

## Corrective Services (Parole Board) Amendment Bill 2025

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<b>Submitted by:</b>	Prisoners' Legal Service
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## **Committee Secretary Governance Energy and Finance Committee**

### **Corrective Services (Parole Amendment) Bill 2025**

#### **Submission by Prisoners' Legal Service**

**17 April 2025**

1. Thank you for the opportunity to provide feedback about the Corrective Services (Parole Amendment) Bill 2025 (**the Bill**).
2. Prisoners' Legal Service (**PLS**) is a community legal centre that has operated for over 30 years. We assist disadvantaged people with prison and parole matters. PLS has expertise in the practical operation of parole decision-making in Queensland. Most of our legal services relate to parole.
3. We understand the purpose of this Bill is to:
  - a. enable the Parole Board Queensland (the Board) to review all prescribed board member decisions about requests for immediate suspension of a parole order, including decisions to leave a prisoner in the community; and
  - b. validate previous decisions made by the Board when it reviewed a prescribed board member's decision to not suspend a parole order after a request for immediate suspension.<sup>1</sup>
4. We consider there is ambiguity in the drafting of clause 3 (s208C) and this clause should be amended to provide legal certainty.
5. As currently drafted, clause 208C does not clearly express how the Board confirms a decision of the prescribed member not to suspend a parole order. We understand this power may be expressed in clause 208C(1), which enables the Board to confirm a decision. However, this should be expressed in clearer terms.
6. The Bill amends the current s208C to provide an express power to set aside a decision not to suspend. It should similarly contain an express power to confirm a decision not to suspend and leave the prisoner in the community.
7. The stated intention of the Bill is to provide clarity and ensure that after any s208B decision by a prescribed member, including a decision not to suspend, the Board must review and confirm the decision or set it aside and make its own decision. However, the drafting of the section is confusing and leaves room for ambiguity.
8. We suggest that clause 3 be expressed in clearer terms. For example, the power to confirm the decision could be incorporated under each type of decision:

**208C Parole board must consider decision of prescribed board member**

- (1) If a prescribed board member makes a decision under section 208B in relation to a parole order, the parole board must, within 2 business days of the decision being made—
  - a) for a decision not to suspend a parole order—
    - i) confirm the decision; or
    - ii) set aside the decision and substitute its own decision to suspend or cancel the parole order;
  - b) for a decision to suspend the parole order—
    - i) confirm the decision; or
    - ii) set aside the decision and substitute its own decision to cancel the parole order; or
    - iii) set aside the decision.

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<sup>1</sup> Departmental Brief to the Governance, Energy and Finance Committee on the Corrective Services (Parole Board) Amendment Bill 2025.

9. It is particularly important that parole amendments are expressed in clear terms because the prison population is characterised by people who experience significant levels of disadvantage. People in prison have lower levels of education and higher levels of disability than people in the general community.<sup>2</sup> During 2023-24, 46% of people we represented had limited literacy.
10. There is already confusion and misinformation amongst the prison population about the operation of parole suspension decisions. Parole suspension decisions impact a significant and increasing number of people, with 5,769 parole suspensions decisions confirmed by the Board in 2023-24.<sup>3</sup>
11. The laws relating to parole suspensions should be expressed in clear and unambiguous terms.
- Thank you for your consideration of these submissions.

Yours faithfully,



**Helen Blaber**  
**Director / Principal Solicitor**

PLS gratefully acknowledges Vanessa Krulin and Angelene Counter for their assistance in the preparation of these submissions.

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<sup>2</sup> Australian Institute of Health and Welfare, The health of people in Australia's prisons 2022. <<https://www.aihw.gov.au/reports/prisoners/the-health-of-people-in-australias-prisons-2022/contents/socioeconomic-factors/education>> (accessed 17 April 2024).

<sup>3</sup> Parole Board Queensland Annual Report 2023-24, p. 14.