

The Prisoners Review Board of Western Australia: What do the Public Know about Parole?

Natalie Gately,^{*} Catherine Ferguson,[†] Suzanne Ellis[‡] and Robert Cock[§]

Abstract

Previous international research has indicated that the public hold incorrect perceptions of the criminal justice system and have little understanding of how it operates. This can result in a lack of confidence in the system, often stemming from a lack of knowledge and media presentation of crime stories. The present study utilised qualitative methodology to gain an in-depth understanding of the public knowledge about parole. Semi-structured interviews were conducted with 38 West Australians aged between 18–63 years. Cultivation theory was used to conceptualise how particular media events at the time permeated participants' explanations of parole. This research contributes to understanding the public perception of the parole system in Western Australia and provides recommendations to enhance public knowledge of the parole system.

Keywords: parole – prisoner release – public perceptions – punitiveness – Prisoners Review Board Western Australia – Western Australia

Introduction

Several recent high-profile cases in Australia of vicious and fatal crimes committed by parolees have attracted attention and polarised the public as to the role of parole. The cases received intensive media coverage as closed circuit television ('CCTV') footage showed one of the victims meeting her killer. These offences have added to the public holding inaccurate perceptions of the release and recidivism rates of offenders on parole (Bartels 2013; Roberts 1988). However, the majority of the public are not well informed about the workings and functions of the criminal justice system (Cullen et al 2000), and most of their knowledge is gained either through media reports or interpersonal reports (via family and/or friends).

^{*} Criminology Senior Lecturer, School of Arts & Humanities, Edith Cowan University, 270 Joondalup Drive, Joondalup WA 6027, Australia. Email: n.gately@ecu.edu.au. The authors thank Dominic Jordan for assistance with data analysis and the students of the research methods class CRI2102.

[†] Criminology Lecturer, School of Arts & Humanities, Edith Cowan University, 270 Joondalup Drive, Joondalup WA 6027, Australia. Email: c.ferguson@ecu.edu.au.

[‡] Criminology Lecturer, School of Arts & Humanities, Edith Cowan University, 270 Joondalup Drive, Joondalup WA 6027, Australia. Email: s.ellis@ecu.edu.au.

[§] Chairperson, Prisoners Review Board Western Australia, GPO Box C127, Perth WA 6839, Australia. Email: robert.cock@justice.wa.gov.au.

The information provided is often selective, incomplete, and factually incorrect (Broadhurst and Indermaur 1982).

A misinformed public is associated with a lack of confidence in the criminal justice system and punitive attitudes towards offenders (Jones and Weatherburn 2010), which leads to the public wanting harsher and longer punishments, which go against best practice. Despite inaccurate public knowledge and understanding, public opinion can sway politicians' actions regarding legislation and policies that affect offenders (Davis and Dosseter 2010). Bottoms (1995) differentiated between public opinion and what he has termed 'populist punitiveness'. Populist punitiveness 'is intended to convey the notion of politicians tapping into and using for their own purposes, what they believe to be the public's generally punitive stance' (Bottoms 1995:40). Roberts et al (2003:5) provide a clear statement in regard to penal populism: 'Penal populists allow the electoral advantage of a policy to take precedence over its penal effectiveness.' Penal populism may be the result of inaccurate representation of the public's view (Roberts et al 2003:4). Garland (1996:462) suggested that 'the "punitive" strategy is driven by a political dynamic rather than a penological one'. Being tough on crime has become a political policy supported across political parties (Garland 2001:14).

As politicians place greater value on public opinion, rather than expert advice (Garland 2000, 2001:13), it is important to understand the level of knowledge the public have about various elements of the criminal justice system. Such knowledge can aid in developing appropriate strategies to educate the public and government, and potentially reduce ineffective legislation and policies that may be introduced by politicians eager to meet perceived public demand. In the current research this was investigated through semi-structured interviews.

This article presents a short summary of the processes of parole in Western Australia ('WA'), followed by a review of recent literature about public knowledge and attitudes in relation to the criminal justice system. The article concludes with some recommendations for further public education about parole. The results of this research could promote policy development and increase community awareness to drive more positive public attitudes for the parole system, locally in WA, nationally and internationally.

Parole in Western Australia

In Australia, each state and territory has its own board responsible for the release and return to prison of parolees. There are similarities and differences across jurisdictions; however, in general, parole is an opportunity for an offender to complete his or her sentence in the community following a legislatively or judicially applied minimum term of incarceration (Simpson 1999). Parole is a granted privilege, rather than a right, usually accompanied by strict conditions for parolees, such as attendance at counselling sessions, and varying levels of supervision (Prisoners Review Board of Western Australia ('PRBWA') 2015; Simpson 1999), and may be seen as 'an added period of control' (Barkdull 1988:15). In granting parole, factors such as concerns for the victim, prisoner behaviour, risks of recidivism, and participation in treatment programs while incarcerated are considered (PRBWA 2015). Parole is denied if a prisoner is deemed an *unacceptable* risk, as the prime concern relating to the release of offenders is community safety (PRBWA 2015). The considerations that are applied in determining whether to release on parole are statutory, set out in s 5A of the *Sentence Administration Act 2003* (WA).

In accordance with s 20(1) of that Act, the day before a prisoner is *eligible* to be released on parole, the Parole Board must consider whether the prisoner *should* be released. The Board

has no discretion to consider a prisoner prior to his or her earliest eligibility date for release on parole and an application by the prisoner is not required to commence the process. However, a prisoner with parole eligibility may advise the Board in writing pursuant to s 33 of the Act that he or she does not want to be released on parole. Between 1 July 2012 and 30 June 2016, 1808 prisoners exercised that right.

Western Australia has the lowest rate of prisoners released on parole of all the states (Western Australian Office of the Auditor General ('WAOAG') 2011), with the number of prisoners released on parole substantially declining since 2009 (WAOAG 2011). During this period, 72 per cent of WA parole considerations were rejected, indicating that WA was the hardest state in Australia to gain parole (Bartels 2013). The PRBWA Annual Report (2015) stated the rate of denial of parole was 65 per cent. Rates of denial are dependent on the assessed risk posed to the community by a prisoner considered for parole and whether the Board is of opinion that the risk can be adequately moderated by parole conditions. The PRBWA publishes reasons for release and cancellation of parole on its website. This, together with other information provided on the website, is designed to aid public education and understanding of parole, as well as providing a level of transparency in their processes. Board meetings are not open to the public.

Prisoners may strive for parole as an incentive for rehabilitation (Simpson 1999; Cole and Logan 1977), thereby promoting discipline for the duration of incarceration. The significant challenges experienced by prisoners during reintegration may be reduced for offenders while on parole, as they have a greater level of support and supervision (Simpson 1999). The financial cost of supervision is much lower than incarceration (Belton 2008).

There is considerable literature that indicates that parole is beneficial for both community safety and the personal development of the offender. Despite public opinion, many do not reoffend; most parolees who are reincarcerated have violated parole conditions, rather than reoffended (Naylor and Schmidt 2010).

Public knowledge and attitudes toward the criminal justice system

Public attitudes towards parole are important to the effective and stable functioning of the criminal justice system. Government policies often reflect community attitudes (Brett 2012; Wood 2009:33). Low confidence and low support for the criminal justice system can lead to public pressure for reform of existing policies (Roberts 2007), and a lack of knowledge by politicians of the real beliefs of the public can result in penal populism (Bottoms 1995). Although there is limited research on public perceptions of the parole system, it is apparent that the public are punitive towards law-breakers (Cullen et al 2000; Samra-Grewal and Roesch 2000). Further, the public hold an inaccurate perception of the severity, nature and rate of crime, the rate of recidivism, and the overall effectiveness of the criminal justice system (Luskin et al 2002; Samra-Grewal and Roesch 2000). This misinformed view can significantly affect public confidence in and perception of the criminal justice system. In contrast, a more knowledgeable public is more likely to have positive attitudes towards parole (Samra-Grewal and Roesch 2000) and the criminal justice system in general (Jones and Weatherburn 2010).

Despite common public views that sentencing may often be too lenient, a punitive increase does not lead to an increase in public confidence of the criminal justice system. Roberts et al (2011) surveyed 6005 participants from various locations in Australia to examine differing penal policies, to offer suggestions as to why public opinion varies across Australia. Regardless of imprisonment rates in each state, Roberts et al (2011) determined that

participant confidence in sentencing and the overall criminal justice system remained the same nationwide. He noted that a reduced number of prisoners released on parole would not lead to increased public confidence, but an increased level of knowledge of the parole system would.

Importantly, the source of individual knowledge regarding the criminal justice system can impact the credibility of information. Indermaur and Roberts (2009) analysed the Australian Survey of Social Attitudes in 2007. Utilising a sample of 8133 participants, they found the majority of respondents indicated the media was the most relied-upon source to inform their views of crime (Indermaur and Roberts 2009). The desire for harsher sentences was positively associated with an overestimation of the rate of violent crimes and the incorrect belief that crime rates were increasing.

Similar results were found by Mackenzie et al (2012), who examined views of sentencing and punishment in a random sample of 6005 Australian people selected from the Electronic White Pages. Overall, the majority of participants had a significant lack of confidence in sentencing and expressed concern about greater levels of leniency. Therefore, it would be beneficial to provide information through alternative avenues to the media, and promote a more accurate representative of crime and justice in Australia. In addition, Indermaur et al (2012) reported that knowledge did not change attitudes for the long term and that more in-depth engagement with the criminal justice system by the public was essential for sustainable attitude change.

The literature indicates that public opinion and confidence are vital in shaping policies that impact on the criminal justice system. Although the media is an important source from which the public derive their opinions (Indermaur and Roberts 2009), it can over-exaggerate and provide a biased point of view (Rosenberger and Callanan 2011). Arguably, misinformed views from the public regarding parole or the criminal justice system can lead to more negative attitudes and low levels of confidence of the parole system. The literature indicates an apparent absence of Western Australian public perceptions of parole and, more specifically, qualitative studies of these views. Utilising pre-existing anonymous interview data the current research aimed to gauge public knowledge of and attitudes towards both the parole system in WA and also the PRBWA. It also determined: the underlying reasons for their perceptions; the circumstances that influence public opinion; and whether opinions change once correct and accurate information is disseminated. More specifically, four research questions were:

1. What is the level of public knowledge of the parole system in WA?
2. What does the public know about the Prisoners Review Board of WA (PRBWA)?
3. Where does the public gain their information regarding the parole system and PRBWA?
4. Does public opinion change upon receiving accurate information regarding the parole system?

Theoretical framework

The theoretical underpinning embeds cultivation theory as a conceptual guide to the research. The principles of cultivation theory developed by George Gerbner during the 1960s incorporate elements of media consumption and theorise that large levels of exposure can create a biased or unrealistic view of society (Rosenberger and Callahan 2011; Potter 1994; Morgan and Shanahan 2010). Gerbner also theorised that there were three areas known as the cultural indicators — organisations, messages, and the public — which assist in determining how different factors contribute to the messages interpreted by consumers (Morgan and

Shanahan 2010). Media content depicts large numbers of incidents of crime occurring, leading to a greater level of media-informed views projected by community members (Rosenberger and Callanan 2011). Throughout the literature public perceptions on contentious issues are generally attributed to the media (Brett 2012; Hutton 2005; Indermaur and Roberts 2009; Rosenberger and Callanan 2011), which supports the justification for the use of a cultivation theoretical perspective.

Method

The exploratory research used a de-identified data set of semi-structured transcribed interviews to explore public perceptions of the parole system in WA, and to develop an understanding of the reasons for these views. The interview data was collected by students in a university criminology research class. The students practised interviewing techniques in class under the guidance of an experienced researcher prior to conducting the interviews.

Instruments

A semi-structured interview schedule was used to guide interviews. The interview schedule was driven by the research questions that emanated from the literature about the public's knowledge or lack of knowledge about parole.

Participants

Thirty-eight individuals participated in a semi-structured interview. These individuals were mostly female (66 per cent), Australian (84 per cent) with just over one-half having completed a post-secondary school qualification. Most worked full time, and 45 per cent earned more than AU\$60 000 per annum. This is slightly below the average WA earnings at the time of AU\$68 340 (Australian Bureau of Statistics 2014). Fifty-five per cent of participants were buying their own home. The mean age of interviewees was 34 years with a range from 18 to 63 years.

Procedure

Research students approached individuals known to them asking for potential interview participation. Interviewees were provided with an information sheet that contained details of the research. A suitable time for interview was arranged and at that time the student researcher provided a consent form that addressed the usual ethical requirements of participation, confidentiality, withdrawal from the research, and the audio recording of the interview. The interview commenced after the consent forms were signed. The de-identified transcript from each student was combined using a question order matrix. For the purposes of this article, the original transcripts were re-analysed by a postgraduate research assistant under the supervision of the chief investigator. This re-analysis confirmed the original themes extracted.

This research included an intervention through the provision of a factsheet to increase knowledge of participants about parole and the PRBWA. This factsheet was provided towards the end of the interview. Participants were asked to read the information and final interview questions were asked to investigate if the presentation of the factual information altered the respondents' responses.

Data analysis

A qualitative approach using a thematic analysis of the interviews was applied to develop and determine emerging themes among participants. Interviews were transcribed verbatim to

maintain response accuracies, and were combined in a question-ordered matrix to determine any commonalities in answers or comments provided. Emerging themes were categorised and sub-categorised.

Findings

Knowledge

Sentencing

As a background to the main research questions participants were asked some general questions about sentencing. Most participants' responses indicated that their knowledge of sentencing in WA was not extensive. Some briefly articulated a description of the process of sentencing, such as:

When a crime is committed ... they usually get charged. Then they go to court and [if they are determined to be guilty] are sent to jail.

The role played by judicial officers and members of the community in the process of sentencing was mentioned, with almost all participants acknowledging that the judge determines and delivers the sentence or 'punishment' a guilty offender receives. The majority commented that the jury was responsible for determining an offender's guilt. Despite this, the responses of many participants revealed an inaccurate knowledge of sentencing. One misconception about sentencing, evident in numerous participants' responses, was that the judge would determine a sentence based on personal experience alone. As stated by one participant:

The judge would work [the sentence] out. He would [decide based on] what he has learnt over the years. He would [be able] to predict [the length of sentence] an offender would get.

The view of participants that sentencing is based on the discretion of presiding judges or magistrates was further highlighted by participants who perceived sentences as being inconsistent:

[Sentencing] seems very unpredictable. Certain crimes get more time, when more serious crimes get less time.

There seems to be an imbalance ... there are instances where you get someone who may have committed a white collar crime that may get a sentence that is longer than someone who has assaulted somebody.

I believe that sentencing is not exactly fair ... [sentencing often] seems harsh on crimes that don't need to be harsh, and not so harsh on ones that should.

The collective responses of participants indicate that many lacked knowledge about the guidelines and principles that inform judicial sentencing. Most participants were not aware that, when a judge sentences an offender, the sentence must be in accordance with legislation and precedents set down by higher courts.

Limited knowledge regarding the operations and functions of the criminal justice system has often been associated with public dissatisfaction with sentencing (Mackenzie et al 2012; Roberts and Indermaur 2009; Roberts et al 2011). The findings of the current study are consistent with previous literature as several participants suggested that sentencing in WA was lenient. As stated by one participant:

I think [sentences] are quite lenient ... some of the crimes that take place, the jail time the person actually does ... is actually quite minimal.

A public desire for harder sentences has been linked to low levels of confidence in the criminal justice system (Cullen et al 2000; Roberts and Indermaur 2007, 2009). Research indicates that the majority of the public are not well informed about the workings and functions of the criminal justice system and that this often results in punitive attitudes regarding criminal justice policies (Cullen et al 2000). This point is important to consider as lack of knowledge and subsequent dissatisfaction in one area of criminal justice, such as sentencing, may be reflected in other areas of criminal justice, such as the parole system.

Parole

Prior to receiving contextual information about the WA parole system and the PRBWA towards the end of interviews, most participants demonstrated that their knowledge of parole was limited. Approximately two-thirds of participants understood that parole involved releasing prisoners back into the community prior to completing their full sentences. Most participants (n=25) noted that if parole was denied to an offender, the offender would serve the rest of his or her sentence in prison. Several participants once prompted also acknowledged that they felt that prisoners could reapply for parole; however, only two stated correctly that an offender must demonstrate that he or she had addressed issues that led to the application being rejected. One participant who indicated knowledge of the parole process stated that a family member had involvement with the PRBWA.

Although several participants acknowledged an awareness of certain aspects of parole, most lacked knowledge about the purpose, principles and content of the WA parole system. For example, almost one-quarter of participants stated that the rejection of a parole application would mean that the prisoner remained in prison indefinitely, which is consistent with media portrayals of parole. Furthermore, many participants conveyed, erroneously, that parole was a shortening of offenders' sentences:

Parole is a discount on their original sentence.

Parole [is offered] as an incentive to cut down [an offender's] sentence ...

No participants knew the proportion of offenders in WA who receive parole. According to Bartels (2013) and the WAOAG (2011), prisoners in WA's correctional facilities are much less likely to receive parole than prisoners in other Australian states. PRBWA statistics reflect this: between 2009 and 2014 the average percentage of prisoners granted parole was 30.5 per cent (PRBWA 2014). The PRBWA (2015) indicated that 35 per cent of prisoners considered for parole were approved. Approximately half of the participants in the current study believed that the number of offenders released on parole was substantially higher, with most suggesting that the percentage would be between 50 per cent and 80 per cent.

Participants also held misconceptions about the purpose of parole. Several participants felt that the objective of parole was to reduce system overcrowding in correctional facilities:

[Parole is used for] clearing out the [prison] system ... it is much easier to get parole when the system is overcrowded.

I would say a lot of [offenders] are given parole before they are due ... because we haven't got the space for them in prison.

Many participants also believed that recipients of parole were likely to be those offenders who had displayed good behaviour in prison:

A prisoner gets [parole] maybe [because] they have shown good behaviour. They are doing well in prison so they get released early.

Parole would be something offered to a prisoner because [they] have shown very good behaviour ... If they had behaved very well in prison and kept their nose clean and done all of the right things ... I would think that would be when parole would be offered.

My understanding of parole is that, actually, it is used for when the prisoner has [displayed] good behaviour and they are released from prison early.

Parole has two main objectives: to reduce the incidence of criminal recidivism in offender populations; and to facilitate rehabilitation through offender reintegration into the community (PRBWA 2014). Concerns about system overcrowding are not given consideration by the PRBWA when determining whether to release an offender to parole, and prison behaviour is only part of a larger set of considerations prescribed by legislation (PRBWA 2014). The overarching responsibility of the PRBWA is community safety (PRBWA 2015).

The lack of knowledge about parole may be attributed to the sources from which participants receive information about the topic. A number of participants acknowledged that the news media's portrayal of justice issues was distorted or understood that crime is often newsworthy and reported more often than other types of content. Supporting that misinformation provided through the news media is often the most common cause of public ignorance regarding crime and the criminal justice system (Cullen et al 2000; Demker et al 2008; Doob 2000; Effers et al 2007; Finlay 2002; Roberts et al 2011; Roberts et al 2007). Responses in the current research demonstrated that members of the public view the media as biased and mostly negative about the criminal justice system and non-punitive justice strategies such as parole:

The media [does] sensationalise everything ... [and] is not totally reliable.

The media and the internet ... obviously it is biased, [because of this] I don't think I have an unbiased view of the parole system.

You obviously watch the commercial news ... but you know what it's like, its scare tactics ... you get fed a lot of bullshit ... so you know if you choose to believe everything you see [in the media] then you are a mug.

How the media portrays [crime and justice] and what actually [occurs] are often very different.

Although they acknowledged media bias, approximately three-quarters of the participants stated that the news media was still their main source of information about parole and the criminal justice system. This is consistent with previous research on public attitudes towards sentencing and the criminal justice system, which found that, in Australia, more than 80 per cent of the public knowledge of the criminal justice system is based on news media reports (Mackenzie et al 2012; Roberts et al 2011; Roberts and Indermaur 2009). This finding also supports cultivation theory; although the actual level of exposure to media information was not examined, many of the participants mentioned the case of Jill Meagher, who was killed by a Victorian parolee in 2012. Recent to the time of data collection, the media reported the sentencing of her killer, Adrian Ernest Bayley, and lengthening of his parole period. The CCTV images again pervaded news stories and media commentary about violent offenders and public rhetoric about parole. Mr Bayley had violated his parole conditions with an assault charge, but his parole was not revoked (Milivojevic and McGovern 2014). He then went on to murder Ms Meagher. Consistent with cultivation theory, it appears that the media

impact of these types of stories is long term and assists with generating a view of the process of parole (Gerber 1960).

The media often presents sensational and attention-grabbing news stories, crime programs and movies that portray violent and pervasive crime themes, thus raising the fear of victimisation. For many participants the news media was the only source of information on which they based their views about the WA parole system and, as Morgan and Shanahan (2010) discuss, this can increase an unwarranted fear of crime and an incorrect perception about crime in a particular area. This is supported in the current research by a number of participants who still used information they had acknowledged as being biased to inform their opinions about parole. One participant stated:

You see on TV sometimes [what is shown] is not what is happening in reality.

However, when the same participant was prompted to consider perceptions of parole, they were mostly negative, and the reason provided was:

It has been proved by me, just by watching the news that [parolees] do reoffend.

This may have important implications when considering research in the area of public attitudes: members of the public are aware that the media presents a snapshot of an issue that often results in an inaccurate representation of reality. However, they cited no alternative sources of factually accurate information available to the public; many people based their opinions on the incorrect perceptions generated by the media. Therefore, increasing the amount and accessibility of correct and appropriate information available to the general public about crime and criminal justice may be important for improving public attitudes and gaining support for non-punitive justice initiatives such as parole.

The benefits of disseminating appropriate information were agreed by the majority of participants. Almost all of them advised the PRBWA to increase the amount of accessible information about parole available to the general public. Approximately two-thirds stated that they would like more information about parole and the Parole Board. Most (n=34) suggested that they would look for additional information about parole online, with seven specifying government web pages. A further two commented they would get information from social media, which is potentially more damaging in relation to accuracy and balanced perspective than the news media. However, when presented with information about the PRBWA, they felt the public should know more:

If [the public] know more about [parole] ... hopefully they will feel confident that the people released are going to be well behaved ... and start making a contribution.

If they inform the public a little bit better [about] the [parole] system and how it works, how successful it is ... people can look at it with [an] open mind ... [understanding] that somebody can be rehabilitated and released back into the community.

While they agreed that information should be available, some participants acknowledged that getting people interested in parole was likely to be difficult. Therefore the success of changing public opinion only through the provision of factual information was likely to be limited.

Prisoners Review Board

As discussed, participants lacked knowledge about both sentencing and parole and this extended to the PRBWA. Although most participants (n=32) were aware of the existence of a 'parole board', not one participant possessed knowledge about the composition or processes

of the board. Only one participant knew that the board was called the Prisoners Review Board and this participant may have had personal experience with the parole system, stating that she had researched the topic a few years prior to the interview for personal reasons.

Most participants were not aware that that WA had its own parole board. They persisted with mentioning the case of Jill Meagher when discussing their perceptions of parole and how the parole processes had failed to protect her, and therefore their decisions put the wider community at risk. They were aware that this crime did not occur in WA, but not that the PRBWA was not responsible for releasing Mr Bayley.

Participants' lack of knowledge about the PRBWA was further in evidence as a number of participants had misconceptions regarding the processes of the board. For example, several participants believed that, as part of the parole process, offenders were required to present themselves in person before the board and argue their case. This is consistent with media portrayals of parole processes. The following quote is demonstrative of a number of participant responses:

I'm pretty sure some of these [offenders] are quite clever and know how to answer [questions from the PRBWA] in the right way. I'd want to change the way ... prisoners are interrogated [by the board] to make sure that what they are saying is not just to appease the board.

In WA, the PRBWA process does not even require a prisoner wishing to be released to submit a simple written application to the board. The board makes its determination based on a file of all relevant material. Therefore, the offender is not required to appear before the board and has a limited role in the PRBWA's process for determining parole. Although it is essentially a paper-based assessment, the PRBWA's process for determining parole is far more extensive than many of the participants believed. The PRBWA is required to consider a number of reports, including but not limited to: the offender's criminal history; a statement of material facts; the sentencing transcript; a prison report; a Community Corrections Officer report; treatment program reports; psychological and/or psychiatric evaluative report; a victim submission; and, if there is one, the offender's written personal parole plan. The parole plan may be accompanied with letters from support services, family, friends and potential employers (PRBWA 2014). A decision to accept or deny the offender's parole is made by the board based upon these reports, analysed with regard to the release considerations detailed in s 5A of the *Sentence Administration Act 2003* (WA).

Most also lacked knowledge about the composition of the PRBWA. When discussing who they believed sat on the PRBWA, most participants had incorrect expectations about who could or should serve. For example, more than half of the participants thought that members of the prison staff — specifically prison guards, program facilitators and superintendents — should serve on the PRBWA and act as character witnesses for individual prisoners applying for parole. The main reason given for this was that prison staff had regular contact with prisoners and would therefore likely be aware of their behaviour in prisons:

[Prison staff] should be able to judge whether a person can go on parole by seeing them [every day]. They watch their everyday activities and how they react with other people [and situations]. They see them in their everyday life.

[The PRBWA] need to talk to people who are sorta [sic] around the prisoner on a daily basis, whether it be a prison guard or [program facilitator] ... then [they can] see if the person is improving or not and then make a decision [to see] if they will be released back into [society] or not ... [that] is fair.

Prison officers should have a big role [in determining parole]. They have connections with the prisoner over the time they have been in [prison]. They would be [best placed] to determine if there had been any significant changes to the person.

Inferred from participants' responses was that prison staff who actually knew each individual prisoner would serve on the board, indicating a lack of understanding about board meeting frequency, the high volume of applications, and the limited resources available in this sector. No participants considered the difficulty of implementing such a strategy in practice.

Perceptions

Participants' attitudes towards and perceptions regarding parole were divided. Fourteen participants held mostly positive perceptions towards parole prior to receiving the factual information presented towards the end of the interview; 14 had mixed perceptions and acknowledged that parole was beneficial in some ways, but negative in others; and ten displayed negative attitudes towards parole.

Among those participants who supported parole, most acknowledged that parole, like any justice initiative, was not infallible and that mistakes would be made. However, most participants who held this point of view agreed that the system and ideology were sound in principle:

I don't have a problem with the [parole system] ... they do the best they can with what they have.

The concept of parole is good ... it obviously works.

I would give it a thumbs up ... the parole system works to the best of its abilities.

Conversely, ten participants initially had negative perceptions of parole with most maintaining this attitude throughout the interview, even after they were presented with positive factual information. Parole was viewed by these participants as lenient and allowing offenders an opportunity to commit future crimes within the community:

The parole system is inadequate ... It seems that they are trying to get people out of jail rather than dealing with rehabilitation ... how many stories do you hear about people on parole reoffending?

I think it is ridiculous ... it's a joke ... 9 out of 10 [parolees] will reoffend.

[Parole] is unfair ... why can't they just serve their full term.

I don't believe in the parole system, if you are sent [to prison] for 10 years you should serve 10 years.

These findings indicate that some members of the general public are punitive — they are dissatisfied with non-punitive justice strategies such as parole, which focus on rehabilitation and reintegration, as opposed to punishment (Simpson 1999).

Participants' perceptions of parole differed, with some supporting the concept, and others opposed. However, in the current study a substantial group of participants possessed attitudes that reflected both of these views. Numerous participants felt that parole could be beneficial, but that a number of negative issues were associated with its operation again with reference to recent high-profile cases. Similarly to those participants with negative perceptions, participants with mixed perceptions felt that the risk of recidivism posed by parolees was high.

Despite this, these participants supported certain aspects of parole, the most important of which was the reintegration of offenders into society.

Reintegration

Participants' perceptions of parole were divided; however, when parole was presented within a framework of reintegration, greater support for the concept was evident and supports the notion of providing context in research. Many participants supported the idea that the reintegration of offenders was important, and that parole was an initiative that could potentially achieve this goal:

I think [parole] is a very important system ... [it helps offenders] transition back into the community.

I understand the parole system is to reintegrate the prisoners back into society which is a good idea ... I can see how it keeps them from reoffending.

[Parole] stops the prisoner from walking straight back onto the streets. It is more of an integrated way [of returning the offender] into society.

Parole by definition is an initiative that strives to control offenders within the community, while reducing the challenges of resuming a life outside of prison (Barkdull 1988; Simpson 1999). Therefore those participants who supported offender reintegration held views that aligned with the mandate of the WA parole system. Although most participants accepted that parole was an important initiative for achieving offender reintegration, a number of participants' support for parole was conditional on the presence of several factors, including crime severity, the level of supervision provided within the community and breached orders.

Crime severity was a factor given much consideration by participants. For example, participants with mixed perceptions about parole stated:

I'd like to think the parole system is working [however] certain people are given parole that shouldn't be.

Parole probably works pretty well ... I support [parole] as long as it is appropriate for the crime committed.

The view that certain offenders should not be eligible for parole was popular among participants and this was particularly relevant when discussing offenders who had committed serious and violent crimes. This view indicates that participants were unaware that the original sentencing judge (required by s 89 of the *Sentencing Act 1995* (WA)) would have taken into consideration the seriousness of the crime and not provided eligibility for parole. Several participants suggested that they would deny parole to serious violent offenders because they did not feel that these types of offenders could be successfully rehabilitated. The following statement was demonstrative of several participant's views:

I think criminals who commit heinous crimes ... paedophilia, sexual assault, murder [should not be released on parole] ... some people say that within prison certain prisoners can be rehabilitated. I don't think that is the case with these types of people. [They] can't be rehabilitated and they [are] always going to be a threat.

Participants' belief that crime severity and criminal history should be given greater consideration by the PRBWA confirms the lack of knowledge participants have in this area. The PRBWA gives considerable attention to both the crime type and criminal history when determining the risk posed by the offender, with community safety being the consideration of

paramount importance (PRBWA 2014, 2015). These aspects are clearly stated in the considerations detailed in s 5A of the *Sentence Administration Act 2003* (WA).

The findings regarding crime severity are important as they imply that members of the public are unlikely to support policies such as parole, which focus on rehabilitation and reintegration, for high-risk violent offenders. However, the findings do suggest that members of the public may support parole as a strategy for reintegration for offenders who commit crimes perceived as less serious. This infers that some participants perceive offenders of serious and violent crimes as being too great a risk to be released back into society. However, it can be argued that this class of offender is in the greatest need of parole supervision. What participants failed to recognise is that, at some stage, such offenders will be released and, if not supported by parole, they are left to manage their own behaviour. Participants may not have considered the importance of supervised release as they believed that when prisoners do not get parole they are held indefinitely. This concept was introduced in the 'information' section of the interview.

Participants' support for parole was also conditional on the level of supervision provided for offenders. Participants were not aware of the nature of community-based supervision and how the level of supervision was related to the risk of reoffending, with those offenders considered higher risk experiencing higher levels of supervision. Despite this, providing high levels of supervision for offenders on parole was seen as essential. The importance of supervision to participants may be associated with the belief that offenders within the community posed a significant risk to their personal safety.

Several participants voiced concerns about the lack of supervision provided for offenders who were denied parole and then returned to the community at the conclusion of their sentence:

Parole gives [offenders] that chance to reintegrate into society ... that might not be the case if you finish your [sentence in prison] ... I have never really thought about it like that before, maybe parole [because of the supervision] is a better idea.

[Offenders who are denied parole] just get cut loose back into society [when they finish their sentence] ... which is a bit stupid if you ask me ... they don't get [the necessary] support [or supervision].

Thus, some members of the public are aware of the importance of reintegration and view supervision as essential to achieving this outcome. The idea that offenders needed supervision to effectively reintegrate into society was a viewpoint shared by one participant who was strongly opposed to the concept of parole. The participant stated that if he was in charge of the criminal justice system he would abolish parole. However, he also highlighted the importance of reintegration through supervision:

If I changed the [parole system] the prisoners would serve their full sentence and at the end of their sentence go through some sort of [supervised] program that would reintegrate them back into society.

Participants' final condition regarding parole also highlighted their desire to reduce the risk of criminal recidivism. The breach of parole conditions was viewed as important by participants. Although few discussed the breach of parole conditions in any depth, those who did suggested that a non-criminal breach in parole should result in the return to prison:

I think the offender should be returned [to prison] ... if they begin using drugs or associating with other criminals ... it's the beginning ... they start to slide back into old [criminal] behaviour patterns.

Participants viewed any types of breach, whether additional criminal behaviour or not adhering to parole conditions, as a sign they were a high risk for recidivism. This links breach of parole with a greater risk of committing future crime as parolees were unable or unwilling to 'follow the rules'.

Changing perceptions (the intervention)

As part of the interview process, towards the end of the interview, participants were provided with a factsheet containing information about parole and the PRBWA, given time to read it, then asked if their knowledge and understanding of parole had increased. Most acknowledged that it had; only six participants definitively felt that their understanding had not improved.

For participants with initially positive perceptions of parole, providing information increased support for parole. A number of participants felt more confident in the system at the conclusion of the interview:

I'm more aware [after receiving the information] and I appreciate more what they are doing ... [all the information] was good because [now] I feel safe.

I think it is good to be informed ... I think if most people [knew] all the things you have just told me [about parole] they would have more confidence in the [parole] system.

However, although some participants responded positively to the information they were provided with, many who did not support parole at the commencement of the interview remained resistant to the concept even when provided the factsheets. Only three of the ten participants who initially held negative perceptions towards parole changed their attitudes once provided with information. Moreover, most participants with mixed perceptions did not change their opinions. Of the three who changed their opinions about parole, alterations were based on factual information regarding the difficulties in obtaining parole and the low levels of recidivism from parolees. This demonstrates the difficulty of changing entrenched opinion cultivated by years of opposing information.

The findings of the current study both support and contrast with research that has attempted to determine if providing members of the public with small amounts of factual information regarding the criminal justice system can increase public support for less punitive justice initiatives (Chapman et al 2002; Doob 2000). Cullen et al (2000) suggested that while most members of the public held punitive opinions about crime and justice, if provided with a minimal amount of factually accurate information, many would consider less punitive responses to crime more acceptable. Chapman et al (2002) and Cullen et al (2000) found that the provision of small amounts of factual information about sentencing and the criminal justice system could reduce punitive public attitudes and public dissatisfaction with the criminal justice system. Although in the current study providing information resulted in greater levels of public confidence regarding parole, this predominantly occurred among those participants who already supported parole. Moreover, the majority of participants who did not support parole, or only supported certain aspects of the parole system's operation, did not alter their perceptions. Some of the findings in the literature therefore contrast with the findings of the current study. This could not be fully concluded from the findings of the current study and the topic warrants further investigation with larger sample sizes. As Indermaur et al (2012) suggested, more in-depth involvement in the criminal justice system and more engagement with aspects relating to it may be required to alter attitudes and maintain them in the longer term.

Limitations and implications

Limitations of the research

A possible limitation of the current research was the use of multiple interviewers. To avoid internal consistency violations the interviewers received training to ask questions and prompt in a consistent manner. It was determined through the assessment of interview transcripts that there was little variation. Additionally, an experienced research assistant who analysed the data independently produced themes similar to those produced by the students' initial analyses.

Implications

This study has identified a number of gaps in the literature and has implications for future research. Consistent with past research on public attitudes and the criminal justice system, the current study found that most participants lacked knowledge about the process of granting parole and the PRBWA. Moreover, for most participants, their primary — and potentially *only* — source of information on the topic of criminal justice was the news media. Providing participants with information was expected to assist in determining whether the provision of factual information could change the attitudes held by the public, and the results were inconsistent. Few participants changed their opinions about parole or the PRBWA, despite almost all acknowledging that their knowledge had increased. However, most positively responded to concepts of reintegration when prompted and recognised the need to provide assistance and guidance to prisoners on release from prison. They had not considered that, without parole, prisoners would be released without monitoring and therefore altered their perception on that point. One point raised by several participants was that changing public perceptions about the criminal justice system was likely to be based less on the information provided and more on the level of interest individuals had regarding the topic and how the topic affects their everyday life. Therefore, future research needs to be directed at contextual information that takes into account the factors the public perceive as important.

Conclusion

This study was conducted to determine the knowledge, attitudes, and perceptions of a sample of the WA public about the WA parole system. The findings suggest that members of the general public lack knowledge about sentencing, parole, and the PRBWA, with the media being the primary source of information about crime and justice issues. Despite this, members of the public may support parole, especially when it is presented within a framework of reintegration and the potential for reduced recidivism through appropriate levels of supervision based on the severity of offences committed.

It is recommended that the PRBWA take all opportunities to inform the public of the nature of parole and how their decisions are made for both parole and cancellation of parole. The PRBWA website is a useful resource as it contains information about the PRBWA and its operations and recent decisions made. As the public gains most of the information via television and other media, it may be opportune for the PRBWA to consider working closely with the media to foster public perceptions that are grounded in reality.

Legislation

Sentence Administration Act 2003 (WA)

Sentencing Act 1995 (WA)

References

Australian Bureau of Statistics (2014) '6302.0 — Average Weekly Earnings, Australia May 2014' <<http://www.abs.gov.au/ausstats/abs@.nsf/ProductsbyReleaseDate/1601748F70B9E9E1CA257DF7000BA23A?OpenDocument>>

Barkdull W (1988) 'Parole and the Public: A Look at Attitudes in California', *Federal Probation* 52(3), 15–20

Bartels L (2013) 'Parole and the Parole Authorities in Australia: A System in Crisis?' *Criminal Law Journal* 37(6), 357–76

Belton K (2008) 'Release on Parole: Gambling with Community Safety or Effective Risk Management?' *Victoria University of Wellington Law Review* 39(2), 265–88

Bottoms A (1995) 'The Philosophy and Politics of Punishment and Sentencing' in C Clarkson and R Morgan (eds), *The Philosophy and Politics of Punishment and Sentencing*, Oxford University Press

Brett S (2012) "'No Contact" Parole Restrictions: Unconstitutional and Counterproductive', *Michigan Journal of Gender & Law* 18(2), 485–519

Broadhurst R and Indermaur D (1982) 'Crime Seriousness Ratings: The Relationship of Information Accuracy and General Attitudes in Western Australia', *Australian & New Zealand Journal of Criminology* 15, 219–34

Chapman B, Mirrless-Black C and Brown C (2002) 'Improving Public Attitudes to the Criminal Justice System: The Impact of Information' <<http://static.prisonpolicy.org/scans/rds/hors245.pdf>>

Cole GF and Logan CH (1977) 'Parole: The Consumer's Perspective', *Criminal Justice Review* 2(2) 71–80

Cullen F, Fisher B and Applegate B (2000) 'Public Opinion about Punishment and Corrections', *Crime and Justice* 27(1), 1–79

Davis B and Dossetor K (2010) '(Mis)perceptions of Crime in Australia', *Trends & Issues in Crime and Criminal Justice* No 396, Australian Institute of Criminology.

Demker M, Towns A, Duns-Otterstrom G and Sebring J (2008) 'Fear and Punishment in Sweden: Exploring Penal Attitudes', *Punishment and Society* 10(3), 319–32

Doob A (2000) 'Transforming the Punishment Environment: Understanding Public Views of What Should be Accomplished at Sentencing', *Canadian Journal of Criminology* 42(3), 323–40

Effers H, De Keijser J, Van Koppen P and Van Haeringen, L (2007) 'Newspaper Juries: A Field Experiment Concerning the Effect of Information on Attitudes towards the Criminal Justice System', *Journal of Experimental Criminology* 3(2), 163–82

Finlay A (2002) 'Legal Change: What are the Effective Methods of Influencing Changes in the Law in Australia?', *Legaldate* 14(1), 1–4

Garland D (1996) 'The Limits of the Sovereign State', *The British Journal of Criminology* 23(4), 445–71

- Garland D (2000) 'The Culture of High Crime Societies: Some Preconditions of Recent "Law and Order" Policies', *The British Journal of Criminology* 40(3), 347–75
- Garland D (2001) 'The Culture of Control: Crime and Social Order in Contemporary Society', The University of Chicago Press
- Hutton N (2005) 'Beyond Populist Punitiveness?', *Punishment & Society* 7(3), 243–58
- Indermaur D and Roberts L (2009) 'Confidence in the Criminal Justice System', *Trends & Issues in Crime and Criminal Justice* No 387, Australian Institute of Criminology
- Indermaur D, Roberts L, Spiranovic C, Mackenzie G and Gelb K, (2012) 'A Matter of Judgement: The Effect of Information and Deliberation on Public Attitudes to Punishment', *Punishment and Society* 14(2), 147–65
- Jones C and Weatherburn D (2010) 'Public Confidence in the NSW Criminal Justice System: A Survey of the NSW Public', *Australian and New Zealand Journal of Criminology* 43(3), 506–25
- Luskin RC, Fishkin JS and Jowell R (2002) 'Considered Opinions: Deliberative Polling in Britain', *British Journal of Political Science* 32(3), 455–87
- Mackenzie G, Spiranovic C, Warner K, Stobbs N, Gelb K, Indermaur D, Roberts L, Broadhurst R and Bouhours T (2012) 'Sentencing and Public Confidence: Results from a National Australian Survey on Public Opinions toward Sentencing', *Australian and New Zealand Journal of Criminology* 45(1), 45–65
- Milivojevic S and McGovern A (2014) 'The Death of Jill Meagher: Crime and Punishment on Social Media', *International Journal for Crime, Justice and Social Democracy* 3(3), 22–39
- Morgan M and Shanahan J (2010) 'The State of Cultivation', *Journal of Broadcasting & Electronic Media* 54(2), 337–55
- Naylor B and Schmidt J (2010) 'Do Prisoners have a Right to Fairness before the Parole Board?' *Sydney Law Review* 32(3), 437–69
- Potter JW (1994) 'Cultivation Theory and Research: A Methodological Critique', *Journalism Monographs* 147, 1
- Prisoners Review Board of Western Australia (2014) *Annual Report for the Year ended 30 June 2014* <http://www.prisonersreviewboard.wa.gov.au/_files/PRB_Annual_Report_2013_2014.pdf>
- Prisoners Review Board of Western Australia (2015) *Annual Report for the Year ended 30 June 2015* <http://www.prisonersreviewboard.wa.gov.au/_files/PRB_Annual_Report_2014_15.pdf>
- Roberts JV (1988) 'Early Release from Prison: What Do the Canadian Public Really Think?' *Canadian Journal of Criminology* 3, 231–49
- Roberts JV (2007) 'Public Confidence in Criminal Justice in Canada: A Comparative and Contextual Analysis', *Canadian Journal of Criminology and Criminal Justice* 49(2), 153–84
- Roberts JV, Crutcher N and Verbrugge P (2007) 'Public Attitudes to Sentencing in Canada: Exploring Recent Findings', *Canadian Journal of Criminology and Criminal Justice* 49(1), 75–107
- Roberts JV, Stalans LJ, Indermaur D and Hough M (2003) *Penal Populism and Public Opinion*, Oxford University Press
- Roberts L and Indermaur D (2007) 'Predicting Punitive Attitudes in Australia', *Psychiatry, Psychology & Law* 14(1), 56–65

Roberts L and Indermaur D (2009) 'What Australians Think about Crime and Justice: Results from 2007 Survey of Social Attitudes', *Research & Public Policy* No 101, Australian Institute of Criminology

Roberts L, Spiranovic C and Indermaur D (2011) 'A Country Divided: A Comparison of Public Punitiveness and Confidence in Sentencing across Australia', *Australian and New Zealand Journal of Criminology* 44(3), 370–86

Rosenberger J and Callaghan V (2011) 'The Influence of Media on Penal Attitudes', *Criminal Justice Review* 36(4), 435–55

Samra-Grewal J and Roesch R (2000) 'The Parole Attitudes Scale (PAS): Development of a 15-item Scale to Assess Attitudes toward Conditional Release', *Canadian Journal of Criminology* 42(2), 157–75

Simpson R (1999) *Parole: An Overview* <<http://www.parliament.nsw.gov.au/gi/library/publicn.html>>

Western Australian Office of the Auditor General (2011) *The management of Offenders on Parole* <https://audit.wa.gov.au/wp-content/uploads/2013/05/report2011_11.pdf>

Wood J (2009) 'Why Public Opinion of the Criminal Justice System is so Important' in J Wood and T Gannon (eds), *Public Opinion and Criminal Justice*, Willan Publishing, 33–48