



NEW ZEALAND PAROLE BOARD

Annual Report 2018 - 2019



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.

Section 7 (1), Parole Act 2002



“The longer spent on parole, the less likely a person is to be reimprisoned”

Chairperson's report

I have had an interesting, stimulating, and challenging 12 months as the new chairperson of the New Zealand Parole Board. At the same time, there has been a significant increase in all categories of the Board's caseload – as you will read in the following pages.

High-level work has been done with the Department of Corrections, to improve the quality of the reports received by the Board. We have streamlined this information to ensure it is more tightly focused on the assessment of risk, which is of course our job.

We have also encouraged Corrections to work with offenders at the beginning of their sentence, so that by the time the offender first appears before the Board the rehabilitation and reintegration required for safe release has been identified and mostly completed. This collaborative effort has led to strengthened working relationships – in particular with Corrections' national commissioner, chief probation officer, and chief psychologist.

Community safety is the focus of the Board, both short and long term. I say to many offenders that the Board's job is to get them back in the community as soon as it can be done safely. At last count, there were 359 people in the community serving sentences of life or preventive detention. You will read the personal stories of two of them later in this annual report.

Our statistics show that paroled offenders are much less likely to be reimprisoned than those who are not paroled. The longer spent on parole, the less likely a person is to be reimprisoned. Care, skill, and knowledge go into parole decision-making. The Board does not release offenders on a whim.

Being a member of the Board carries a high level of responsibility, and is tough work. But what we do fundamentally affects the lives of many New Zealanders, including the offenders and their families, the victims and their families.

During the year, the Board commissioned an external review after an individual violently reoffended on parole. Those tragic events have confirmed my view that extending the Board's maximum one-year oversight of offenders would be a valuable amendment to the Parole Act 2002. Further consideration of that now rests with the Government.

I wish to acknowledge the fine leadership of my predecessor the Honourable J Warwick Gendall QC CNZM and his deputy the Honourable Marion Frater CNZM, both of whom retired in August 2018. Barry Lovegrove who gave many years service to the Board also retired this year, and Geoffrey Ellis from the District Court joined the Board as a panel convenor.

Finally I owe a great debt to the Board's manager, Alistair Spierling, and his team. Their tirelessness and efficiency ensure the Board can do its job each day. My thanks to them.

Sir Ron Young
Chairperson

A day in the life of the

NZPB

8am

Members arrive for the day's hearings. Separate boards are sitting at Tongariro Prison, Otago Corrections Facility and at the NZPB headquarters in Wellington. Each location has a panel of three members who will consider the day's cases. Members recap their background reading done in preparation for today.

10am

Meanwhile, the Board is meeting with an offender in Wellington by video link. The hearing runs for nearly an hour, as Board members question her. She is assessed as low risk of further offending, has completed all of her planned rehabilitation and reintegration work, and has an approved address to live at. The woman's lawyer submits she is a realistic prospect for parole, and the Board agrees. Her release date is set for two months ahead. She is advised of the special conditions to be imposed, and the possibility of random testing for drugs and alcohol at any time.

1pm

Progress hearing for an offender released on parole six months ago. Paperwork provided to the Board indicates the man has missed two meetings with his probation officer. The Board has the ability to recall him, but instead gives a verbal warning of his obligations, and a reminder that he can be recalled to prison if he does not comply.

4pm

The Board in Otago is considering an application to vary the overnight curfew of a man released 14 months ago. This is to align with a new roster, which requires him to start work at 5am. The Board hears that the man is gaining real self-worth from the job, and is in a position of trust, so changes the curfew to support that progress.

8pm

Members finish their background reading for hearings tomorrow. The paperwork includes parole assessment reports, psychologists' reports, and victim submissions.

9am

Three victim meetings start the day in Otago. These are an opportunity for registered victims to meet in-person with the Board to provide input into the parole process. The Board will convey the victims' views to the relevant offender at a separate hearing.

11am

At Tongariro Prison, the Board is holding 11 hearings today. Currently it is seeing a violent offender who is in the middle of a rehabilitation programme. The Board determines he presents an undue risk to the community and schedules him to return in eight months time, once the programme is complete. There is no guarantee of release at that point, simply a reconsideration of where things are at by the Board.

2pm

The panel sitting in Wellington receives a memo about a soon-to-be-released offender whose post-release accommodation has fallen through. The parole release is revoked and a new hearing scheduled to reassess the case.

6pm

On-call manager receives an application to recall an offender on a life sentence, based on undue risk. Within the hour, a panel convenor grants the recall, and arrest warrants are referred to Police. The offender is taken into custody at 1:01am the next morning.

CASE STUDY: Life on Parole

This year marks quarter of a century since James* was released on life parole. He was convicted of murder, but has never been recalled to prison since his release in 1994.

He says the early years of post-prison life were an “uphill grind”, but these days he is a qualified joiner who is trusted as a fill-in manager when needed.

“I’ve done a broad range of work – everything from joinery to farm management, brick-laying, and home restorations. I’m always doing something,” said James.

The 53-year-old is engaged to a woman he met six months after being released. She has played a big role in his success.

“She has been a really positive influence in my life, and been quite grounding. If she thinks I’m doing something wrong, she doesn’t hesitate to say. There’s been times when life hasn’t been a bunch of roses, but she’s stayed beside me the whole time,” said James.

The couple live a quiet life on a semi-rural property with their three dogs.

“They have a great life alongside our chooks and sheep. You can have as many people around as you like, but your dog is your best mate.”

James sees his probation officer every two months for a progress check. Asked what is the secret to his 25 years on parole, James takes a moment to respond.

“Sometimes it’s been hard, but the trick is you’ve really got to think about things. If you have challenges or people causing you grief, you can’t be reactive. Don’t jump straight in. Everything has a consequence and you’ve got to think before acting.”

“It never leaves my mind that I’m not a free person, and I’ll never be a free person, but I don’t want to go back to prison. All the good work I’ve done for the last 25 years would be undone, and I don’t want that,” said James.

* Not his real name

Year in Review

1 July 2018 - 30 June 2019

5,383
offenders seen

9,119
hearings in total

Total parole hearings	6,512	▶	Parole cases approved	1,882
Hearings for offenders on determinate sentences	6,102	▶	Parole granted for offenders on determinate sentences	1,808
Hearings for offenders on indeterminate sentences	410	▶	Parole granted for offenders on indeterminate sentences	74

A determinate sentence is a fixed term of imprisonment.

An indeterminate sentence is open-ended, meaning life imprisonment or preventive detention.

564 offenders released on conditions on completion of their sentence.

These offenders cannot be recalled to prison for any breaches, as their sentence has expired.

Parole Postponement

The Board can postpone a hearing for a maximum of five years where it is satisfied that, in the absence of any significant change in their circumstances, an offender will not be suitable for release when they are next due to be considered for parole.



Three year parole postponement order imposed in six cases



Four year parole postponement order imposed in six cases



Five year parole postponement order imposed in three cases

Offenders made **345** applications for an earlier hearing under section 26 of the Parole Act.

▼
These applications led to **154** cases being heard earlier than scheduled.

Offenders made **79** applications to review board decisions during the year.

▼
9 decisions were then quashed, amended, or referred back to the Board for reconsideration.

Offenders who are terminally ill or who have given birth can apply to be released on compassionate grounds.

11 compassionate release applications received

▶ **5** compassionate releases approved

The Board may revoke a direction to release an offender at any time before parole commences. If a decision is revoked, there must be another hearing held as soon as practicable.

36 decisions were revoked this year.

353 monitoring hearings held, enabling the Board to assess the offenders' progress on parole.

Offenders made applications to vary their conditions. **215**

▼
197 of those applications were granted.

Extended Supervision Orders

30 applications by Corrections for the Board to impose special conditions

48 biennial reviews of ESO conditions

Recalls

458 recall applications were made by the Department of Corrections

28 recall applications for offenders on indeterminate sentences

▶ **19** granted

430 recall hearings for offenders on determinate sentences

▶ **320** granted

CASE STUDY: Life on Parole

Richard* spent nearly 12 years in prison for murder, before the Board decided he could be safely released on life parole in 2011.

“Parole was a second chance, and an opportunity to work and be part of the community. It gave me an opportunity to live the life I should have lived the first time, and I’m improving everyday,” he said.

Richard has been in steady employment since his release – lately as a driver on a major infrastructure project. He gets on well with his workmates and enjoys the job itself, putting in 72 hours in one week recently.

At the end of the working day, Richard enjoys coming home to spend time with his partner, and reading to his young son. Richard sees parenting as his biggest achievement in life.

“My son is a pretty powerful motivator to want to stay out of prison,” he said.

“I buy him every sort of book and soft toy you can imagine. He’s given me a much bigger respect for life. I couldn’t really imagine what I took off someone until I had a child myself,” said Richard, who is required to report in to his probation officer once a fortnight.

*Not his real name

Victim meetings

207 verbal submissions made to the Board by registered victims in the past year.

2019 was a year in which the nation saw a remarkable display of forgiveness by a victim of violent crime.

Winsome Stretch, the sister of police officer Murray Stretch who was murdered in 1999, told TVNZ she was “delighted” by the Board’s decision to release the offender on life parole.

“I’m delighted that he now has the opportunity to re-join the community and live the rest of his life in an exemplary fashion”, Ms Stretch said.

“He knows what he has to do to live the sort of life that I think he wants to, and I truly believe he will be a fantastic citizen.”

Winsome Stretch says she decided soon after her brother’s death to forgive the offender. She says she’s an atheist so it wasn’t a Christian act, but a selfish act so she could go on to live a happy life.

Ms Stretch says she now considers the man a friend and would welcome him to her home for a cup of tea.



New Zealand Parole Board membership

Chairperson: Sir Ron Young

Panel convenors

Judge Louis Bidois	Judge Jane Lovell-Smith	Kathryn Snook
Judge Charles Blackie	Judge David Mather	Judge Arthur Tompkins
Martha Coleman	Neil MacLean QSO	Neville Trendle
Judge Michael Crosbie	Mary More	Tania Williams-Blyth
Geoffrey Ellis	Judge Eddie Paul	
Phil Gittos QSO	Alan Ritchie	

Forensic psychiatrist members

Associate Professor Philip Brinded | Dr Jeremy Skipworth

Community members

Leith Comer	Alan Hackney	Sam Perry
Dr Greg Coyle	Douglas Hauraki	Fiona Pimm
Grant Crowley	Glenda Hughes	Paula Rose
Dr Sally Davis	Chris King	Waimarama Taumaunu
Sue Driver	Bryan McMurray	Lawrence Tawera
Paul Elenio	Michael Quigg	Jim Thomson
Robert Gray	Shannon Pakura	





“We hope to learn from New Zealand... to make fair decisions that are appropriate for the public and the offender”

Pacific parole partnership

The New Zealand Parole Board (NZPB) hosted its counterparts from Vanuatu for a week of professional development and information sharing in October 2018.

Five representatives of the Vanuatu Community Parole Board visited Wellington, along with the Board’s chairperson, Justice Oliver Saksak.

They observed parole hearings in-person at Rimutaka Prison, and took part in workshops on hearing preparation, questioning and listening, and decision-making.

The NZPB chairperson, Sir Ron Young, said the visit was about capacity-building.

“The Vanuatu board didn’t exist until relatively recently, but it’s very important to have an independent system that is outside the executive arm of government,” he said.

Vanuatu is one of the few Pacific countries with a formal parole system in place. The country has northern and southern boards, which between them hear six or seven cases a month. It’s a marked contrast to the NZPB, which can hear up to 800 cases a month.

“I wasn’t telling them what to do, but I did suggest they consider giving more detailed reasons in their decisions. That can be a burden for them, but it is important that offenders know why they have or haven’t got parole, and the community too,” said Sir Ron.

“We hope to get a better understanding of how the New Zealand Parole Board works, so we can bring those ideas back to adopt into our system,” said Justice Saksak.

“We hope to learn from New Zealand why parole has to be refused or deferred in some cases, and what information is used here for the Board to make fair decisions that are appropriate for the public and the offender,” he said.

“It’s very important to have an independent system that is outside the executive arm of government”





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