



Queensland
Government

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Mr John Robertson
Chair
Queensland Sentencing Advisory Council
GPO Box 2360,
Brisbane QLD 4001

By email: submissions@sentencingcouncil.qld.gov.au

Dear Mr Robertson,

Re: Review of sentencing for sexual violence offences and aggravating factor for domestic and family violence offences

I thank you for inviting the Parole Board Queensland ('the Board') to contribute to the important review of sentencing for sexual violence offences and aggravating factor for domestic and family violence offences which the Queensland Sentencing Advisory Board ('QSAC') is undertaking pursuant to Terms of Reference by the former Attorney-General and Minister for Justice, Minister for Women, and Minister for the Prevention of Domestic and Family Violence, the Honourable Shannon Fentiman MP.

I acknowledge from the outset the Board does not have a research and development team and so the views expressed by me on behalf of the Board are based on the observations of myself, the two Deputy Presidents and the Prescribed Board Members of the Board, who all chair meetings to consider whether to grant or not grant a prisoner a parole order, as well as whether to suspend, amend or cancel a parole order.

Since the commencement of the Board on 3 July 2017, the Board has considered approximately:

- 23,813 applications for a parole order.
- 28,218 applications to suspend a parole order.
- 4,182 applications to amend a parole order.

Since the commencement of the Board on 3 July 2017, the Board has cancelled approximately 5,113 parole orders.

On behalf of the Board I make no submissions in relation to sentencing for sexual violence offences. QSAC is well placed to obtain and examine the data relevant to the sentencing practices for sexual violence offences.

On behalf of the Board I submit that sentences for prisoners who are convicted of committing acts of domestic violence, and or, contravene a domestic violence order whilst in custody are, regularly, demonstrably inadequate.

It is common for the Board to consider an application for a parole order by a prisoner whose index offending involves domestic violence and or contravention of a domestic violence order, having committed that index offending whilst subject to parole for similar offences. And in considering the application, it becomes apparent to the Board the prisoner is committing further acts of domestic violence and or contravening the domestic violence order whilst in custody. It is a regular occurrence

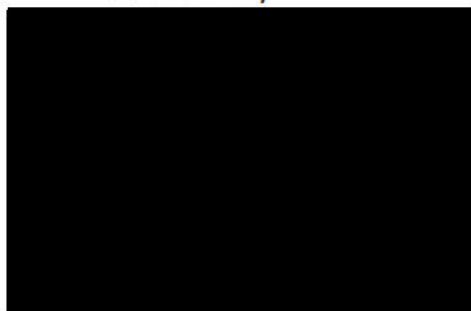
that these prisoners when sentenced for the new offences committed in custody, are sentenced to a wholly suspended term of imprisonment or are given immediate parole eligibility.

On behalf of the Board I submit such sentences do little to protect victims from domestic and family violence; do not hold domestic and family violence offenders to account; and erode public confidence in the criminal justice system.

I believe it would be of considerable benefit to your review if a member of your team was to shadow a Board meeting, or several Board meetings, so as to best understand the extent of the impact that domestic and family violence has on considerations by the Board as to whether to release a prisoner or not on a parole order, or to suspend, amend or cancel a parole order.



Yours sincerely



Mr Michael Byrne KC
President
Parole Board Queensland

