



# PAROLE TIME CREDIT (PTC)

## WHAT IS PAROLE TIME CREDIT?

Parole time credit is the time spent in the community **in accordance with parole conditions** that is to be counted towards an offender's sentence. It is also known as clean street time or time to count.

Introducing a parole time credit scheme means that a parolee who is returned to custody following cancellation of their parole order would serve the time remaining on their head sentence at the time the parole order was cancelled, not the period that remained to be served when parole was granted.

## WHY IS THE PAROLE TIME CREDIT SCHEME BEING INTRODUCED?

Attempts made to successfully reintegrate into the community **whilst** maintaining compliance with parole conditions are acknowledged even when parole is not effectively completed.

Requiring an offender to serve the period spent on parole in compliance with their conditions if their parole order is cancelled has the effect of extending the time a person serves under sentence. This operates as a disincentive for eligible offenders to apply for parole, increasing the number of people released from prison without support and supervision. Research by the Bureau of Crime Statistics and Research has found strong evidence that offenders released from prison on parole are less likely to re-offend than offenders released from prison without any supervision.

**Therefore,** counting time served on parole encourages offenders to apply for parole (during which the offender will be supported through rehabilitation and reintegration), reinforces a rehabilitative approach to sentence administration, and assists in reducing reoffending. By introducing parole time credit, the ACT **becomes aligned** with other Australian jurisdictions on the treatment of offenders on parole.

## WHO WILL BE ELIGIBLE FOR PAROLE TIME CREDIT?

Offenders who are sentenced after the commencement date and are not subject to the **exceptions below.**

**Exceptions to PTC include:**

1. Offenders who re-offend by committing a new serious offence while they are on parole for a previous serious offence.
2. Offenders who commit family violence offences while on parole for previous family violence offences.
3. Offenders who commit a new offence within three months of their release on parole unless the Sentencing Court determines that special circumstances exist which merit the application for PTC.

Note; a serious offence means a serious violent, sex or drug offence. A legal advisor can also provide further information in relation to specific offences.



If an offender on parole for a serious violent, drug or sexual offence is found guilty of an offence of a lesser severity, there may be entitlement of PTC.

**Do you need to apply for Parole Time Credit?**

Offenders do not need to apply for parole time credit. It will be applied by a Judge at court or by the Sentence Administration Board (SAB) as a matter of routine for those eligible.

**HOW IS PAROLE TIME CREDIT CALCULATED?**

The PTC begins on the commencement of the offender’s parole order and ends on the day before the day mentioned in the table.

	Additional circumstances	When your PTC ends
1	The offender is arrested without a warrant under s 144	The day of arrest
2	An arrest warrant is issued under s 145 for the offender	The day the warrant is issued
3	A warrant is issued for the offender under s 206 in relation to a hearing, and the SAB resolves to cancel the offender’s parole under s 148 or s 156.	The day the warrant is issued
4	The offender’s parole is cancelled as the offender fails to report as per core conditions of the order, or another direction of the Director-General on 2 or more occasions	The earliest day when the offender failed to report; or If the SAB determines a later day.
5	The offender commits an offence against territory law punishable by imprisonment while on parole and is convicted or found guilty by a court of the offence	The day the court determines the offence was committed; or If the court determines the offence was committed on more than one day, or within a range of days – the earliest day determined by the court.
6	In any other case	The day a parole order is cancelled.

**EXAMPLE SCENARIO**

The introduction of parole time credit will mean that an offender who is returned to custody will serve the time that was remaining on their sentence on the day their parole order is cancelled by the SAB or found by a court to have committed a new offence, not what was remained to be served from the day of release on parole.

For example, previously if an offender was released on parole with 12 months remaining on their sentence and that offender breached their parole eight months into the parole period, they were liable to serve the full 12 months that had been outstanding on their sentence at the time that they were released on parole. With parole time credit applied they are liable to serve only four months, considering the eight-month period they spent in the community under supervision by ACTCS.

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