



**Mark Speakman**  
Attorney General

## **MEDIA RELEASE**

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### **DELIVERING TRANSPARENCY TO MERCY DECISIONS**

The use of an ancient power to pardon offenders for their crimes will be made more transparent, Attorney General Mark Speakman announced today.

The Royal prerogative of mercy has been exercised by monarchs for almost a millennium, mostly in secret.

“Such secrecy might have been appropriate under Edward the Confessor in the eleventh century, but in modern-day NSW it’s time to lift the veil of mystery. If passed, new legislation, to be introduced by the end of this year, will make NSW the first jurisdiction in Australia to regularly share these details with the community,” Mr Speakman said.

“The Royal prerogative of mercy is exercised in favour of offenders only in extraordinary cases. But it’s important that the Government maintains a process that properly balances the principles of open justice with any need to protect the privacy of individuals.”

In NSW the Attorney General makes recommendations to the Governor on whether an application for exercise of the Royal prerogative should be granted. Successful applications could result in a pardon, a reduced sentence or change in punishment.

In cases where mercy is granted, the reform will enable the Attorney General to publish a document that summarises mercy petitions, including:

- the petitioner’s name;
- general information about the nature of the offence;
- the outcome of the application; and
- brief reasons for the decision.

The document to be published on the Department of Justice website will also provide limited information about failed mercy petitions.

The Attorney General will maintain discretion to refuse to release information about petitions and their outcomes.

“For example, it wouldn’t be appropriate to publish details that would jeopardise the safety of a petitioner, prejudice an investigation or prosecution of an offence or reveal the identity of a police informant,” Mr Speakman said.

Prior to the final outcome of the petition, the Attorney General will also have a discretion to invite any registered victims of an offence to have their say on the petition.

The changes will also apply to applications made to the Governor for review of conviction or sentence under section 76 of the *Crimes (Appeal and Review) Act 2001*.

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