



# PRISONERS' LEGAL SERVICE INC

# CHAINMAIL

INFORMATION BROADSHEET FOR PRISONERS OF QUEENSLAND

106<sup>th</sup> Edition August 2017

JUSTICE BEHIND BARS

## Legal Reform of the Parole System

On 3 July 2017, the *Corrective Services (Parole Board) and Other Legislation Amendment Bill 2017* came into force with notable changes to the breach of parole and the parole application processes.

### Breach of Parole

If you breached your parole order and have been returned to prison after 3 July 2017, the following process will apply.

- 1. Recommendation of parolees return to custody:** If you breach your parole order your parole officer can make a recommendation to the Board that you be immediately returned to custody.
- 2. Temporary Decision:** A single member of the Board will urgently sit on your matter to determine whether your parole order should be suspended. If your parole order is suspended a warrant will be issued for your arrest.
- 3. Parole Board Decision:** Within 2 business days of your parole order being suspended the Board must sit and determine whether the suspension should remain in place. If the Board continue the suspension you will be issued with an information notice advising you of this decision. This notice must also explain why your order has been suspended and invite you to show cause within 21 days. There is often a delay in the Board making this decision and you being advised of it. You should write to the Board within 21 days of receiving the letter to explain why you breached your order.
- 4. Reconsideration Decision:** After the 21 days has elapsed, the Board will sit and consider your show cause letter and reconsider their suspension decision. They will then write to you and advise you of their new decision.

Prisoners' Legal Service can provide advice in relation to the breach of parole process and in limited circumstances can assist in drafting show cause submissions on your behalf.

### Parole Application Process

If you submitted your parole application after 3 July 2017 the Board will now have 4 months (120 days) to consider the application for parole. This can be deferred to 5 months (150 days) if the Board require further information, such as a psychiatric risk assessment.

All applications for parole are now considered by the Parole Board Queensland ("PBQ"). The two regional Boards ceased operation following the legislative change. If you addressed your application to a regional board, this will be forwarded to the PBQ.

Prisoners' Legal Service Inc.  
Postal Address: GPO Box 257, Brisbane QLD 4001

Justice Behind Bars  
Free Advice Line: Tues, Wed, Thurs from 9am to 1pm

*This broadsheet is intended to provide legal information only and is no substitute for legal advice. If you wish to take any action arising from matters raised in this publication you should consult a lawyer immediately.*



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## PLS TO PROVIDE BAIL ADVICE SERVICE TO PRISONERS AT THE ARTHUR GORRIE CORRECTIONAL CENTRE

As from 1 September 2017 the Prisoners Legal Service Inc will be participating in a Bail Advice Service. The service, will be operated in conjunction with the bail service currently provides by Bail Clerks at the Centre.

### **The principle objectives of the service are to:**

- Improve remand prisoner access to legal advice on matters pertaining to bail and bail applications;
- Improve knowledge and expertise of bail clerks so as to provide a better internal service to remand prisoners on matters pertaining to bail;
- Improve standards of self-represented bail applications; and
- Reduce the number of prisoners of remand by having worthy applicants returned to the community on bail pending the resolution of their criminal proceedings.

### **The service, which is funded for 12 months will offer bail advice service for prisoners remanded in Arthur Gorrie Correctional Centre, Wacol. The advice service will be delivered on site at the relevant remand centre and is to include:**

- Face to Face advice sessions with identified/nominated remand prisoners on a weekly basis;
- In appropriate cases, undertake Supreme Court bail applications;
- Training and other professional development assistance to nominated bail clerks; and
- Development and delivery of appropriate resources to assist remand prisoners in self-represented bail applications.

The delivery of the bail advice service will be supervised and principally administered by PLS Director/ Principal solicitor, Mr Peter Lyons. Mr Lyons holds a current principal practicing certificate and has been a member of the Queensland Law Society since 1986.