




Speech By
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MEMBER FOR EVERTON

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**CORRECTIVE SERVICES (PAROLE BOARD) AND OTHER LEGISLATION
AMENDMENT BILL**

 **Mr MANDER** (Everton—LNP) (2.41 pm): I rise to address the Corrective Services (Parole Board) and Other Legislation Amendment Bill 2017, introduced by the government in February this year. Before I start, I place on the record my congratulations to the minister on the birth of his first child. The minister has a lot ahead of him. If he thinks being a minister is stressful, that is nothing compared to being a father! I congratulate him.

This legislation results from the recommendations made by the Sofronoff review into the parole system which was established in August last year. The Sofronoff review was established as a result of the shocking murder of Elizabeth Kippin of Townsville, an 81-year-old grandmother who was allegedly murdered by a violent offender who had been released on parole just hours before going on a drug fuelled rampage. Unfortunately, Mrs Kippin was caught in the crossfire and suffered multiple stab wounds that caused her death. That incident obviously shocked North Queenslanders and all of Queensland. The Sofronoff report was due to be handed to the government by the end of November last year, according to its own time line. We were disappointed that it took so long for the report to be released—in February this year—as were the family of Mrs Kippin and the wider Townsville community.

We have also been concerned about the government's response to the review. Of the 91 recommendations, 89 have been accepted by the government. As this government is good at and very keen to conduct reviews—its strength is not in implementation—it concerns us that out of the 89 accepted recommendations about 20 will be subject to further reviews. I will give some examples. In relation to recommendation 3 the government says that it will review. In relation to recommendation 11 the government says that it will establish a body to evaluate. In relation to recommendation 21 there will be an independent evaluation. In relation to recommendation 30 the government says that it will consider implementation. In relation to recommendation 34 it will establish an interdepartmental task force. In relation to recommendation 50 the government will explore. In relation to recommendation 83 it will consider. In relation to recommendation 91 it will consider the purview. Our concern is that the recommendations of Mr Sofronoff need to be implemented as quickly as possible. We call on the government not to delay the implementation of those other recommendations to ensure we have a true overhaul of the parole system.

As I said, the Sofronoff report made 91 recommendations, and this bill deals with the establishment of a new full-time Parole Board. The LNP will not be opposing this bill, but we will be making sure that the new Parole Board is representative of the community and is not used as a tool to go soft on crime and just let more people out of jail because the government has not been able to handle the explosion in prison population numbers—due very much to the scrapping of the LNP plan for 650 additional beds that was funded and budgeted for in the 2014-15 state budget. What a complete debacle that decision was.

Prisons are out of control, we have had a damning ombudsman's report and the safety of staff is at risk because of overcrowding. Our prisons have turned into fight clubs under Labor's watch. Most people will not have a lot of sympathy for prisoners, but they recognise that hardworking prison officers should not be put in danger every time they go to work due to the overcrowding of our prisons.

We appreciate the rationale behind the Sofronoff recommendations—that is, to professionalise the parole system and the framework that considers important matters of community safety. What is fundamentally important, though, is that matters of parole still take into consideration community safety and community expectations. It should definitely not be a get-out-of-jail-free card. We will be monitoring the implementation of these reforms to ensure they do not diminish community safety, because we know that Labor is fundamentally soft on crime.

Under the current system, three parole boards operate: the Queensland Parole Board and two regional parole boards. As outlined in the explanatory notes to the bill, the Queensland Parole Board decides applications for parole from prisoners who have been sentenced to a period of imprisonment of eight years or more or who have been declared to have been convicted of a serious violent offence under part 9A of the Penalties and Sentences Act 1992. Two regional parole boards—the Central and Northern Queensland Regional Parole Board and the Southern Queensland Regional Parole Board—decide applications for parole orders from all other prisoners.

The review report found systemic inefficiencies in the current operation of these three existing parole boards and that the current parole system in Queensland can be substantially improved. The review report recommends, to ensure the safety of the community and the proper and efficient operation of the parole system in Queensland, that the Parole Board be modernised and professionalised. In particular, the concerns of Mr Sofronoff regarding the parole boards are specifically addressed at recommendations 35 to 61.

The key recommendations include the creation of a single Parole Board in Queensland to hear all applications for board ordered parole and which will supplant the three existing parole boards provided for under the Corrective Services Act—recommendation 35; the appointment of a full-time president and deputy president, each of whom is a retired judge of a state or federal court; the appointment of at least two full-time professional member positions—recommendation 37; the appointment of community members to the Parole Board in such number as the Governor in Council appoints from time to time—recommendation 40; the appointment of a police officer to be part of the membership of the new Parole Board and a Public Service officer with experience or expertise in probation and parole—recommendation 44; the importance of diversity in membership, including gender balance and the need for representation by Aboriginal people or Torres Strait Islanders in establishing the new Parole Board membership—recommendations 39, 41 and 42; the establishment of a dedicated secretariat to support the new Parole Board in the performance of its statutory functions—recommendation 54; and the distinction to be made between decision-making about a prisoner incarcerated for a serious violent offence or a serious sexual offence, as compared to all other prisoners—recommendations 45 and 46.

Recommendation 60 of the review report also identifies that the application of GPS monitoring of paroled offenders in appropriate circumstances, based on assessed risk, could assist in both improving the reintegration of parolees into the community and reducing reoffending. It is extremely disappointing that this government has been inconsistent in relation to strengthening the parole system, voting against important reforms that were designed to protect victims of domestic and family violence which included GPS monitoring considered by this parliament just a few weeks ago. Those important reforms were submitted to the Sofronoff parole review by the Women's Legal Service. It was also interesting that, despite voting against many of these changes put forward as part of those domestic violence reforms, including to parole, the Minister for Communities, Shannon Fentiman, sought to rewrite history in a letter to the editor in the *Townsville Bulletin* last week, only to claim credit for changes that she did not support and some of which did not actually pass through the parliament.

Following the release of the Sofronoff report in February, then long-term president Peter McInnes stepped down from his role, which was filled in an acting capacity. Peter passed away in April and we should acknowledge, as the minister has, his contribution to Queensland's parole system and the wider criminal justice system as we debate these changes here today. Peter served as deputy president and then president for some 15 years. We pass on our condolences to his partner Robyn, family and friends.

There was a very significant recommendation made by Mr Sofronoff which has not been included in this bill but which we believe needs immediate action. In November 2016 the LNP released a policy dealing with what has been dubbed no-body no-parole following similar moves interstate. These changes were instigated by a parliamentary petition established by Fiona Splitt of Cooktown whose husband Bruce Schuler was murdered in 2012 and, despite the successful conviction of the two

suspects, his body has never been recovered. We believe that more needed to be done to rebalance the scales of justice in favour of victims and their families which is why we announced our no-body no-parole policy. Despite being recommended by the Sofronoff review, those recommendations have not been adopted by the government yet, which is disappointing. To ensure that these important reforms can pass and given the supposedly bipartisan support for these changes, we will be moving amendments to this bill to give effect to these changes and bring them forward now as a priority. Victims' families deserve that respect from the parliament at the very least.

While other states and territories have moved to implement these strong no-body no-parole reforms, Labor in Queensland has sat idle while victims of crime continue to miss out on the opportunities for closure that would be provided by these reforms. When I speak to the families of victims they have told me that, yes, it is incredibly painful when they do not know who is the perpetrator of the crime which led to their loved one being killed, but what is even more painful is if the remains of their loved one have not been found and that the unrest and the stress associated with that is beyond belief. Under our amendments to grant parole, the Parole Board must be satisfied that the offender has satisfactorily cooperated in the investigation of the offence to identify the location or last known location of the remains of the victim. This policy will apply to criminals who have not yet been released from jail on parole and not those already out of jail on parole. This will provide offenders with an opportunity to show remorse for their crime by rebalancing the scales of justice in favour of victims trying to find closure in the tragic circumstances of losing a loved one.

Recommendation 87 of the Sofronoff report states—

The Queensland Government should introduce legislation, similar to that in South Australia, which requires the Parole Board to consider the cooperation of a prisoner convicted of murder or manslaughter and not release the prisoner on parole unless the Board is satisfied that the prisoner has satisfactorily cooperated in the investigation of the offence, including, when relevant, by assisting in locating the remains of the victim of the offence.

We have publicly stated our support for these changes on several occasions, and obviously that is reflected in our policy announcement from late last year. Similar to what Mr Sofronoff indicated in his report at pages 233 to 235, we have also spoken to the original principal petitioner, Fiona Splitt, on several occasions about this issue and we see the benefit of this reform not only in terms of providing closure for victims' families but also that a punishment is lacking in retribution and the community would be right to feel indignation if a convicted killer could expect to be released without telling what he or she did with the body of the victim.

In its submission to the committee, the Queensland Homicide Victims' Support Group is strongly supportive of this issue and the need for the system to work better for victims' families. It is also concerned that the benefits of this policy are made redundant if the offender does not provide information to the families until well into their sentences, say some 15 to 20 years. It would like to see the parolee given a two-year time frame to provide the information or otherwise they miss out on the consideration of parole. Given these changes are only recent to Australian law and the recommendations from the Sofronoff report are quite prescriptive, we believe it is important that the reforms are implemented as they are written in the report and that consideration be given after the initial reform has been implemented. We will work with the stakeholders to ensure the spirit of the reforms in terms of how they practically apply, but if they do not we are more than happy to revisit that at a later time.

I want to thank the Legal Affairs and Community Safety Committee for its thorough consideration of the bill. I also want to thank the organisations that took the time to lodge a submission to the committee on this important issue, particularly the Queensland Homicide Victims' Support Group. I had the honour of attending and speaking at its Brisbane awareness day last Thursday. The Queensland Homicide Victims' Support Group is a non-government organisation that specialises in homicide support and recovery. Its mission is to provide confidential peer support, help, love and understanding to the surviving victims of homicide and to create awareness for the unique needs of victims whilst promoting education and reform. Congratulations should go to its President Doug Elsmore, Vice-President Tina Good, General Manager Dr Ted Flack and the whole team for the great job they do in communities across Queensland, particularly the support they provide to victims' families.

It is fundamentally important that Queenslanders have confidence in our parole system and that it is geared towards community safety and rehabilitating offenders so that they can get their lives back on track. I foreshadow these amendments to the bill and look forward to further debate about these changes in the consideration in detail stage. In terms of commencement, if supported, they will commence on assent of the bill, as do the majority of the changes in the existing bill, except for sections 6, 7 and 8. Finally, I want to acknowledge the advocacy of Fiona Splitt from Cooktown who has been a fearless campaigner on the issue of no-body no-parole and hope that these reforms can go some way in helping her find closure following the tragic murder of her husband, Bruce.