

Requesting a Statement of Reasons

Have you received a decision by the Board that affects your parole application or order?

Are you concerned by the Board's decision?

Do you think there are grounds for reviewing the decision?

If you answered yes to the above, you may be eligible to request a Statement of Reasons.

What is a Statement of Reasons?

A Statement of Reasons provides an explanation as to how a decision was made. For parole related matters, the Statement of Reasons will outline:

- the background of your application;
- the findings of fact made by the Board;
- the reasons for the Board's decision; and
- clearly state how the decision was made; and
- what the decision is.

The statement will also identify all documents considered in the decision making process and outline your review rights.

A request for a Statement of Reasons is made pursuant to section 32(1) of the *Judicial Review Act 1991*.

When can I apply for a Statement of Reasons?

You can only apply for a Statement of Reasons where the Board has made a final and operative decision. For example, where the Board has decided:

- Not to grant you parole;
- To cancel your parole order;
- To suspend your parole order; or
- To amend your parole order

Generally, you CANNOT apply where:

- A decision has not been made by the Board* where the Board is within its legislated time frame;
- You are seeking an explanation regarding your accommodation suitability only

* Except where a decision has not been made within specific timeframes – you may request a Statement of Reasons if the Board has not considered your matter by the decision by date.

Timeframe for applying for a Statement of Reasons

You must apply for a Statement of Reasons within 28 days of receiving the decision of the Board.

Judicial Review

Similar to your right to request a Statement of Reason, you may apply to the Supreme Court for judicial review of a final and operative decision made by the Board or a failure to make a decision within the legislated timeframe.

Before filing your Judicial Review application, or to better understand how the Board came to its decision, you are entitled to request a Statement of Reasons.

Please refer to the "Judicial Review" Fact Sheet for further information regarding this process.

How do I request a Statement of Reasons?

Requests for Statements of Reasons must be in writing.

By way of example:

I, IOMS No:
<insert name>

currently residing at
<insert correctional centre>

seek a Statement of Reasons pursuant to section 32(1) of the *Judicial Review Act 1991* from Parole Board Queensland in relation to the following decision:

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[insert details of the decision you are seeking the Statement of Reasons for]
E.g. The decision not to grant me parole, letter dated .../.../...
The decision to cancel my parole order, letter dated .../.../...

Signed:

Dated:

How long will it take to receive my Statement of Reasons?

Under the *Judicial Review Act 1991* the Board is required to provide you with a Statement of Reasons within 28 days of receiving your request.