




Speech By
Julianne Gilbert

MEMBER FOR MACKAY

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**POLICE POWERS AND RESPONSIBILITIES AND OTHER LEGISLATION
AMENDMENT BILL**

 **Mrs GILBERT** (Mackay—ALP) (4.43 pm): The Police Powers and Responsibilities and Other Legislation Amendment Bill 2021 includes important amendments to: reduce the retraumatisation of victims' families; provide clarity to our laws where needed; create efficiencies for the QPS; and deliver benefits for the Queensland community.

When a family loses one of their own through murder the innocent victim, the family, is left to live out a life sentence of grief that is exacerbated when they have no body. They therefore cannot respectfully hold a funeral or say goodbye to their loved one. Having a body for a funeral does not take away the full trauma experienced by families. It does, however, give families the peace of mind of knowing the final resting place of their loved one. This is important part of our culture.

The establishment of the no-body no-parole policy was considered as part of the Queensland Parole System Review conducted by the Hon. Justice Walter Sofronoff. The review included 91 recommendations to reform Queensland's parole system, including the introduction of the no-body no-parole policy. His Honour commented—

... the community would be right to feel indignation, if a convicted killer could expect to be released without telling what he did with the body of the victim.

Unfortunately, my community—like many other communities—has families who have experienced this every day since the murder of their son, daughter or other family member. Tim Pullen's body has never been found. I have met his parents; they are good, decent, loving people. Tim's parents and his siblings deserve to know where their son and brother's remains are. They deserve to have a small amount of closure.

The no-body no-parole framework is founded on the view that prisoners who withhold the location of a homicide victim's body or remains prolong the suffering of the victim's family. All efforts should be made to minimise this sorrow. By making a prisoner's parole contingent on cooperation, the no-body no-parole framework is designed to incentivise prisoners to come forward and assist with any investigation into the location of a victim's remains. Currently the board's consideration of no-body no-parole will only be triggered by a prisoner making a parole application. If the prisoner does not make a parole application the board is not able to consider them under the no-body no-parole framework.

The amendments included in this bill, which were developed in response to concerns raised by stakeholders, are intended to strengthen the current framework and incentivise earlier cooperation by prisoners before they reach parole eligibility, which may be 20 years for some prisoners. They do this by enabling the board to consider no-body no-parole at their discretion at any time after sentencing. This can occur without the prisoner having to make a parole application. Once the board has considered a prisoner's cooperation under the no-body no-parole framework, if the prisoner has not cooperated satisfactorily the amendments also place a clear restriction on the prisoner applying for parole through

the making of a no-cooperation declaration. If a no-cooperation declaration is in place, a clear process is provided for the prisoners who have not cooperated satisfactorily to have their cooperation reconsidered.

The earlier a prisoner satisfactorily cooperates, the more likely that cooperation will be useful in locating a victim's remains. Early cooperation minimises the risk that natural disasters such as bushfires, cyclones, floods or environmental changes through development or animal activity may impact on any opportunity to locate victims' remains even with satisfactory cooperation. There is also the risk that the prisoner may pass away before they have cooperated, particularly where they are not incentivised to cooperate as early as possible. It is tragic for those families who want someone to inter and say goodbye to.

To complement these amendments, the Palaszczuk government made an election commitment to update the ministerial guidelines to the Queensland Parole Board to reflect that the timeliness of a prisoner's cooperation is a significant consideration in no-body no-parole matters. The amendments included in this bill to strengthen the no-body no-parole framework demonstrate the commitment this government has made and continues to make to victims' friends and families to attempt to minimise their prolonged suffering. This is something very important that we can do for our community.

This bill will provide the Parole Board Queensland with the flexibility to manage its workload and the risks different prisoners pose to community safety. Police related amendments in the bill include: expanding the scope of police banning notices to include people who unlawfully possess a knife; creating new offences for persons who seriously injure or kill a corrective services dog, police dog or horse—these animals are working to keep us safe and they deserve our protection; including nine Commonwealth child sexual abuse offences as reportable offences, five Commonwealth child sexual abuse offences as prescribed internet offences and Commonwealth offences against children as disqualifying offences under the Working with Children (Risk Management and Screening) Act; allowing for independent monitoring of surveillance devices by police employees; providing drug samples to law enforcement entities for national intelligence gathering; providing for efficiencies to the legislative framework for assumed identities; and extending court removal orders to apply to prisoners in police custody who assist police.

Amendments proposed to the Corrective Services Act include: introducing a new discretion for the president of the board to declare that a life sentenced prisoner who has committed multiple murders or murdered a child must not be considered for parole for up to 10 years; and providing that a restricted prisoner subject to a declaration must meet a higher threshold for exceptional circumstances parole release. The amendments in this bill are good for the community. They keep us safer. I commend the bill to the House.