

ACTCS

Parole Cancellation

Updated: Fri, 03 Sep 2010 17:17:44 +1000

Printed: Sat, 27 May 2017 10:42:12 +1000

Revision: 4

Police officers or parole officers can report breaches of parole 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 do 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 chief executive 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.

Automatic cancellations

If an offender is convicted or found guilty by a court of an 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.

If an offender's parole order ends other than by cancellation and, after the order ends the offender is convicted or found guilty by a court of an offence against a territory law that is punishable by imprisonment which was committed while the offender's parole order was in force, the parole order is taken to have been cancelled from the date on which the offence was committed.

'Clean street time'

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

In this respect parole operates differently in the ACT than it does in some other states. In the ACT the term 'parole period' refers to the period of time from the date a person is released from prison until the expiry of their sentence. In the ACT, a sentence is not counted as being served unless a parolee completes the parole period.