



Honourable Yvette D'Ath MP
Attorney-General and Minister for Justice
Minister for Training and Skills

In reply please quote: 572305/1, 3154079

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Mr Neil Laurie
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Dear Mr Laurie

I refer to Petition No. 2473-15 and Petition No. 2545-16 tabled in the Legislative Assembly on 16 February 2016.

The petitions seek an amendment to the *Corrective Services Act 2006* (CSA) to provide that any person convicted of murder who refuses to assist police with information regarding the remains of the victim be denied parole. This is sometimes referred to as the 'no body, no parole rule'.

In providing my response pursuant to standing order 125, I want to commence by thanking the petitioner for informing members of this matter and expressing my sincere condolences to Mrs Splitt and all families suffering this unimaginable anguish.

Although the CSA is within the portfolio administrative responsibilities of the Honourable Bill Byrne MP, Minister for Police, Fire and Emergency Services and Minister for Corrective Services, due to the subject matter of the petition having potentially broader implications for the justice system, it is appropriate that I furnish the response in my role as Attorney-General and Minister for Justice.

I would be interested in exploring the merits of this concept, in the context of the potential intersection of the current Queensland sentencing and parole frameworks.

It should be noted that Queensland already takes a strong stance when dealing with convicted murderers.

In Queensland, murder carries mandatory life imprisonment. Legislation already operates to set mandatory minimum non-parole periods for the offence of murder, and requires that sentencing take into account an offender's remorse and co-operation. A prisoner serving life imprisonment for an offence of murder committed after 29 August 2012, is subject to a mandatory minimum non-parole period of 20 years. In sentencing an offender for murder, the Supreme Court may fix a parole eligibility date beyond the mandatory minimum period.

(2)

Further, a parole eligibility date does not mean the offender is automatically released from prison on that date. A prisoner serving life imprisonment must apply for parole to the Queensland Parole Board (the Parole Board), an independent statutory authority, and if granted parole, remains under supervision of an authorised corrective services officer for life.

In considering an application for release to a parole order, the Parole Board (and the regional boards), hold community safety paramount. When considering the level of risk a prisoner may pose to the community, the Parole Board will have regard to all relevant factors, including any comments of the sentencing court. The Parole Board must consider any written submission provided by a person registered on the eligible persons register and this includes an immediate family member of a deceased victim.

The 'no body no parole rule' concept is a matter genuinely deserving of further detailed consideration as to ways it could possibly be accommodated within the existing sentencing and parole frameworks and I have directed that the issue be included for consideration as part of the justice portfolio policy and legislative review program for later this year.

In considering this issue, I will work with the Minister for Police, Fire and Emergency Services and Minister for Corrective Services, who is responsible for the CSA and the guidelines applied by the Parole Board. The views of key stakeholders will also be sought and the South Australian experience with recent legislative changes in this area will also be of interest.

I want to again convey my appreciation to the petitioners for their commitment in raising this matter for consideration.

Yours sincerely



YVETTE D'ATH MP

Attorney-General and Minister for Justice
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