



Report of the
PAROLE BOARD

for the six months ended
30 June 2002

(Addendum report to Annual Report ended 31 December 2001)

Presented to the House of Representatives in accordance with section 130(14) of the Criminal Justice Act 1985.

MEMBERS OF THE PAROLE BOARD FOR THE SIX MONTHS ENDED 30 JUNE 2002

Hon Justice Heron, retired High Court Judge, Chairperson (to April 2002)

Judge B Buckton, District Court Judge, Deputy Chairperson

Mr M G Byers, Chief Executive, Department of Corrections

Dr D G Chaplow, Director of Mental Health, Ministry of Health, Wellington

Mrs J Jackson, Chief Executive, Manukau Urban Māori Authority, Auckland

Mr D E Major, Chief Executive, NZ National Party, Wellington

Fuimaono K Pulotu-Endemann, Health Consultant, Wellington

Mr T B Wilson, Union Advisor, Hawkes Bay

Sir

I have the honour to forward this addendum report of the Parole Board for the six months ended 30 June 2002.

Hon A A T Ellis, QC

Chairperson

New Zealand Parole Board

1. GENERAL

1.1 *Introduction*

This report covers the period from 1 January 2002 to 30 June 2002 and constitutes an addendum to the Report for the Year 2001.

With the enactment of the Parole Act 2002, and its commencement on 1 July 2002, the Parole Board was abolished on 30 June 2003.

The New Zealand Parole Board, created under the new legislation, combines the roles of the Parole Board and the District Prisons Boards, which have been in place since 1985.

It is noteworthy that two members of the Parole Board, Judge Bruce Buckton and Mrs June Jackson, have been appointed to the New Zealand Parole Board and their experience in matters concerning the most serious offenders will greatly benefit the new Board.

2. BOARD FUNCTIONS

2.1 *Discretionary (Early) Release on Parole*

Consideration for discretionary release on parole is available to inmates serving an indeterminate sentence (life imprisonment or preventive detention) or a determinate sentence where this is not imposed for a serious violent offence.

During the six months, the Board considered 177 cases for discretionary release and approved release on parole for 34 of these.

2.2 *Release to Home Detention*

Inmates serving a determinate sentence other than for a serious violent offence may apply to the Board to be considered for release to Home Detention at a date no earlier than three months prior to their parole eligibility date. The composition of the inmate population seen by the Board is such that the number of inmates who are eligible to make application is small.

In the period under report, one application for release to Home Detention was considered and granted.

2.3 *Imposition of Conditions – Criminal Justice Act, Section 99*

Inmates serving determinate sentences for serious violent offences are not eligible for discretionary release on parole and are released at their final release date having served two thirds of the sentence imposed.

Section 99 of the Criminal Justice Act requires the Board to set conditions that the offender must comply with following their release from prison. An offender may be recalled to prison to continue serving the original sentence if he or she breaches the conditions imposed by the Board.

Between 1 January and 30 June 2002, the Board set conditions for 34 offenders who were released at their final release date.

2.4 *Section 105 Applications*

Under section 105 of the Criminal Justice Act, the Chief Executive of the Department of Corrections may apply to the Board for an order to be made that an inmate be required to serve the full term of his or her sentence on the grounds that they are likely to commit a specified offence within that period if released into the community.

In the period, nine applications were considered of which six were granted.

2.5 *Recall Applications*

During the six month period, 24 applications were received by the Board to recall offenders to prison because they had breached the conditions of their release.

Of these, 17 applications were granted and the offenders recalled to continue serving their sentence.

3. BUSINESS CONDUCTED

In the period, the Board held 14 meetings at Auckland, Wellington and Christchurch prisons. In total, the Board met for 22 days.

4. MEMBERSHIP

It was with deep regret that the Board learned of the death of the Chairperson, The Hon Justice Richard Heron, in April 2002.

Justice Heron was appointed Chairperson of the Parole Board in 1996 and guided the Board through a period of sustained increase in the volume and complexity of the cases heard. Under his stewardship the Board achieved considerable success in reducing the incidence of re-offending by inmates released on parole.

Deputy Chairperson Judge Bruce Buckton chaired the Board for the remainder of the period.

5. THANKS

It is appropriate that with the abolition of the Parole Board, an appreciation is recorded to all those who have served as members since its inception in 1985. The 17 year period has seen numerous changes, none more so that the increase in serious offences. This is shown by the caseload of the Board which has grown from 163 cases in 1993 to 545 cases in 2001. The increased workload arising from this growth has been accommodated with no increase to the number of Board members.

The Board also thanks the staff of the Department of Corrections for their support and assistance without which the Board could not operate satisfactorily.

TOTAL CASES CONSIDERED 1997–JUNE 2002

	1998	1999	2000	2001	2002
Parole cases	199	222	288	327	178
– Home detention	-	(8)	(16)	(9)	(1)
Section 99 cases	131	144	165	176	67
Recall applications	15	13	15	35	20
Section 105 applications	4	7	9	7	9
TOTAL	349	386	477	545	274

OUTCOMES IN PAROLE CASES

	1998	1999	2000	2001	2002
Release on parole	46	39	47	78	34
%	23.1	17.6	16.3	24.0	19.1
Release to home detention	-	0	4	5	1
%	-	0.0	1.4	1.5	0.6
Release for deportation or removal	5	1	7	4	0
%	2.5	0.4	2.4	1.2	0
Declined parole – statutory release	8	16	9	18	13
%	4.0	7.2	3.1	5.5	7.3
Declined parole – postponed for further consideration	140	162	214	220	127
%	70.4	73.0	74.3	67.0	71.3
Miscellaneous, e.g. variation of conditions, early referral application	-	4	7	2	3
%	-	1.8	2.4	0.6	1.7
TOTAL	199	222	288	327	178

OUTCOMES IN SECTION 99 CASES

	1998	1999	2000	2001	2002
Special conditions imposed	87	99	102	115	40
%	66.4	68.8	61.8	65.3	59.7
Postponed for further consideration	44	44	62	57	27
%	33.6	30.6	37.6	32.4	40.3
Miscellaneous, e.g. deportation or removal	-	1	1	4	0
%	-	0.6	0.6	2.3	0
TOTAL	131	144	165	176	67

RECALL APPLICATIONS

	1998	1999	2000	2001	2002	
Discretionary release	Granted	13	6	9	7	7
	Declined	2	1	2	0	1
	TOTAL	15	7	11	7	8
Mandatory release	Granted	-	5	3	17	10
	Declined	-	1	1	11	2
	TOTAL	-	6	4	28	12

SECTION 105 APPLICATIONS

		1998	1999	2000	2001	2002
Number of original applications	Granted	1	2	9	5	6
	Declined	0	0	0	2	3
Reviews		3	5	5	19	5
TOTAL		4	7	14	26	14

