



Frequently Asked Questions No Body No Parole (NBNP) Parole Applications

What is a NBNP parole application?

A NBNP parole application occurs when a prisoner who has been sentenced for an eligible offence, submits an application for parole. The Parole Board Queensland (the Parole Board Queensland) must not grant those prisoners parole where the remains have not been located, unless it is satisfied the prisoner has cooperated satisfactorily to identify where the victim's remains are located (s193A *Corrective Services Act 2006* (CSA)). Eligible offences include:

- Section 236(2) – Misconduct with regards to corpses;
- Sections 302 and 305 – Murder;
- Sections 303 and 310 – Manslaughter;
- Section 307 – Accessory after the fact to murder;
- Section 309 – Conspiracy to murder;
- Section 314A – Unlawful striking causing death;
- Accessory after the fact for the offences of misconduct with regards to corpses, manslaughter, conspiracy to murder and unlawful striking causing death;
- Counselling, procuring or conspiring to commit one of the above offences; and
- For prisoners transferred from interstate who are serving a period of imprisonment in Queensland, an offence against the law of that other State that substantially corresponds with one of the above offences.

When the prisoner applies for parole, the Parole Board Queensland will request a report from the Commissioner of Police about whether the prisoner has cooperated or not. Cooperation can take place before or after the prisoner has been convicted and sentenced. When deciding whether to grant parole, the Parole Board Queensland must consider the report from the Commissioner of Police, the prisoner's capacity to cooperate, information from proceedings against the prisoner for the offence, and any other relevant information.



Where will the NBNP open hearing be convened?

NBNP hearings are convened in the Brisbane Magistrates Court located at 363 George Street, Brisbane City, QLD 4000. The date and time of upcoming NBNP hearings are published at:

<https://corrections.qld.gov.au/parole-board-queensland/hearing-dates>

Who can attend a NBNP open hearing?

- NBNP hearings are open to the public and are typically attended by families of the victim and their support persons, victim support groups such as the Queensland Homicide Victims Support Group, the prisoner's families and/or support persons, media and representatives from Queensland Corrective Services (QCS) and Queensland Police Service (QPS).
- Where requested by the victim's families, the Parole Board Queensland may facilitate arrangements through its Secretariat for the victim's families residing in regional or remote Queensland locations or other states to attend a NBNP open hearing by video-conference.

What can I expect if I attend a NBNP open hearing at the courts?

NBNP hearings are administered under the CSA and are not judicial hearings.

For example, persons attending the hearing are not required to bow to the bench or announce themselves when entering the court room or stand when members of the Parole Board Queensland enter the court room.

The prisoner applying for parole is required by the Parole Board Queensland to attend the hearing in person or by videoconference and may be required to give evidence. If attending, in person the prisoner will be secured in an open glass court cell and under the supervision of a QCS officer; or by videoconference, the prisoner will be viewable by members of the public on the court's videoconference screen.

The prisoner's legal representatives will be seated at the court bar table. The Parole Board Queensland will generally include the following members' on the bench:

- President or Deputy President (Chair);
- Deputy President;
- Professional Board Member;
- Community Board Member;
- Police Representative; and
- Public Service Representative (QCS).

Why are NBNP hearings open to the public?

Parole Board Queensland will hear the NBNP aspect of a parole application in public and publish the decision and reasons for the decision at a later date. This is to further the ideal that justice must not just be done; it must be seen to be done – in particular by the families of the victim and the family of the prisoner.

How will the NBNP parole decision be made available?

The NBNP decision is not delivered at the open hearing.

NBNP decisions (i.e., the Parole Board Queensland was satisfied or not satisfied the prisoner has cooperated satisfactorily to identify where the victim's remains are located) are published at:

<https://corrections.qld.gov.au/parole-board-queensland/decisions>

If the Parole Board Queensland was **not satisfied** the prisoner cooperated satisfactory the Parole Board Queensland **must** refuse parole.

If the Parole Board Queensland was **satisfied** prisoner cooperated satisfactory the Parole Board Queensland will hear the prisoner's parole application at a date to be fixed. The prisoner's parole application will not be heard as an open hearing.

What information does the Parole Board Queensland make available to the QCS Victims Register?

For the purposes of notifying Registered Victims the Parole Board Queensland, through its Secretariat, notifies the QCS Victims Register when a NBNP:

- **parole application** is received by its Secretariat;
- **open hearing** is scheduled at least 10 business days prior, where possible;
- **decision** (i.e., did or did not satisfactorily cooperate) is to be published at least 24 hours prior; and
- **parole decision** (i.e., grant or refuse parole if did satisfactorily cooperate) has been made.