

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

Summary of petitions declined and granted in 2023

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 between 1 January 2023 and 31 December 2023 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	Nature of offence	Grounds on which review sought
1.	03/05/2023	Driving with mid-range PCA	Requires a driver licence to care for family member
2.	31/05/2023	Murder	Fresh DNA evidence, omission of evidence available but not used at trial, incompetence of defence counsel and impropriety of police operations
3.	30/08/2023	Driving with high-range PCA	Undue hardship, immigration consequences
4.	20/09/2023	Six counts aggravated sexual offences	Miscarriage of justice, evidence not provided at or before trial
5.	11/10/2023	Damage property	Duress, police misconduct, assistance to authorities, personal and family hardship and incompetence of defence counsel

Granted petitions

There was 1 petition granted in 2023.

Number	Petitioner	Date granted	Nature of offence	Grounds on which review sought
1.	Kathleen Folbigg	5/06/2023	Murder x3, manslaughter, maliciously inflicting grievous bodily harm with	Genetics evidence and the entirety of the evidence was unsound



			intent to do grievous bodily harm	
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