

**Corrections Amendment (Further Parole Reform)  
Act 2014  
No. 31 of 2014**

**TABLE OF PROVISIONS**

<i>Section</i>		<i>Page</i>
1	Purpose	1
2	Commencement	2
3	Divisions	2
4	Detention and Supervision Order division	2
5	Meetings	3
6	Release on parole after service of non-parole period	3
7	New section 74AAB	3
	74AAB Release on parole of person imprisoned for sexual offence or serious violent offence	3
8	Cancellation of parole	5
9	Prisoners may be released on parole more than once	5
10	Repeal	6
<hr/> <hr/>		
<b>ENDNOTES</b>		<b>7</b>



Victoria

# **Corrections Amendment (Further Parole Reform) Act 2014<sup>†</sup>**

**No. 31 of 2014**

[Assented to 13 May 2014]

**The Parliament of Victoria enacts:**

## **1 Purpose**

The main purpose of this Act is to amend the **Corrections Act 1986**—

- (a) to provide a two-tier process for the release of a prisoner on parole in respect of a sexual offence or a serious violent offence; and
- (b) to provide that, subject to certain exceptions, if a prisoner has his or her parole cancelled and is convicted of an offence while on parole, the prisoner is not eligible to be

released on parole again until he or she has served a term of imprisonment equal to half of the parole period remaining at the time the parole was cancelled; and

- (c) to make amendments to certain provisions relating to the procedures of the meetings of the Adult Parole Board.

## 2 Commencement

- (1) Subject to subsection (2), this Act comes into operation on a day or days to be proclaimed.
- (2) If a provision of this Act does not come into operation before 1 September 2014, it comes into operation on that day.

## 3 Divisions

- (1) In section 64(2) of the **Corrections Act 1986**—
- (a) for "section 64A" **substitute** "sections 64A and 74AAB";
- (b) for "three members" **substitute** "at least 3 members".
- (2) In section 64(3) of the **Corrections Act 1986** for "section 64A" **substitute** "sections 64A and 74AAB".

See:  
Act No.  
117/1986.  
Reprint No. 10  
as at  
20 November  
2013  
and  
amending  
Act Nos  
46/2013,  
67/2013,  
72/2013 and  
76/2013.  
LawToday:  
www.  
legislation.  
vic.gov.au

## 4 Detention and Supervision Order division

- (1) In section 64A(4) of the **Corrections Act 1986** for "3 members" **substitute** "members".
- (2) In section 64A(8) of the **Corrections Act 1986** for "2 other members" **substitute** "at least 2 other members".

---

## 5 Meetings

- (1) In section 66(1) of the **Corrections Act 1986** for "section 64A" **substitute** "sections 64A and 74AAB".
- (2) In section 66(3) of the **Corrections Act 1986** after "meeting of the Board" **insert** ", including a meeting of a division of the Board,".
- (3) In section 66(4) of the **Corrections Act 1986** after "meeting of the Board," **insert** "including a meeting of a division of the Board,".
- (4) In section 66(5) of the **Corrections Act 1986** for "section 64A" **substitute** "sections 64, 64A and 74AAB".

## 6 Release on parole after service of non-parole period

In section 74(1) of the **Corrections Act 1986** for "The Board" **substitute** "Subject to section 74AAB and 78(3), the Board".

## 7 New section 74AAB

Before section 74A of the **Corrections Act 1986** **insert**—

**"74AAB Release on parole of person imprisoned for sexual offence or serious violent offence**

- (1) There is to be a Serious Violent Offender or Sexual Offender Parole division (*SVOSO division*) of the Board consisting of—
  - (a) the chairperson of the Board; and
  - (b) one full-time member or one part-time member of the Board selected by the chairperson; and
  - (c) any other members of the Board selected by the chairperson from time to time.

- 
- (2) The sole function of the SVOSO division is to decide whether or not to release a prisoner on parole in respect of a sexual offence or a serious violent offence.
  - (3) An order under section 74 that a prisoner be released on parole in respect of a sexual offence or a serious violent offence may only be made by the SVOSO division.
  - (4) Subsection (3) applies whether the prisoner was sentenced to imprisonment in respect of the offence before or after this section comes into operation.
  - (5) The SVOSO division may only make an order that a prisoner be released on parole in respect of a sexual offence or a serious violent offence if—
    - (a) another division of the Board has recommended that parole be granted;  
and
    - (b) the SVOSO division has considered the recommendation.
  - (6) For the purposes of subsection (5), a member of the SVOSO division must not have sat as a member of the division making the recommendation.
  - (7) After considering the recommendation of another division of the Board, the SVOSO division may refuse to make an order that a prisoner be released on parole in respect of a sexual offence or a serious violent offence even if the recommendation is that the prisoner be released on parole.
  - (8) In this section, *serious violent offence* and *sexual offence* have the same meaning as in section 77(9)."
-

---

## 8 Cancellation of parole

After section 77(6) of the **Corrections Act 1986**  
**insert—**

"(6A) If a prisoner is sentenced to another prison sentence while on parole, the prisoner's parole is taken to have been cancelled on the sentence being imposed."

## 9 Prisoners may be released on parole more than once

At the end of section 78 of the **Corrections Act 1986** **insert—**

"(2) Subsection (3) applies to a prisoner—

- (a) whose parole has or is taken to have been cancelled under section 77; and
  - (b) who is convicted of an offence that—
    - (i) is punishable by imprisonment; and
    - (ii) was committed during the parole period.
- (3) The Board must not make a parole order under section 74 in respect of the prisoner unless the prisoner has served—
- (a) a further term of imprisonment equal to half of the parole period remaining at the time the prisoner's parole was cancelled; or
  - (b) in the case of a prisoner sentenced to be imprisoned for the term of his or her natural life—3 years imprisonment from the time the prisoner's parole was cancelled.

- 
- (4) The Board may make a parole order before the time referred to in subsection (3) if the Board is satisfied that circumstances exist which justify doing so."

## **10 Repeal**

This Act is **repealed** on 1 September 2015.

### **Note**

The repeal of this Act does not affect the continuing operation of the amendments made by it (see section 15(1) of the **Interpretation of Legislation Act 1984**).

---

---

---

**ENDNOTES**

<sup>†</sup> *Minister's second reading speech—*

*Legislative Council: 13 March 2014*

*Legislative Assembly: 2 April 2014*

The long title for the Bill for this Act was "A Bill for an Act to amend the **Corrections Act 1986** to make special provisions in relation to the release of a prisoner on parole in respect of a sexual offence or a serious violent offence and to a prisoner whose parole has been previously cancelled, to clarify certain provisions relating to the procedures of meetings of the Adult Parole Board and for other purposes."