

MEDIA RELEASE:

'No Body No Parole' Laws Could Prolong Imprisonment For The Innocent

RMIT University's Bridge of Hope Innocence Initiative is disappointed by the passing of the *Crimes (Administration of Sentences) Amendment (No Body, No Parole) Act 2022* (NSW) which implements a 'no body, no parole' regime in New South Wales.

"This significant legal change has been rushed through, without careful consideration of the lack of evidence of effectiveness in other States" notes Dr Michele Ruyters, Director of the Bridge of Hope Innocence Initiative (BOHII). *"Other than a single anecdotal account in Queensland, there's no evidence such laws actually provide closure for families"*.

Researchers within BOHII analysed Queensland parole decisions following the passage of 'no body, no parole' laws in 2015 and found [no reported instance](#) of the laws being effectively used to identify remains.

By making parole conditional on successfully identifying victim's remains, such laws are likely to be disastrous for the wrongfully convicted.

"Although we don't have exact numbers, it's generally accepted that a small but notable proportion of the prison population are factually innocent" notes Dr Ruyters. *"Under these laws a person who has been wrongfully convicted is effectively denied any opportunity for parole, as they will be unable to cooperate in identifying remains"*.

High-profile cases of factual innocence, such as the wrongful conviction of Lindy Chamberlain-Creighton reflect what's sometimes known as ['the innocent prisoner's dilemma'](#) in asserting evidence whilst being expected to show remorse and cooperate with authorities. Chamberlain was demonised publicly for not locating the remains of her daughter Azaria, a task she could not fulfill as she did not commit the crime.

"These new laws merely exacerbate the already difficult position faced by the factually innocent in prison, whilst providing false hope for families" argues Dr Ruyters *"it's important that other jurisdictions wait for the evidence before passing laws that carry such a high risk of harm"*.

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