

## Police Powers and Responsibilities and Other Legislation Amendment Bill 2024

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**Submitted by:** Bar Association of Queensland  
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**PRIVATE AND CONFIDENTIAL**

26 April 2024

Mr Adrian Tantari MP  
Chair  
Community Support and Services Committee  
Parliament House  
George Street  
BRISBANE QLD 4000

By email: [CSSC@parliament.qld.gov.au](mailto:CSSC@parliament.qld.gov.au)

Dear Chair

***Police Powers and Responsibilities and Other Legislation Amendment Bill 2024***

The Association appreciates the opportunity to make submissions in respect of the *Police Powers and Responsibilities and Other Amendment Bill 2024*, and wishes to comment in respect of the amendments that Bill makes to the *Corrective Services Act 2006 (CS Act)* as it relates to a prisoner's ability to re-apply for parole after a previous application has been refused.

The Association notes the Bill would amend s 193 of the CS Act and extend the period within which a person who has been unsuccessful in a previous application for parole may make a new application.

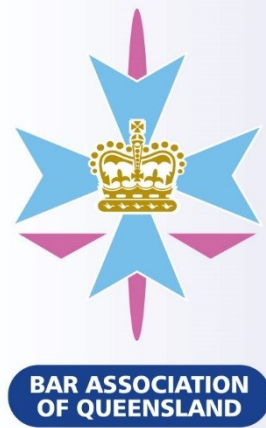
The Bill proposes that a person may not make a new application for parole without the consent of the Parole Board for a period of time as long as:

1. 5 years - for a person sentenced to a term of life imprisonment;
2. 3 years - for a person sentenced to a term of imprisonment of 10 years or more, other than a term of life imprisonment; and
3. 12 months - for a person serving a term of imprisonment which is less than 10 years and is not a term of life imprisonment.

In its present form, s 193 of the CS Act prevents a person sentenced to a term of life imprisonment from making a new application for parole within 3 years of a previous application being refused, and any other person for 6 months.

The Association opposes the extension of the period in which a person may not make a further application for parole, despite the proposed considerations in the new s 193(7) contained in the Bill.

Expanding the period in which a person may not make a further application for parole is excessive, does not appear to be based in evidence, will impact a significant number of imprisoned persons and arbitrarily diminish their right to



**BAR ASSOCIATION  
OF QUEENSLAND**  
ABN 78 009 717 739

Ground Floor  
Inns of Court  
107 North Quay  
Brisbane Qld 4000

Tel: 07 3238 5100  
Fax: 07 3236 1180

[chiefexec@qldbar.asn.au](mailto:chiefexec@qldbar.asn.au)

Constituent Member of the  
Australian Bar Association

apply for parole. The inclusion of a new category of person, serving a sentence greater than 10 years but not a life sentence, and preventing that person from making a new application for parole within three years of a previous unsuccessful application, will inevitably extend the period of imprisonment that person will serve. This delay in release will cause further strain on an already burdened prison system.

The Bill's explanatory note states that the amendment aims to create an efficiency for the Parole Board by reducing the number of parole reapplications where there are limited prospects of parole being granted, that issue apparently being caused by the current 6 month prohibition placed on prisoners. In the Association's respectful view, the time spent in considering unmeritorious applications does not necessitate a response as severe as is proposed in the Bill.

The Association submits that s 193(5A) of the CS Act should remain in its present form.

Yours faithfully

A solid black rectangular box redacting the signature of Damien O'Brien.

**Damien O'Brien KC**  
President