# Petition summary document: Information relating to applications for the exercise of the Royal prerogative of mercy and applications under s 76 *Crimes (Appeal and Review) Act 2001*

**Summary of petitions declined and granted in 2018 (as at 30 October 2018)**

This document has been prepared for the purpose of providing a summary of applications for the exercise of the Royal prerogative of mercy and applications under section 76 of the *Crimes (Appeal and Review) Act 2001* (collectively, ‘petitions’) which have been determined in 2018 by the Governor of NSW, on the advice of the Attorney General. The document aims to promote open justice and transparency while protecting the privacy and public interest concerns involved in the consideration of petitions.

**Declined petitions**

|  |  |  |  |
| --- | --- | --- | --- |
| **Number** | **Date declined** | **Grounds on which review sought** | **Nature of offence** |
| 1  | 17/01/2018 | Matters not taken into account at trial, health concerns, personal hardship, good behaviour  | Murder |
| 2  | 17/01/2018 | Undue hardship | Driving offence |
| 3  | 07/02/2018 | Undue hardship, matters not taken into account at trial  | Summary offence  |
| 4  | 14/02/2018 | Matters not taken into account at trial, undue hardship  | Assault  |
| 5  | 28/02/2018 | Medical issues, undue hardship  | Driving offences  |
| 6  | 21/03/2018 | Undue hardship  | Driving offence |
| 7  | 28/03/2018 | Undue hardship  | Driving offence  |
| 8  | 26/04/2018 | Generalised grounds including undue hardship  | Assault and intimidation  |
| 9 | 23/05/2018 | Doubts as to guilt, double jeopardy, severe and excessive sentence, undue hardship, good behaviour  | Sexual assault and assault |
| 10 | 20/06/2018 | Contrition, undue hardship  | Driving offence  |
| 11 | 25/07/2018 | Conduct of trial, doubts as to guilt, undue hardship, jurisdictional issues, allegations of corruption in prosecution and law enforcement process  | Assault |
| 12  | 25/07/2018 | Contrition, undue hardship  | Driving offence  |
| 13  | 25/07/2018 | Matters not taken into account at trial, undue hardship, generalised grounds as to conduct constituting offence  | Breach ADVO  |
| 14  | 17/10/2018 | Contrition, undue hardship  | Driving offence  |
| 15  | 17/10/2018 | Contrition, medical issues, undue hardship  | Assault |
| 16  | 25/10/2018 | Matters not taken into account at trial, good behaviour, medical issues, doubts as to evidence  | Summary offence |
| 17  | 17/10/2018 | Contrition, good behaviour  | Aggravated break and enter  |
| 18 | The Attorney General exercises his discretion to decline to release information regarding this petition on the basis that it may jeopardise the safety of the petitioner.  |

**Granted petitions**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Date granted** | **Nature of offence** | **Reasons** |
| Kathleen Folbigg | 22/08/2018 | Murder and manslaughter  | The petition appears to raise a doubt or question concerning evidence as to the incidence of reported deaths of three or more infants in the same family attributed to unidentified natural causes in the proceedings leading to Ms Folbigg’s convictions.  |