



Changes to No Body, No Parole

Eligible Person Factsheet

No Body, No Parole laws were introduced in 2017 and apply to a prisoner sentenced for a homicide offence where the victim's remains have not been located.

The policy restricts a prisoner's access to parole unless they have provided satisfactory cooperation in locating the victim's remains.

Changes to No Body, No Parole

Amendments were made to the *Corrective Services Act 2006* to strengthen the original intent of the No Body, No Parole framework. The following changes commenced on 3 December 2021.

Early consideration of a prisoner's cooperation

There are now two ways the No Body, No Parole process can start:

1. If a No Body, No Parole prisoner applies for parole, or
2. If the Parole Board (the Board) starts the process.

The Board can now decide if a No Body, No Parole prisoner has cooperated satisfactorily at **any time** after sentencing, subject to the appeals process.

This means the Board will no longer have to wait until the prisoner applies for parole. However, the Board cannot start this process if the prisoner has an appeal underway.

This change to the process is intended to incentivise prisoners to provide cooperation earlier to improve opportunities to locate the victim's remains.

Where the prisoner has cooperated

If the Board decides a prisoner **has cooperated** satisfactorily, the Board can consider a prisoner's parole application and decide whether the prisoner is suitable for release on parole.

Early consideration of No Body, No Parole, does not change a prisoner's parole eligibility date. The Board will only consider releasing a prisoner if the prisoner has applied for parole.

No cooperation declarations

If the Board decides the prisoner has not provided satisfactory cooperation, a 'no cooperation declaration' will now be made.

While a declaration is in force, a prisoner cannot apply for parole, including exceptional circumstances parole. The declaration has no set end date.

Reconsideration of a no cooperation declaration

If a no cooperation declaration is in place, the prisoner can seek leave through the President or a Deputy President of the Board for reconsideration of a declaration at any time.

However, leave can only be granted for set reasons, such as where the prisoner has provided additional cooperation or the prisoner's capacity to provide cooperation has changed.

If leave is granted, the Board will again be required to decide if the prisoner has given satisfactory cooperation to locate the victim's remains. Depending on the outcome of the reconsideration, the declaration will either continue or cease.

Updates to the Board's Ministerial Guidelines

To complement these amendments, the Ministerial Guidelines to the Board were updated to clarify that timely cooperation is a significant consideration for all No Body, No Parole decisions.

What do the changes mean for me?

You may be advised that the Board is considering a No Body, No Parole prisoner's cooperation early. This could occur well in advance of a prisoner's parole eligibility date.

You will be notified if a no cooperation declaration is made about a No Body, No Parole prisoner.

You will continue to have the option to provide a submission to the Board for the Board to consider as part of a prisoner's application for parole, if the Board has determined that the prisoner has cooperated satisfactorily.

For further information

To discuss these changes further, please contact the QCS Victims Register on Victims.Register@corrections.qld.gov.au or 1800 098 098.

