

**18/755 – Crimes (Sentence Administration) Act 2005: Amendments to introduce Parole Time Credit (refers to 18/759 Sentencing (Parole Time Credit) Legislation Amendment Bill 2019**

Summary of Impacts
<ul style="list-style-type: none"> <li>• It is not considered that there are any direct negative impacts on the ACT community arising from the introduction of Parole Time Credit (PTC) as a consideration when recalculating the remaining custodial sentence for a detainee who has had parole revoked.</li> <li>• There is anticipated to be positive impacts on the ACT community in relation to supporting people on parole to reintegrate into the community, address their drug and alcohol dependence issues, and reinforcing a rehabilitative approach to sentence administration thereby assisting in reducing recidivism.</li> <li>• Introducing a PTC scheme in the ACT will bring the Territory into line with other Australian jurisdictions and deliver on recommendation 9-2 of the Australian Law Reform Commission Report <i>'Pathways to Justice—Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples'</i> (ALRC Report 133) which calls on State and Territory Governments to abolish parole revocation schemes that require the time spent on parole to be served again in prison if parole is revoked.</li> </ul>

Key to impacts: Red – negative, Blue – neutral, Green – positive.

**Social**

<b>Justice and crime</b>	<ul style="list-style-type: none"> <li>• Introducing PTC will have a positive impact on the administration of justice and crime.</li> <li>• Counting time served on parole reinforces a rehabilitative approach to sentence administration, and as a consequence can assist in reducing recidivism rates. The purpose of parole is to reintegrate an offender into the community, not counting time served for an offender is counter-productive to that purpose. Not providing for PTC may remove the offender from the community for longer than was intended by the sentencing court, and may jeopardise important factors that militate against reoffending such as housing and employment. This can hinder reintegration and adversely impact community safety and the correctional system.</li> </ul>
<b>Human Rights</b>	<ul style="list-style-type: none"> <li>• The introduction of PTC supports the application of Human Rights in the ACT and prevent parolee's spending extended periods of time incarcerated.</li> <li>• Providing for PTC to be credited against the outstanding sentence ensures that offenders receive credit for good behaviour and prevents offenders from attempting to circumvent the legal consequences of reoffending. The introduction of PTC is reasonable and proportionate because although a person may be released into the community on parole, they remain under sentence.</li> <li>• PTC provides encouragement and motivation to those on parole and recognises the efforts of the offender to comply with the conditions of parole. PTC enables the court to reward good behaviour. Not providing for PTC is seen as particularly unfair, where the parole period is a long one, the breach occurs towards the end of the period and no credit is given for the period of compliance thereby extending the period of time an offender is subject to controls as a result of offending behaviour.</li> </ul>
<b>Indigenous and multicultural</b>	<ul style="list-style-type: none"> <li>• The introduction of PTC will apply to all offenders.</li> <li>• Indigenous offenders are often disadvantaged in parole situations (and can be subject to more breach actions) due to a range of other underlying issues including unstable housing, volatile family situations, alcohol and other drug dependence and a lack of support to access services. Introducing PTC will have the positive benefit of recognising periods of compliance with parole conditions and if PTC means that they are returned to custody for a shorter period of time following a breach or new offence this should have the effect of minimising the disruption caused by reimprisonment.</li> </ul>
<b>Disability</b>	<ul style="list-style-type: none"> <li>• The introduction of PTC will apply to all offenders so will have a neutral impact on offenders with a disability</li> </ul>

Gender	<ul style="list-style-type: none"> <li>The introduction of PTC will apply to all offenders so will have a neutral impact on offenders of all genders and sexual orientations</li> </ul>
Access to social networks and community activities	<ul style="list-style-type: none"> <li>The introduction of PTC will positively impact on parolee's access to social networks, improve connection to the wider community and opportunities to participate in the life of the community. Providing for PTC will encourage detainees to seek parole thereby assisting in their re-integration into the community following a period of incarceration.</li> </ul>
Housing	<ul style="list-style-type: none"> <li>There may be a small impact (increase in demand) on public housing if more detainees seek parole as a result of the availability of PTC, however the availability of suitable housing is taken into consideration by the SAB when granting parole and parole is not granted where suitable housing is not available.</li> </ul>
Access to services	<ul style="list-style-type: none"> <li>The introduction of PTC will allow a parolee to access a range of community services while on parole that are not available in the AMC. These services will be a fundamental part of the parolees support to re integrate into the community and include health and wellbeing programs (including drug and alcohol rehabilitation), education and employment services.</li> <li>While there may be a small impact (increase in demand) for these services from parolees this is unlikely to impact on the availability of these services for other members of the ACT community.</li> </ul>
Community and individual health	<ul style="list-style-type: none"> <li>The introduction of PTC has the potential to improve an individual's health through the adoption of a holistic approach to reintegration into the community following a period of incarceration. PTC is likely to encourage a detainee to seek parole rather than waiting until the end of their sentence. Release on parole means that the detainee is able to be supported in the community especially through drug and alcohol rehabilitation which is not available inside the AMC. The parolee is also able to access a range of community health and wellbeing facilities while on parole that would not be available while detained in the AMC.</li> </ul>

#### Economic

ACT Government Budget	<ul style="list-style-type: none"> <li>There will be implementation costs incurred by ACTCS associated with the introduction of PTC that will need to be considered through the budget process.</li> <li>Once introduced, PTC has the potential to make savings to the ACT budget through a reduction in the number of detainees held in the AMC and reduced recidivism rates which could have flow through benefit for a reduction in policing resources, Court time/resources and an overall economic benefit to the ACT Community through a greater emphasis on a re integrative approach.</li> </ul>
Employment and skills training	<ul style="list-style-type: none"> <li>Positive impacts from the introduction of PTC are likely to be felt by individuals who have receive the benefit of PTC following a period of imprisonment. Providing for PTC will enable them to seek employment opportunities or undertake further skills training while on parole thereby aiding in their re-integration to the ACT community.</li> </ul>

#### Environmental

Nil impact.