

ACTCS

Parole Breaches and Sanctions for Breaching

Updated: Mon, 05 Nov 2018 11:10:07 +1100

Printed: Sun, 17 Feb 2019 15:45:01 +1100

Revision: 5

Police officers or community corrections officers can report breaches of parole to the Sentence Administration Board (the Board). A community corrections officer must report any alleged breach of parole, which they believe on reasonable grounds has occurred, to the Board. When advice is received of an alleged breach of parole, the matter is considered promptly by the Board. In such circumstances the offender may be required to appear before the Board.

If a breach is proved, the Board may take one or more of the following actions:

- take no further action
- give the offender a warning about the need to comply with the offender's parole obligations
- give the Director-General directions about the offender's supervision
- change the offender's parole obligations by imposing or amending an additional condition of the parole order
- cancel the offender's parole order.

If an offender is convicted or found guilty by a court of a new offence against a Territory or Commonwealth law that is punishable by imprisonment while on parole, the parole order is automatically cancelled from the time of the conviction or finding of guilt of the new offence.

If an offender completes their parole period without cancellation their sentence is discharged (or served). However, if a offender's parole order is cancelled he or she will be returned to custody and will be liable to serve their entire parole period in custody. The time that the offender may have already served on parole will not be counted as being served. In other words, no time is credited as 'clean street time'.