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**From:** Derrick Zabow <zabow@bigpond.com>  
**Sent:** Wednesday, 29 January 2020 9:46 AM  
**To:** sentencingcouncil  
**Cc:** sentencingcouncil  
**Subject:** EDRMS: SUBMISSION AGAINST MANDATORY LIFE SENTENCING

**Record Number:** [REDACTED]

## SUBMISSION BY DERRICK ZABOW CONCERNING SECTION 6 OF THE HOMICIDE CONSULTATION PAPER

I make this submission as a now retired solicitor having been admitted to and practised in the jurisdictions of the Supreme Courts of South Africa (Cape of Good Hope Provincial Division), England and Wales, New South Wales and the High Court of Australia the latter since 1981.

I submit that mandatory life sentencing without the possibility of parole is archaic, cruel, pointless and akin to the abolished death penalty. A tolerant, progressive, humane society permits for the courts and parole boards to exercise their discretions as to whether such a convicted prisoner is suitable, following rehabilitation, for release back into society where practical. The alternative does not accord with the principles or guidelines for sentencing in progressive jurisdictions. One would hope that New South Wales be included in this category.

Another consequence of throwing away the keys is that a prisoner may have no interest in rehabilitation as it is pointless and can only cause despair and frustration with unknown consequences.

For these reasons I submit that mandatory life sentencing without parole be replaced by well-considered protocols for sentencing in each particular case, to include the possibility for release on parole, with conditions as determined.

Derrick Zabow  
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