the Chief Executive of the Department of Corrections may apply to the sentencing court to have an extended supervision order imposed on certain eligible convicted child sex offenders, who are considered to be at a high risk of re-offending in a similar manner. If granted, an extended supervision order may last for up to 10 years, with the offender being subject to the standard release conditions.

In addition, the Chief Executive or a Probation Officer may apply to the Board to impose special conditions. The Board imposed special conditions on 14 occasions during the year.

DESIGNATION OF A CLASS OF OFFENDER FOR EARLY REFERRAL

No new designation was made by the Minister of Justice during the reporting period.

Board Activities

SUMMARY

- The number of cases dealt with by the Board increased by 2.2%, from 7120 to 7280. Hearing numbers decreased marginally from 9026 to 8967.

The number of cases, which relates to individual offenders, differs from the number of hearings for a variety of reasons, primarily the adjournment of hearings. One offender can appear before the Board more than once in 12-month period.

- Parole hearings increased by 49.1%, from 1732 to 2584.
- Parole was approved in 31.6% of hearings, down from 40.8% in 2003/04.
- Home detention hearings decreased by 12.3%, from 3966 to 3477.

HEARING VOLUME

	2002/03	2003/04	2004/05
No. of cases	6480	7120	7280
No. of hearings	7704	9026	8967

- Approved front-end home detention applications decreased marginally from 50.1% to 49.2%.
- Approved back-end home detention applications decreased from 39.5% to 30.8%.
- There were 4 appeals of Board decisions to the High Court, up from 3 in 2003/04.
- There were 2 judicial reviews of Board decisions, the same number as in 2003/04.



Cases by Type

These figures relate to hearing outcomes where the result is either approved or declined. Adjourned, reserved or deferred outcomes are not included as this would give a misleading impression of outcomes.

It should be remembered that an approval of a recall application, or application for an order under s107 of the Parole Act 2002, results in an offender returning to, or remaining in, prison – thus, figures for approvals cannot be simply translated to offenders released from prison by the Board.

Release at Final Release Date (two-thirds of sentence) under the Criminal Justice Act 1985 may be declined on the application of the Chief Executive of the Department of Corrections under s107 of the Parole Act 2002.

Under s59-61 of the Parole Act 2002, the Chief Executive of the Department of Corrections or a Probation Officer may apply to the Board to have an offender recalled to continue serving a sentence in prison. Grounds for recall are that the offender poses an undue risk to the safety of the community; has breached

release conditions or detention conditions; or has committed an offence punishable by imprisonment. In the case of an offender on home detention, grounds for recall include the offender jeopardising the safety of any person at their residence, or a suitable residence no longer being available. In the case of an offender required to attend a residential programme, grounds for recall include the offender jeopardising the safety of any person at the residence; the offender failing to remain at the residence for the duration of the programme; the programme ceasing to operate, or the offender's participation being terminated.

PAROLE

	2002/03	2003/04	2004/05
Total	1842	1732	2584
Approved	895 (48.5%)	707 (40.8%)	818 (31.6%)

HOME DETENTION

	2002/03	2003/04	2004/05
Total	3009	3966	3477
Front End (in custody)	2551	2691	2122
Approved	1395 (54.6%)	1219 (45.2%)	919 (43.3%)
Front End (deferred)	n/a	545	446
Approved	n/a	403 (73.9%)	326 (73.1%)
Back End	458	730	909
Approved	175 (38.2%)	289 (39.5%)	280 (30.8%)

RELEASE ON CONDITIONS (FRD/SRD)

	2002/03	2003/04	2004/05
FRD/SRD (total)	1033	621	412
Approved	995 (96.3%)	609 (98%)	397 (96.3%)

RECALLS

	2002/03	2003/04	2004/05
Parole (total)	284	293	237
Approved	231 (81.3%)	222 (75.7%)	195 (82.2%)
Home Detention (total)	80	96	97
Approved	71 (88.7%)	76 (79.1%)	78 (80.4%)



Under s27 of the Parole Act 2002, the Board may postpone an offender's parole hearing for up to three years if it is satisfied that, in the absence of a significant change in the offender's circumstances, they will not be suitable for release at the time when they are next due to be considered for parole.

POSTPONEMENT OF CONSIDERATION FOR PAROLE

	2002/03	2003/04	2004/05
Total	4	8	8

Under s107 of the Parole Act 2002, the Chief Executive of the Department of Corrections may apply to the Board for an order that an offender be kept in prison beyond their Final Release Date (FRD). Offenders subject to orders under s107, or s105 of the Criminal Justice Act 1985, must have the order reviewed at least once every six months.

APPLICATION UNDER S107/105

	2002/03	2003/04	2004/05
Total	21	34	25
Approved	19	32	24
Reviews of Orders	n/a	n/a	91
Approved	n/a	n/a	84

Under s56 of the Parole Act 2002, an offender who is subject to release conditions or detention conditions imposed by the Board may apply at any time for the variation or discharge of any of those conditions. The Probation Officer may also apply.

APPLICATION FOR VARIATION OF CONDITIONS

	2002/03	2003/04	2004/05
Parole	48	53	40
Approved	40 (83.3%)	50 (94.3%)	35 (87.5%)
Home Detention	83	232	216
Approved	79 (95.2%)	216 (93.1%)	203 (93.8%)

APPLICATION FOR DISCHARGE OF CONDITIONS

	2002/03	2003/04	2004/05
Parole (total)	3	4	9
Approved	1	2	5
Home Detention (total)	0	1	3
Approved	0	1	3



Under s67 of the Parole Act 2002, an offender may, within 28 days of a Board decision, apply in writing to the Board for a review of that decision. Grounds for an application for review are that the Board: failed to comply with the Act, made an error of law, failed to comply with a policy of the Board, based its decision on erroneous or irrelevant information, or acted without jurisdiction.

REVIEWS

	2002/03	2003/04	2004/05
Total	107	108	108
Referred back to Board	n/a	n/a	8

Under s25 of the Parole Act 2002, the Chairperson of the Board may, in exceptional circumstances, refer an offender who has not yet reached his or her parole eligibility date for consideration by the Board for parole.

APPLICATION FOR EARLY REFERRAL FOR CONSIDERATION FOR PAROLE

	2002/03	2003/04	2004/05
Total	29	9	3
Approved	13	4	2

Under s41 of the Parole Act 2002 the grounds for compassionate release are terminal illness or the offender having given birth to a child.

APPLICATION FOR COMPASSIONATE RELEASE

	2002/03	2003/04	2004/05
Total	3	0	3*
Approved	2	0	3

*Seven applications for compassionate release were considered by the Chairperson and three of these referred to the Board.

Under the Parole (Extended Supervision) Amendment Act 2004, the Chief Executive of the Department of Corrections can apply to the sentencing court to have designated offenders (child sex offenders) made the subject of extended supervision orders. If an order is granted, an application for special conditions can be made to the Board.

APPLICATION FOR SPECIAL CONDITIONS OF AN EXTENDED SUPERVISION ORDER

	2002/03	2003/04	2004/05
Total	n/a	n/a	14

Under s28(5) (parole) and s37 (home detention) of the Parole Act 2002, the Board may revoke a direction to release an offender on parole or home detention at any time before the start of parole or home detention. An offender on home detention may also apply to the Board to return to prison.

REVOCAATION OF DECISIONS

	2002/03	2003/04	2004/05
Parole	8	7	9
Home Detention	29	59	58



Media and Communications

Significant progress was made in making Board processes more transparent during 2004/05.

The Board's public website went online at www.paroleboard.govt.nz in August, and now attracts a monthly average of around 2000 "visits" (representing an individual logging on to the site). Significantly, each visitor accesses an average of 10 pages on the site, indicating the content is proving of use.

The site contains information on the structure and processes of the Board, and decisions requested by the media.

After two years' work with television production company Raconteur International Ltd, a documentary on the Board's operations was screened on TV3 in May, generating considerable positive feedback. *Up for Parole* followed three offenders through the parole hearings process.

Media interest in the Board's activities continues to be high with more than 350 media enquiries during the year, a significant increase on the 250 received in 2003/04.



Image courtesy of Raconteur International Ltd.

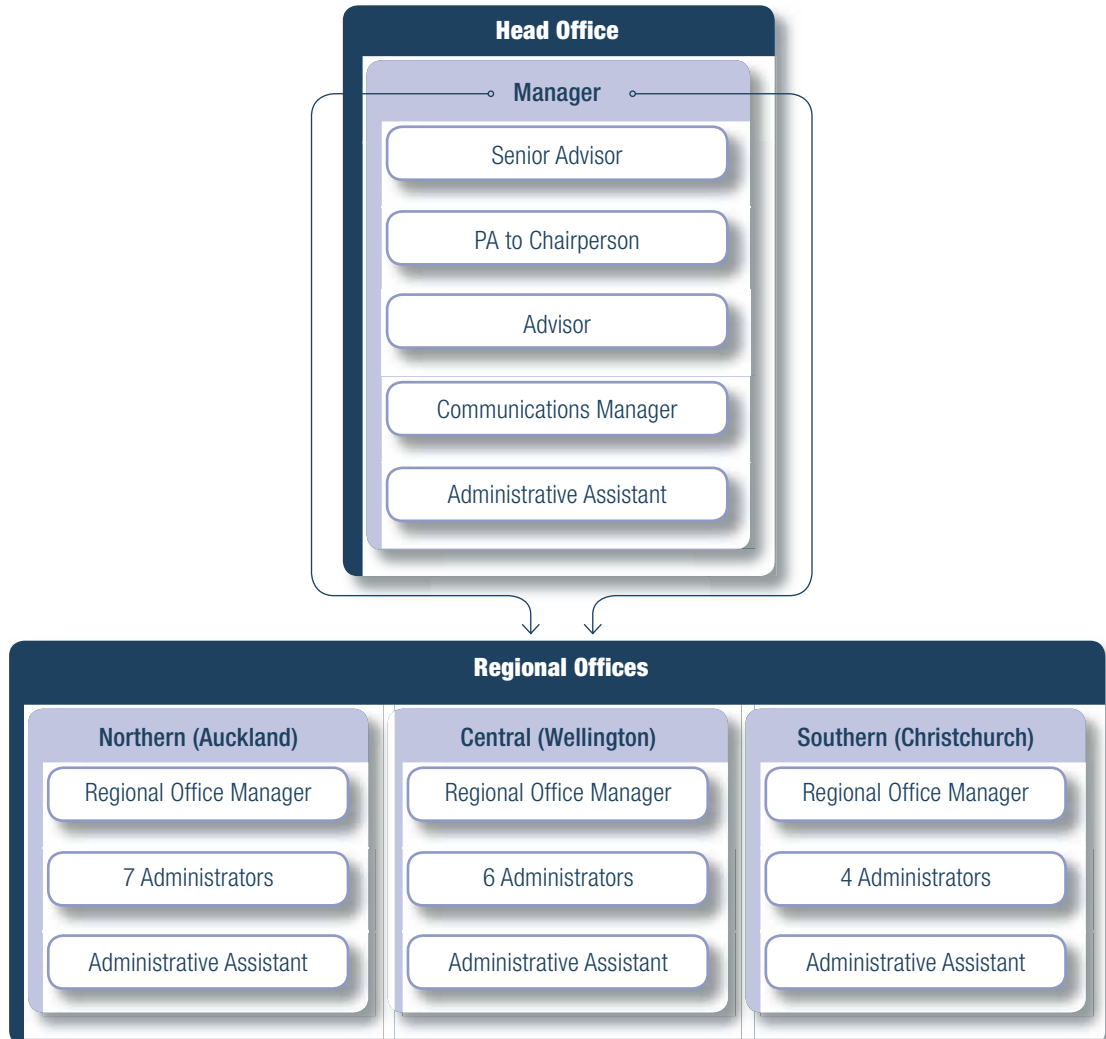
NZPB website: www.paroleboard.govt.nz



Board Administration

Under the s110 of the Parole Act 2002, the Department of Corrections is required to provide administrative and training support for the Board.

The structure of the Board's Administrative Support Service is as follows:



The Northern Region administers Board hearings at the Northern Region Corrections Facility, Auckland (Paremoremo), Mt Eden, Mt Eden Women's, and Waikeria prisons.

The Central Region administers Board hearings at Arohata, Hawke's Bay, Manawatu, New Plymouth, Rimutaka, Tongariro/Rangipo, Wanganui, and Wellington prisons.

The Southern Region covers the whole of the South Island, with Board hearings administered at Christchurch, Christchurch Women's, Dunedin, Invercargill, and Rolleston prisons.



Glossary Of Terms

Determinate sentence - means a sentence of imprisonment with a fixed term.

Extended supervision order - under sections 107A-Q of the Parole (Extended Supervision) Amendment Act 2004, offenders convicted of certain sexual offences may be made subject to extended supervision orders lasting for up to 10 years. The Chief Executive of the Department of Corrections can apply to the Board to have special conditions imposed on an offender subject to an extended supervision order. These can include home detention-type conditions for the first 12 months, and electronic monitoring for up to the entire term of the order.

FRD - Final release date - is relevant to offenders sentenced under the Criminal Justice Act 1985. The law requires that an offender must be released from custody on their FRD, if their FRD is also their Statutory Release Date. The Board's only role is to impose the conditions that an offender will be subject to on their release. An offender is no longer liable for recall after this date.

Home detention - is when an offender serves his or her prison sentence, or part of the sentence, at an approved residence. Offenders on home detention wear an electronic device so their movements can be monitored. They receive supervision from a Probation Officer.

Imposition of conditions - An offender who is detained under a long-term pre-commencement date sentence must be released from detention on his or her final release date. An offender who is otherwise detained under a long-term sentence must be released from detention on their statutory release date. Both these types of cases only come before the Board for the determination of the nature and duration of release conditions.

Indeterminate sentence - means a sentence of imprisonment that is imprisonment for life or preventive detention.

Order under s107 that offender not be released - The Chief Executive of the Department of Corrections may apply to the Board at any time before an offender's final release date for an order under section 107 of the Parole Act 2002, that the offender not be released before their applicable release date.

The Board must make the order if it is satisfied that the offender would, if released, be likely to commit a specified offence between the date of release and the applicable release date. Such orders must be reviewed at least once every six months.

Parole - is when an offender is released from prison to serve the remainder of his or her sentence in the community on conditions supervised by a Probation Officer. Most offenders will be on parole for a set period and during that time they can be 'recalled' to prison if they do not meet the conditions of their parole. Offenders sentenced to life imprisonment or preventive detention are on parole indefinitely.

Postponement of consideration for parole - If the Board is satisfied that in the absence of a significant change in the offender's circumstances, an offender will not be suitable for release at the time when they are next due to be considered for parole, the Board can make a postponement order under section 27 of the Parole Act 2002. The offender's hearing can be postponed for up to three years.

Pre-Commencement date or pre-CD sentences - means a sentence of imprisonment that was imposed before the Parole Act 2002 came into effect on 30 June 2002. This is known as the commencement date.



Recalls - occur when a Probation Officer applies to the Board to have a released offender recalled to prison to continue serving their sentence of imprisonment. This can happen on a number of grounds including when an offender fails to meet the conditions of their release, or commits an offence punishable by imprisonment.

The Chief Executive of the Department of Corrections lodges applications for recall for offenders subject to indeterminate sentences.

Reviews - occur when an offender applies to have the Board review a decision made at a hearing about them. Grounds for a review are set out in section 67 of the Parole Act 2002 and include:

- the Board not complying with the procedures laid down in the Act,
- the decision being based on an error of law,
- the Board basing its decision on “erroneous or irrelevant” information,
- the Board acting without jurisdiction.

Structured decision-making (SDM) - a model used by the Board to aid decision-making about an offender by presenting relevant information in a more structured way. It helps the Board to assess an offender’s likelihood of re-offending by focusing on the factors that are likely to lead to re-offending. It considers the following:

- criminal history information to assess the risk of re-offending by assigning risk categories,
- information on an offender’s risk areas (for example, alcohol and substance abuse, family support, work and skills and prison activities) and the steps taken in prison to address these needs, and,
- psychopathy checklist assessing the probability of future serious violent/sexual re-offending based on an assessment of personality pathology and any previous anti-social behaviour.

SRD - Statutory release date - means the date on which an offender who is subject to 1 or more sentences of imprisonment:

- must be released from detention; and
- ceases to be liable to be recalled.

Variation and/or discharge of conditions

- Section 56 of the Parole Act 2002 allows an offender who is subject to release or detention conditions to apply to the Board at any time for a variation or discharge of any of those conditions. In addition, a Probation Officer may also apply at any time for the variation or discharge of any condition imposed by the Board on an offender.



How to contact the Board

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Email: info@paroleboard.govt.nz



