

# Victoria Police Manual

*The Victoria Police Manual is issued under the authority of the Chief Commissioner of Police in s.60, Victoria Police Act 2013. Non-compliance with or a departure from the Victoria Police Manual may be subject to management or disciplinary action. Employees must use VPM Professional and ethical standards to inform the decisions they make to support compliance.*

## Parole

### Context

The *Corrections Act 1986* provides powers for police to assist in the management of adult parolees released into the community. Victoria Police has a pro arrest/pro charge policy for breaches of adult parole.

The main provisions of the *Corrections Act* include:

- an offence to breach a prescribed term or condition of parole (s.78A(1))
- a power of arrest for a breach of a prescribed term or condition of parole (s.78B(1))
- an obligation to detain under certain conditions (s.78B(2)&(3))
- procedural requirements to notify the Adult Parole Board (APB) if a parolee is detained (s.78B(4))
- continued application of section 464, *Crimes Act 1958* during period of detention (s.78D)
- release of a detained parolee is subject to the condition that the prisoner must not be released before the APB has made a decision not to cancel parole (s.78D).

Youth parole is addressed under the *Youth Justice Act 2024*. The *Corrections Act* powers listed above do not apply. There are no arrest, charge or detain provisions for a breach of youth parole.

This policy includes:

- instructions when arresting, detaining or releasing a parolee
- an overview of Adult Parole Board (APB) responsibilities and process
- guidance for Attendance and Custody Module issues and outages
- the process when dealing with youth parole
- the process when releasing parolees from police custody.

### Contents

|     |                                                                   |    |
|-----|-------------------------------------------------------------------|----|
| 1.  | Roles and responsibilities .....                                  | 3  |
| 2.  | Offence for breach of prescribed term or condition .....          | 4  |
| 3.  | Arrest without warrant .....                                      | 5  |
| 4.  | Obligation to detain .....                                        | 5  |
| 5.  | APB notifications .....                                           | 6  |
| 6.  | Custody Module instruction .....                                  | 7  |
| 7.  | Instrument issued by the APB .....                                | 8  |
| 8.  | Investigating criminal offences (s.464, <i>Crimes Act</i> ) ..... | 8  |
| 9.  | Release from police custody .....                                 | 8  |
| 10. | Charge – Breach of prescribed term or condition of parole .....   | 9  |
| 11. | Automatic cancellation of parole on finding of guilt .....        | 9  |
| 12. | Attendance and Custody Module issues and outages .....            | 10 |
| 13. | Youth Parole .....                                                | 12 |

## Definitions

The following definitions apply to adult parole:

- **Instrument Order (Instrument)** is a binding order issued by the APB in respect to the detention of the parolee under the *Corrections Act*.
- **Prescribed term or condition of parole** a term or condition noted in the *Corrections Regulations* (as per below table). Only the breach of a Prescribed term or condition constitutes an offence of Breach of Parole. LEAP only displays Prescribed Conditions and not any other management conditions. Once Parole is revoked or finalised there is no Parole history available on LEAP.

|                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>For parole orders made prior to 28 April 2019</b></p> <ul style="list-style-type: none"> <li>• mandatory terms and conditions are found at r.83A, <i>Corrections Regulations 2009</i></li> <li>• discretionary terms and conditions are found at r.83B, <i>Corrections Regulations 2009</i></li> <li>• prescribed terms and conditions are found at r.88A, <i>Corrections Regulations 2009</i></li> </ul>          |
| <p><b>For parole orders made 28 April 2019 to 31 October 2019</b></p> <ul style="list-style-type: none"> <li>• mandatory terms and conditions are found at r.111, <i>Corrections Regulations 2019</i></li> <li>• discretionary terms and condition are found at r.113, <i>Corrections Regulations 2019</i></li> <li>• prescribed terms and conditions are found at r.125, <i>Corrections Regulations 2019</i></li> </ul> |
| <p><b>For parole orders made on or after 1 November 2019</b></p> <ul style="list-style-type: none"> <li>• mandatory terms and conditions are found at r.112, <i>Corrections Regulations 2019</i></li> <li>• discretionary terms and condition are found at r.114, <i>Corrections Regulations 2019</i></li> <li>• prescribed terms and conditions are found at r.125, <i>Corrections Regulations 2019</i></li> </ul>      |








Also refer to the general [VPM Dictionary](#) for definitions and acronyms.

## Scope and application

The following areas are outside the scope of this policy:

- **Commonwealth parole** –only applies to federal offenders who are persons who are convicted of, and sentenced for, offences against Commonwealth laws. There are no arrest, charge or detain provisions for Commonwealth parolees
- **Interstate parole** –only applies to persons who are on parole in another state or territory of Australia. Unless a warrant has been issued with an approved extradition order, there are no arrest, charge or detain provisions in Victoria. All contacts with interstate parolees that require notification should be completed by Information Report (IR).

## Responsibilities and procedures

---

### 1. Roles and responsibilities

#### 1.1 *Custody Operations & Logistics Unit*

The role of the Custody Operations & Logistics Unit is to:

- provide oversight and interface between operational police responding to breaches of parole and the APB decisions regarding the continued detention of a parolee
- monitor parolee in custody status in respect to legislative compliance with APB decisions
- provide advice to operational police responding to breaches of parole in relation to the placement of the parolee at a suitable police detention facility
- coordinate with Corrections Victoria (CV) and make the arrangements to transport the parolee between the police detention facility and a CV facility.

#### 1.2 *Fugitive Squad*

The role of the Fugitive Squad is to:

- be the initial reference point for any warrant of arrest referred to Victoria Police from the APB.

#### 1.3 *Parole Prosecution Co-ordinator*

The role of the Parole Prosecution Co-ordinator (PPC) is to:

- allocate files to operational police for investigation when a breach of parole offence is identified by CV
- support operational police in managing breach of parole offences
- be a conduit within Victoria Police for all:
  - breach of parole offences identified by CV
  - requests for statements or further information from, Parole Central Unit (PCU) or Community Corrections Services (CCS) relating to a breach of parole investigation.
- communicate any outcome to PCU.

#### 1.4 *Prosecutors*

The role of the prosecutor is to:

- cause the imprisonment warrant to be executed for those matters before the court that upon finding of guilt result in automatic cancellation of parole
- prosecute detected breaches of prescribed term or condition of parole charges.

#### 1.5 *Parole Central Unit*

- The role of PCU is to:

- review notifications received from CCS where a breach of parole is alleged
- liaise with CCS to obtain all relevant information regarding the allegation of a breach of parole and refer to PPC

- advise CCS parole officer of the outcome after a resolution has been communicated from PPC.
- Members should not contact PCU in the first instance. Refer to section 1.3 in relation to contacting PCU for further information or statements.

### 1.6 **Adult Parole Board**

- The APB is responsible for decisions regarding the status of a prisoner's parole and conditions.
- On notification that a parolee is detained for a breach of prescribed term or condition of parole, the APB is responsible for deciding whether the alleged breach warrants a variation of parole under s.74, *Corrections Act* or a cancellation of parole under s.77.
- Only the full Board can make a decision to cancel parole. The full Board can sit every week day between 9 am and 5 pm.

### 1.7 **PSOs on duty at a designated place**

- PSOs are empowered under the *Corrections Act*. When on duty at a designated place they may, without warrant, arrest a parolee if they suspect on reasonable grounds that the parolee has committed an offence against s.78A.
- If a PSO arrests a parolee under this section, they must hand the parolee over to a police member as soon as practicable (s.78B(1A)). Where a parolee has left the scene prior to being arrested by a PSO, submit a Field Contact report.

## 2. **Offence for breach of prescribed term or condition**

- It is an offence for a parolee released under a parole order, without reasonable excuse, to breach a prescribed term or condition of that order under s.78A(1), *Corrections Act*.
- The *Corrections Regulations 2019* (r.125) and the *Corrections Regulations 2009* (r.88A) lists those prescribed conditions that, if breached, will constitute an offence against s.78A(1). Refer to definitions for *Prescribed term or condition of parole*.
- A proceeding for a breach of prescribed term or condition of parole charge may be commenced within two years of the offence date (s.78A(2)).
- The decision whether to charge a parolee with a breach of a prescribed term or condition of parole is independent of any action the APB may take as a result of the breach (e.g. cancelling or varying parole or issuing a warning). Any action by the APB is not relevant when determining whether a charge relating to the criminal element of breaching parole is to be authorised. Refer to **VPMG Brief preparation and management**.
- A LEAP Warning Flag will be created automatically from information provided by CV on adult parolees. The conditions for that parolee will be listed in their Warning Flag. These flags are updated daily. Once parole is finalised or revoked there is no parole history kept on LEAP. The PPC can be contacted to enquire about parole history and potential breaches.
- Where CV detects a breach and there are immediate concerns for safety, CV may contact 000. Where members attend and find the parolee committing a breach, they will comply with this policy. In all other circumstances contact the Parole Prosecution Coordinator for advice.
- The *Corrections Act* does not provide any additional powers for enter/search premises.

### 3. Arrest without warrant

- Where a police member, or PSO on duty at a designated place, suspects on reasonable grounds that a parolee has breached a prescribed term or condition of parole, that member may arrest that parolee under s.78B (1), *Corrections Act*.
- Where a parolee is arrested under any other Act or law for another matter, and is suspected on reasonable grounds of committing an offence against s.78A(1) (breach of prescribed parole condition), then that parolee is subject to the same legislative and procedural requirements as if they were arrested under s.78B(1).
- Where a parolee is found by police in circumstances that constitute an offence against s.78A(1), and no arrest is effected, members must:
  - submit a Field Contact report by the end of the shift
  - follow up with charges where appropriate
  - advise PPC.

### 4. Obligation to detain

#### 4.1 Overview

- On arrest for any matter, if the parolee is suspected on reasonable grounds of breaching a prescribed term or condition of parole, the arresting member (or the police member taking over custody of the parolee from a PSO) must assess their legislative requirement to detain that parolee in custody.
- The power to detain is only activated once an arrest is effected.
- If the parolee is detained in one of the circumstances set out at 4.2 or 4.3, they must not be released until a decision is received from the APB.

#### 4.2 Must detain (s.78B(3))

- If arrested, the parolee must be detained, where the alleged breach is:
  - the commission of an offence punishable by imprisonment (other than s.78A(1) breach) or
  - a breach of a condition that has a mandatory detention requirement, as prescribed by the Regulations. This will be reflected on LEAP.

#### 4.3 May detain (s.78B(2))

- One prescribed condition exists within the "may detain" criterion – Fail to attend in person at a community corrections centre as directed in writing by a community corrections officer. This offence will be detected and responded to by CV in a majority of instances and will only require police attention where there are immediate safety concerns. If police arrest for this type of breach, they must meet the threshold of not trivial/minor and likely to continue/commit further breach before they are obliged to detain and notify the APB. LEAP will display "May detain" against this condition.
- The parolee may be detained if the arresting member is satisfied that:
  - the breach of a prescribed term or condition (that does not have a mandatory detention provision) is not trivial or minor; and
  - detention is necessary to prevent continuation or further commission of a breach.

- No condition that has been prescribed under the Regulations for 'mandatory detention' is subject to this criterion.

## 5. APB notifications

### 5.1 Overview

- When the parolee is detained under ss.78B(2) or 78B(3), *Corrections Act*, the arresting member, or the member who received custody of the parolee from the PSO, must ensure that the APB is notified of the breach no more than 12 hours after arrest (s. 78B(4)).
- APB should be notified as soon as practicable to allow the criminal investigation/processing and APB decision to run as parallel procedures.
- In these circumstances, 'as soon as practicable' is when the member is reasonably satisfied that there is sufficient evidence to lay a charge of breach of a term or condition of parole.

### 5.2 Notification process

- On creating an Attendance record for the offender, Attendance will identify the offender as a parolee and the "Parole Notification tab" will be populated to capture the details of the notification.
- Sufficient facts on the circumstances of the breach must be provided to enable the APB to make a fully informed decision on whether to cancel the parole order.
- Once the "Parole Notification tab" has been completed, advice will be provided as to whether a parole notification is to be sent to the APB. Once the member has clicked on the send button, the APB has been notified.
- A printed copy of the Parole Notification in PDF is to be attached to the Prisoner Information Record (PIR).
- Supplementary information for the APB must be provided through the Attendance or Custody module and should only occur in exceptional circumstances, for example:
  - the parolee is exonerated from the offences during period of detention
  - it is identified that the severity of offence has significantly escalated (e.g. assault to rape).
- The parolee must be detained until an Instrument is received from the APB.
- The statutory authorisation to detain the parolee (s.78B), if arrested, includes the time between detention and when police are provided with an Instrument by the APB.
- On notification to the APB, create a Custody record. See section 6.

### 5.3 Detention

- The APB is acting on information known by police at the time of the alleged breach, not proposed admissible evidence as part of a criminal brief of evidence.
- Once the APB has been notified, the parolee cannot be released from custody until the APB issues an Instrument that orders detention to cease/end. This includes where the parolee has been exonerated prior to charges laid, or the court has not found the charges proven.

## 6. Custody Module instruction

### 6.1 *Creation of a record*

- Detention of a parolee under the *Corrections Act* must be recorded and monitored in the Custody Module.
- Once the Custody record is created, parolee welfare checks can be updated / monitored in the Custody observations. There is no need to duplicate welfare checks in Attendance.

### 6.2 *Locations*

- Police facilities that are not a registered detention facility must choose the location "Parole non-registered detention facility".
- In the "hold to" comments section enter the police station where the parolee is located.
- This location is to be used only as an interim measure until the parolee is transferred to a registered location.

### 6.3 *Type (multiple custody types)*

- Where a person is being held in custody for multiple reasons (e.g. criminal offences and breach of parole), each reason must be recorded in the Custody Module.
- In addition to the existing custody types, the following custody types will auto populate until a final Instrument is received from the APB for all parolees:
  - Detain pending parole decision
  - Warrant (parole cancelled).
- All custody types (including any investigation, remand or bail process or APB notifications) must be satisfied before the parolee is released.

### 6.4 *Status of parolee*

- Where the APB has made a decision in relation to the parolee, the member must acknowledge the decision in either the Attendance or Custody module.
- The parolee status may be updated to:
  - Notification sent
  - Assessment in progress
  - Not in APB jurisdiction
  - Interim decision issued – Order to detain
  - Final decision issued – cease to detain
  - Final decision issued – not to cancel Parole
  - Final decision issued – parole cancelled warrant
  - Final decision actioned.

### 6.5 *Updating Custody Type once APB process is completed*

- Members must action the receipt of any APB decision in the Custody Module - parole notification.
- In addition to the custody types (including any investigation, remand or bail process) entered by the attending member, the following custody types will be auto-populated by the Custody Module:

- Detained pending parole decision
- Warrant (parole cancelled).
- Each custody type must be satisfied before the parolee/prisoner can be released. To do this, click on the 'Satisfy By' button next to each custody type and select the corresponding reason code in the Custody Module.
- If the parolee is to be transferred to a CV facility, proceed according to the current process and transfer the parolee to the relevant CV facility on the Custody Module. Any unsatisfied custody types will be automatically satisfied as part of the transfer process.
- The parolee must be advised of the outcome from the APB as soon as practicable.

## 7. Instrument issued by the APB

- The APB will, as soon as reasonably practicable, notify police by written Instrument of their decision regarding the parolee's detainment:
  - Order to detain
  - Order to cease to detain
  - Notice of decision not to cancel parole (detention ended)
  - Warrant to imprison - Parole cancelled.
- The APB will issue a link to the Instrument, or where a decision to cancel parole is made, a link to the warrant to imprison (parole cancelled) through the Attendance and Custody modules, which must be printed and attached to the PIR.
- The APB will have on call coverage with a single member every day between 0800 and 2200hrs. A single member can make a decision regarding Instruments to cease to detain or continue to detain.

## 8. Investigating criminal offences (s.464, *Crimes Act*)

- The *Corrections Act* allows for criminal investigations to be carried out without interference from anything contained within the Act.
- An investigation, questioning and disposition of a parolee under s.464A, *Crimes Act* may continue for a reasonable time, even during the period the parolee is being detained under s.78D(4), *Corrections Act*.
- Section 464B, *Crimes Act* does not apply to a prisoner detained under the *Corrections Act* until a reasonable time has elapsed (s.78D(5)).
- Reasonable time is determined by s.464A(4), *Crimes Act*.
- Investigation and processing of offenders for criminal matters will be recorded and monitored in the Attendance Module as usual. Attendance disposal status is to reflect the final disposition of s.464A, *Crimes Act*. The breach of parole detention will be recorded and monitored in the Custody Module.

## 9. Release from police custody

- A parolee who has been detained under the *Corrections Act* must not be released until the APB issues an Instrument to cease to detain and a decision is made for the purposes of s. 464A(1)(a), (b) or (c), *Crimes Act* or s.4, *Bail Act 1977* to release that parolee (s.78D(1), (2) and (3)).
- If a parolee was arrested under any act or law, nothing prevents the continuation of the

parolee's detention in relation to the offence for which the parolee was arrested (s.78B(5)).

- The decision by the APB and a Court are not interdependent and are not intended to have primacy over the other.
- Where the criminal investigation and disposition under s.464(1)(a), (b) or (c), *Crimes Act* is completed and the APB determination regarding parole is still pending, the parolee is to be detained in a prison or police gaol.

| <b>s. 464 disposition</b>            | <b>APB Instrument decision</b>              | <b>Final disposition</b> |
|--------------------------------------|---------------------------------------------|--------------------------|
| Remand                               | Detain/Warrant to imprison                  | Do not release           |
| Bail/release unconditionally/summons | Detain/Warrant to imprison                  | Do not release           |
| Remand                               | Cease to detain/Notice not to cancel parole | Do not release           |
| Bail/release unconditionally/summons | Cease to detain/Notice not to cancel parole | Release                  |

## 10. Charge – Breach of prescribed term or condition of parole

- Use the following information wording, when completing the charge-sheet:
- The accused at [Insert Suburb] in the State of Victoria on [Insert Date], while under the conditions of a parole order made on [Insert date that Order was made], did without reasonable excuse breach a prescribed [term / condition] of [His/Her] parole order, by [Insert what the Accused did].
- This charge is available on VP Word templates and brief packs.
- The charge should be issued at the same time as any other charges associated with the breach so the matters can be dealt with at the same time, including where a parolee is remanded and taken immediately before the court.

## 11. Automatic cancellation of parole on finding of guilt

### 11.1 Offences after 1/07/2014

- If a parolee is released on parole in respect to:
  - sex/serious violent offence; and
  - convicted while on parole of sex/violent offence
 the prisoner's parole is taken to have been cancelled on that finding of guilt (s.77 (6)).
- Where the informant has charged an accused and a finding of guilt will result in the automatic cancellation of parole, the informant is to:
  - seek advice from the Parole Prosecution Co-ordinator
  - attach a copy of the original imprisonment warrant and the CV report notifying the court of cancellation of parole to the brief (supplied by Parole Prosecution Co-ordinator)
  - make a notation in the Statement of Alleged Facts to notify the prosecutor of the automatic cancellation of parole upon a finding of guilt
  - have regard to **VPMG Brief preparation and management**.

**11.2 Offences prior to 1/07/2014**

- Whilst the conduct may not constitute an offence of a breach of parole, a conviction may still prompt a parole cancellation.
- In these circumstances, contact the Parole Prosecution Coordinator.

**12. Attendance and Custody Module issues and outages****12.1 APB notifications**

When the parolee is detained and Attendance and / or Custody modules are not functioning, the arresting member must still ensure that the APB is notified of the breach no more than 12 hours after arrest as required by s. 78B(4), *Corrections Act*.

**12.2 Issues and resolutions to meet APB notification requirements**

| Issue                                                                            | Action                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Attendance and Custody modules are not functioning (unplanned or planned outage) | <p>During this time, the member must:</p> <ul style="list-style-type: none"> <li>• complete a person check via LEAP to determine if the person is a parolee</li> <li>• enter the person's details in the Attendance Register or the Attendance Module Aide Memoire [Form PB 34]. Refer to <b>VPM Attendance and Custody modules</b></li> <li>• complete Notification to Adult Parole Board of Detention of Parolee [Form 1435] and email to: <ul style="list-style-type: none"> <li>– <a href="mailto:apb.enquiries@justice.vic.gov.au">apb.enquiries@justice.vic.gov.au</a></li> <li>– Custody Operations &amp; Logistics Unit PBEA. See the Custody Hub for contact details</li> <li>– Custody/supervising sergeant PBEA at the station</li> </ul> </li> <li>• make a follow up phone call to the APB on ph. 0429 914 403 (monitored by the APB every day from 0800 till 2200hrs) to advise that the notification has been emailed. Outside these hours this information may be left on message bank</li> <li>• print and attach Form 1435 to the Prisoner Information Record. Notification details are to be endorsed on the form (date and time sent)</li> <li>• additional notifications (e.g. Form 1435 Section E 'update'), should only be used in exceptional circumstances, for example: <ul style="list-style-type: none"> <li>– the parolee is exonerated from the offences during period of detention or</li> <li>– it is identified that the severity of offence has significantly escalated (eg. assault to rape)</li> </ul> </li> <li>• APB will provide an automated response that the notification has been received. Attach this email to the Prisoner Information Record. The parolee must be detained until an Instrument is received from the APB</li> </ul> |

|                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                       | <ul style="list-style-type: none"> <li>the statutory authorisation to detain the parolee (s.78B), if arrested, includes the time between detention and when police are provided with an instrument by the APB</li> <li>on notification to the APB, create a Custody record using the Register of Prisoners Aide Memoire [Form PB63]. Where multiple custody types exist, all custody types must be entered in the Register of Prisoners</li> <li>APB will issue the Instrument including parole cancellation warrants via email during any outage, which must be printed and attached to the PIR</li> </ul>                                                                                                                                                                                                                                 |
| APB notification sent and no action within 2 hours                    | <ul style="list-style-type: none"> <li>Refers only to APB breach of parole (BOP) notifications not actioned within 2 hours from 0800hrs and 2200hrs. This may indicate a technical issue or miscommunication</li> <li>The member may make a follow up phone call to the APB on ph. 0429 914 403 (monitored by the APB every day from 0800 till 2200hrs) to advise that the notification has been emailed. Outside these hours this information may be left on message bank</li> <li>APB will contact the member where a decision is sent that is not actioned within 2 hours</li> <li>Where a technical issue is detected, treat as an unplanned outage</li> </ul>                                                                                                                                                                          |
| Person has provided false identity details (Parolee to Parolee)       | <p>The member must:</p> <ul style="list-style-type: none"> <li>invalidate the original breach of prescribed term of condition and include supplemental information with reasons for invalidating the incident</li> <li>make a follow up phone call to the APB on ph. 0429 914 403 and inform them of the change of person</li> <li>any decisions / instruments sent to Victoria Police for the original BOP notification are void (including warrants) and are to be disposed of immediately</li> <li>complete a new BOP notification which will include any supplementary information. This will progress as per normal process</li> <li>investigate and charge the person with any relevant offences</li> <li>submit the Scars/Marks/Tatts – Alias/Nickname – Relationship Form [Form 11] to record the alias identity on LEAP</li> </ul> |
| Person has provided false identity details (Non Parolee to Parolee)   | <p>The member must:</p> <ul style="list-style-type: none"> <li>complete a new BOP notification which will include any supplementary information. This will progress as per normal process</li> <li>investigate and charge the person with any relevant offences</li> <li>submit Form L11 to record the alias identity on LEAP</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Person has provided false identity details (Parolee to Non - Parolee) | <ul style="list-style-type: none"> <li>Invalidate the original BOP incident and include supplemental information with reasons for invalidating the incident</li> <li>Make a follow up phone call to the APB on ph. 0429 914 403 and inform them of the change of person</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

|                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                 | <ul style="list-style-type: none"> <li>Any decisions / instruments sent to Victoria Police are void (including warrants) and are to be disposed of immediately</li> <li>Investigate and charge the person with any relevant offences</li> <li>Submit Form L11 to record the alias identity on LEAP</li> </ul>                                                                                                                                                                                                                                                                                      |
| Not in APB Jurisdiction                                                         | <ul style="list-style-type: none"> <li>This relates to notifications where the person in custody is on interstate, youth or Commonwealth parole all of which are outside of APB jurisdiction</li> <li>APB will call Victoria Police and inform them of the intent to respond with "Not in APB jurisdiction" and provide a reason code to the member</li> <li>No decision or instrument will be sent</li> <li>Victoria Police will treat a "Not in jurisdiction" response as a cease to detain</li> <li>Unless other custody types exist, the person is to be released</li> </ul>                   |
| Manual process<br>When Attendance Module, Custody Module and email are all down | <p>The member must:</p> <ul style="list-style-type: none"> <li>complete a person check via Police Communications</li> <li>enter the person's details in the Attendance Register or Form PB34. Refer <b>VPM Attendance and Custody modules</b></li> <li>manually complete Form 1435 and contact the APB on ph. 0429 914 403 to discuss. If the phone is unattended, leave a message detailing the detention</li> <li>advise the APB if the parolee being detained is transferred to another facility</li> <li>when functioning, complete the back capture process. Refer to section 12.3</li> </ul> |

### 12.3 **Back capture of APB Notifications**

- In the event of an Attendance or Custody module outage, when functioning again, members must:
  - complete the Attendance and Custody modules for the parolee as soon as possible
  - record any instruments or warrants in the Custody module
  - discontinue email correspondence with the APB
  - call the APB on 0429 914 403 to advise or leave a message that Attendance and Custody modules are functioning again.

## 13. Youth Parole

### 13.1 **Notification**

Under the *Youth Justice Act*, the Youth Parole Board (YPB) is required to notify Victoria Police:

- of the release on parole or scheduled release on parole of a person detained in a youth justice custodial centre, if the detention related to at least one 'Category A' or 'Category B' serious youth offence (defined in s.3(1), *Sentencing Act 1991*)

- any conditions of the parole.

A 'Youth Parole' flag with relevant conditions will be recorded against the person on LEAP.

### 13.2 **Police action**

Members do not have any power to arrest, charge or detain a person for a breach of youth parole conditions. If a member comes into contact with a person on youth parole in circumstances:

- that constitute a breach of a parole condition, they are to email the YPB of the circumstances before the end of the shift at [youthparoleboard.secretariat@justice.vic.gov.au](mailto:youthparoleboard.secretariat@justice.vic.gov.au)
- that do not constitute a breach of a parole condition, they should consider whether the relevant criteria apply and submit a Field Contact report through LEDR. See **VPM Reporting contacts and intelligence**.

### 13.3 **Youth Parole Board action**

YPB is responsible for determining whether to cancel parole or vary conditions. YPB may make further enquiries at their discretion with the Officer in Charge of the relevant police station that made report/s in line with section 13.2.

## Related documents

---

- *Corrections Act 1986*
- Corrections Regulations 2009
- Corrections Regulations 2019
- *Crimes Act 1958*
- *Bail Act 1977*
- *Youth Justice Act 2024*
- VPM Management of people in police care or custody
- VPM Disposition
- VPM Attendance and Custody modules
- VPMG Brief preparation and management

## Further advice and information

---

For further information or advice on this instruction contact:

- your Supervisor
- Legal Services Department – Parole Prosecution Co-ordinator (PBEA: PAROLE-PROS-COORD)
- Fugitive Squad

## Update history

---

|                            |                                                                                                                                                                                                                                                                                                                                               |                          |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <b>DATE OF FIRST ISSUE</b> | 03/10/17                                                                                                                                                                                                                                                                                                                                      |                          |
| <b>DATE UPDATED</b>        | <b>SUMMARY OF CHANGE</b>                                                                                                                                                                                                                                                                                                                      | <b>FORCE FILE NUMBER</b> |
| 03/10/17                   | Incorporates CCI 09/15 into the VPM. CCI 09/15 is now cancelled.                                                                                                                                                                                                                                                                              | FF-101806/1              |
| 09/04/18                   | Updates to reflect changes regarding youth parole in the <i>Children, Youth and Families Act 2005</i>                                                                                                                                                                                                                                         | FF-123241                |
| 23/09/19                   | Updates to reflect issuing of <i>Corrections Regulations 2019</i> and minor administrative amendments.                                                                                                                                                                                                                                        | FF-144429                |
| 25/01/21                   | Updated to reflect parole orders made prior to commencement of <i>Corrections Regulations 2019</i> and PSO arrest powers                                                                                                                                                                                                                      | FF-156940                |
| 15/06/22                   | Administrative amendments to APB contact details listed in section 12.                                                                                                                                                                                                                                                                        | N/A                      |
| 02/03/2026                 | Name change from Fugitive Taskforce to Fugitive Squad and removal of requirement to do daily searches of LEAP. Name change from Prisoner Management Unit to Custody and Operations Unit. Changed wording to clarify LEAP warning flags and circumstances where a parolee must be detained if arrested. Other minor administrative amendments. | FF-258128                |
|                            | Updated to reflect changes to youth parole with transition from <i>Children, Youth and Families Act</i> to <i>Youth Justice Act</i> .                                                                                                                                                                                                         | FF-280051 1              |