

403 MCS06/016CS

Reappointment of the Presiding Member of the
Parole Board of South Australia
APPROVED AS AMENDED

Not Relevant

TO THE PREMIER FOR CABINET - SUB-COMMITTEE

RE: RE-APPOINTMENT OF THE PRESIDING MEMBER OF THE PAROLE BOARD OF SOUTH AUSTRALIA

1. PROPOSAL

1.1. That Her Excellency the Governor in Executive Council consider the re-appointment of Ms Frances Nelson QC, as the Presiding Member of the Parole Board of South Australia.

2. BACKGROUND

2.1. The Parole Board of South Australia is a statutory body constituted pursuant to Sections 55 and 56 of the *Correctional Services Act 1982*.

2.2. Section 55 states that:-

(2) *the Board consists of six Members appointed by the Governor, of whom -*

(a) *one, the Presiding Member of the Board, will be—*

(i) *a judge of the Supreme Court; or*

(ii) *a District Court judge; or*

(iii) *a person who has retired from the office of judge of the Supreme Court or District Court judge; or*

(iv) *a person who has, in the opinion of the Governor, extensive knowledge of, and experience in, the science of criminology, penology, or any other related science; and*

(b) *one will be a legally qualified medical practitioner who has, in the opinion of the Governor, extensive knowledge of, and experience in, the practice of psychiatry; and*

(c) *one will be a person who has, in the opinion of the Governor, extensive knowledge of, or experience in, criminology, sociology or any other related science; and*

(d) *three will be persons nominated by the Minister.*

(3) *At least one Member of the Board must be a woman and at least one member must be a man.*

(3a) *At least one Member of the Board must be a person of Aboriginal descent.*

(4) *An employee of the Department is not eligible to be appointed as a Member of the Board.*

2.3 Section 56 states that -

(1) *The Presiding Member of the Board will be appointed for a term, not exceeding three years, determined by the Governor and specified in the instrument of appointment.*

- (2) A Member of the Board other than the Presiding Member will be appointed for such term, not exceeding three years, as the Governor determines and specifies in the instrument of appointment.
- (3) On the expiration of the term of office of a Member of the Board, the Member is eligible for reappointment.

2.4 Parole Board meetings are held weekly to consider prisoner applications for release on parole; to set parole conditions; to monitor the progress of those on parole; to determine appropriate penalties for those in breach of parole conditions; to annually review the circumstances of persons sentenced to indeterminate terms of imprisonment; to review and vary parole conditions.

2.5 The appointment of the Presiding Member, Ms Frances Nelson QC, expires on 17 December 2006.

3 DISCUSSION

3.1 The Parole Board of South Australia provides an important function in the administration of the parole system in this State. The current Board Members have performed their duties both effectively and efficiently during their term of appointment.

3.2 I am proposing that Cabinet recommend to Her Excellency the Governor in Executive Council that she re-appoint of the current Presiding Member to the Parole Board of South Australia.

3.3 The current Presiding Member has served on the Parole Board since 1993.

3.4 Funds for the remuneration of Board Members are provided from within the existing budget of the Department for Correctional Services.

3.5 Currently the Gender Balance for the Parole Board is 5 males and 4 females. The Gender Profile of the Board will not be affected with the re-appointment of Ms Frances Nelson QC, as Presiding Member.

4 RECOMMENDATION

It is recommended that Cabinet:

- 4.1 recommend to Her Excellency the Governor in Executive Council that she re-appoint Ms Frances Nelson QC, as Presiding Member of the Parole Board of South Australia from 18 December 2006 to 17 December 2007, pursuant to Section 55(2) of the *Correctional Services Act 1982*.


Hon Carmel Zollo MLC
 Minister for Correctional Services

8 December 2006

In Cabinet

11 DEC 2006



Curriculum Vitae

2 pages removed

Exempt clause 6(1) – personal affairs