



SENTENCE ADMINISTRATION BOARD OF THE AUSTRALIAN CAPITAL TERRITORY

Published information for proceedings before the Sentence Administration Board: Mr Akis Livas **Parole and Management proceedings 2022**

Mr Akis Livas was convicted of Culpable Drive Causing Death on 8 May 2020 by the ACT Supreme Court (the sentencing Court). He was sentenced to a term of imprisonment of 39 months to commence on 19 February 2022 (refer to *R v Livas (No 2)* [2020] ACTSC 116).

The sentencing Court fixed a non-parole period (NPP) to expire on 18 May 2022. The sentencing Court ordered that Mr Livas be disqualified from holding a vehicle licence for 25 months (s62, *Road Transport (General) Act* 1999, the Act) and that at the end of this period he continues to be disqualified until a court sets this aside (s65 the Act).

Mr Livas received a letter from the Sentence Administration Board (the Board) dated 12 October 2021 inviting him to apply for parole, which is a standard letter sent to all eligible detainees.

Mr Livas applied for parole on 18 November 2021.

Mr Livas's application was first considered by the Board at the 'Inquiry' stage on 22 March 2022, which is a paper-based review of the matter that occurs after various information has been obtained for the Board's consideration including the Pre-release Report provided by ACT Corrective Services. The main consideration for the Board at an Inquiry is whether parole can be granted on the papers, or whether a hearing is required and if so what the crucial issues of concern are for parole to be granted. In this case the Board determined that a hearing was required and set out a list of issues of concern.

The parole hearing was set down for 19 May 2022, being a date that was as close to his NPP as practicably possible. The main role of the Board is to administer the sentence of the Court, which involves taking into account the NPP date set by the sentencing Court as far as practicable when setting down a hearing date. While the Board cannot always align the hearing date closely with the NPP date for e.g., if a detainee puts in a late parole application, in this case it was able to be achieved.

The Board has statutory duties and implements practices that serve to advise a range of persons about parole proceedings and to seek submissions (oral or written) from these persons; these persons include eligible contactable victims of an offence of the offender, the Director-General of

JACS, the Director of Public Prosecutions, and police. Submissions to the Board may be made in-confidence, which means they are not shared with any parties to the proceedings. The Board's statutory duties and practices for seeking submissions were met in this matter.

On 19 May 2022 the Board granted Mr Livas parole in accordance with the *Crimes (Sentence Administration) Act 2005*, after consideration of matters set out in section 120 of the *Crimes (Sentence Administration) Act 2005* and also submissions and evidence before it.

Mr Livas was released on 1 June 2022 under a Parole Order. The Parole Order contains standard strict legislated conditions such as reporting to ACT Corrective Services, and also some additional conditions including a condition that is aimed at protecting the victim's family.

Mr Livas is subject to the Board's management and supervision by ACT Corrective Services until 18 May 2023.

On 15 November 2022 the Board conducted a management hearing about Mr Livas's capacity to comply with parole and his compliance with his Parole Order. It resolved to take no further action after considering reports, submissions and evidence before it. The Board made a decision to publish the outcome of the parole and management proceedings as set out above, after considering any relevant submissions.