



Government of **Western Australia**  
Department of **Justice**  
**Office of the Commissioner for Victims of Crime**

All enquiries: Kati Kraszlan  
Phone: 9264 9707

The Hon. Dr Sally Talbot MLC  
Chair  
Standing Committee on Legislation  
Parliament House  
PERTH WA 6000

Attention: Mr Mark Warner

Email to: [lclc@parliament.wa.gov.au](mailto:lclc@parliament.wa.gov.au)

Dear Dr Talbot

**Sentence Administration Amendment Bill 2017 – “No Body No Parole”**

The Commissioner for Victims of Crime has been asked to provide commentary on the Sentence Administration Amendment Bill 2017 (the Bill). I am currently Acting Commissioner for Victims of Crime, having commenced in this capacity on Monday, 2 October 2017.

This Bill seeks to use the parole system as an incentive to a prisoner convicted of murder to cooperate with Police in locating the victim's body or the identification of the location of remains of the victim. The Bill is supported by this office as it provides victims with assurance that the offender's willingness to cooperate with police regarding the location of the body will be considered during any parole hearings.

There is considerable research which supports the view that there appears to be an almost universal human need to bury ones dead. Any psychological resolution after a homicide is hindered when the loved one has vanished without a trace and there is no body to bury and no opportunity to honour the person and participate in the cultural rituals of burial and mourning.

The family and friends of homicide victims in Western Australia and in other jurisdictions have given voice to their need to bury their loved ones. This office has had contact with families who have no knowledge of the whereabouts of the body of their family victim. This lack of knowledge has impacted on them over many years and they support the introduction of this bill. There is a strong view amongst victim groups that “Killers cannot claim remorse or rehabilitation unless they have revealed where their victims are”. It is this focus on remorse and rehabilitation which relates directly to decisions regarding parole and release from custody.

David Malcolm Justice Centre  
28 Barrack Street PERTH WA 6000  
GPO Box F317 PERTH WA 6841  
Phone: (08) 9264 1600 Fax: (08) 9264 1121  
[www.justice.wa.gov.au](http://www.justice.wa.gov.au)

The key component to the Bill is that the offender has cooperated with the police in the process; the offender will have met this requirement regardless of whether this disclosure occurred at the beginning of their sentence or at the end of the sentence. The Prisoners Review Board can and should take into consideration the way and time in which the information was provided as part of its considerations on parole eligibility.

This legislation will provide victims with the knowledge that the police and justice agencies have canvassed all available options in trying to locate the body of their family member or friend. This office is interested in working with other agencies to monitor the impact of the legislation, and in particular its impact on victims of crime.

Thank you for providing the opportunity for this submission, as indicated there is support for the legislation from the families and friends of victims in Western Australia.

Yours sincerely



Katalin Kraszlan  
**A/COMMISSIONER FOR VICTIMS OF CRIME**

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