

## Department of Corrections required to advise decision on day parole application

<b>Legislation</b>	Ombudsmen Act 1975
<b>Ombudsman</b>	Sir Brian Elwood
<b>Case number(s)</b>	W42261
<b>Date</b>	1999

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*Failure to advise inmate of decision on application for day parole—prison administration expected inmate to ask Case officer for outcome—responsibility for advising the outcome of a request/application normally rests with decision-maker—internal procedures changed to reflect normal practice*

An inmate had applied for a day parole in order to prepare for his appearance before the Parole Board. Although his application was approved, he was not told of the outcome. He therefore missed out on the opportunity to have the day parole.

In reporting on the complaint, the prison administration advised that it was the responsibility of the inmate to ask his Case officer whether a particular request or application had been successful. It was put to the administration that the responsibility for advising the outcome of a request normally rests with the decision-maker. While a requester might be expected to make inquiries if a decision-maker fails to respond to a request, the initial obligation for obtaining a response would not normally be placed on the requester.

Following the Ombudsman's inquiries, the Department of Corrections advised that a system had been put in place to ensure that every inmate is informed of the outcome of applications for parole, whether or not they are approved.

*This case note is published under the authority of the [Ombudsmen Rules 1989](#). It sets out an Ombudsman's view on the facts of a particular case. It should not be taken as establishing any legal precedent that would bind an Ombudsman in future.*