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Queensland parole reforms: what proposed changes mean for prisoners serving life sentences

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The Queensland Government has proposed significant changes to the parole system that could make it substantially harder for prisoners serving life sentences to obtain release on parole.

Under the proposed laws, a key change is the expansion of the restricted prisoner regime to all prisoners serving life sentences. In practice, this means a person serving a life sentence could face delays of up to 10 years before being able to reapply for parole.

At present, the regime applies only in limited circumstances, including where a person has been convicted of murdering a child, has committed more than one murder, or has been convicted of murder where another murder offence has also been taken into account.

What prompted the reforms?

The reforms follow an independent review which found the current system did not give sufficient weight to community safety and victims' interests. The review also found that victims were not adequately supported or properly considered throughout the parole process.

It highlighted the need for better decision-making and stronger victim engagement so the Board has the information it needs to assess whether parole should be granted.

What the government has agreed to change

In response to the review, the Government said it supports 31 of the 46 recommendations in principle, including:

- Legislative amendments to make community safety the paramount consideration in parole decisions
- A requirement that victim submissions be considered at every stage of a parole application, with more time allowed for responses
- Improved notification to victims when parole is granted, together with better information sharing between victims and the Parole Board
- Publication of Parole Board decisions where it is in the public interest
- Stronger transparency and governance measures for the Parole Board

According to the Government, the reforms are intended to ensure that the highest-risk violent offenders can remain in custody for longer where the statutory criteria are met.

How does the restricted prisoner process currently work in Queensland?

A prisoner can apply for parole once they have reached, or are within six months of reaching, their parole eligibility date.

After the application is lodged, the Board defers it to allow the President to decide whether a restricted prisoner declaration should be issued.

The Board then gives notice of the deferral to the President, the Chief Executive of Queensland Corrective Services (QCS), and the prisoner.

The President's assessment under the restricted prisoner regime is separate from the ordinary parole process and must be determined in line with the requirements of the Corrective Services Act 2006.

If a restricted prisoner declaration is made, the parole application is treated as being refused. The President may also fix a period of up to 10 years during which the prisoner is unable to apply again.

A prisoner may still apply for Exceptional Circumstances parole, although that pathway is narrowly confined and available only in limited circumstances.

When the declaration period expires, another declaration may be made. As a result, further consecutive periods of up to 10 years are possible.

Before the declaration ends, the restricted prisoner assessment process starts again. Queensland Corrective Services prepares a further report, and eligible persons are invited to provide additional submissions through the Queensland Corrective Services Victims Register.

Although the announcement signals a significant policy shift, the practical effect of the reforms will depend on the terms of the legislation ultimately introduced. In particular, the detail of any expanded declaration regime, the decision-making criteria, and the treatment of procedural fairness and victim participation will be critical.

Why legal advice is important in parole matters

For prisoners, victims, and families affected by parole decisions, these reforms may have significant practical consequences. The proposed changes may affect the timing of parole applications, the scope for submissions to be made, and the way in which risk, community safety and victim interests are assessed.

Where a matter involves a life sentence, a restricted prisoner declaration, or participation in the parole process, careful legal advice may assist in understanding the current law, the proposed changes, and the options available.

Gilshenan &Luton regularly advises on serious criminal matters, including parole eligibility, restricted prisoner declarations, and engagement with the Parole Board, and can provide practical, strategic guidance in this evolving area.

If you, a family member, or someone you support may be affected by these proposed reforms, get in touch with our Brisbane-based criminal law team to discuss your options.

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