

Unlawful Killing (Recovery of Remains) Bill

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Establish a presumption against eligibility for parole in cases where a person, convicted of unlawfully killing another person, has not provided relevant knowledge in their possession for the purposes of facilitating the location and recovery of the remains of the victim; to create a separate offence of withholding such information; to make provision about the available sentences for such an offence; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Restriction on granting parole where offender refuses to disclose the location of victim's remains

- (1) A person convicted by a court of the crime of murder before this Act comes into operation and who has relevant knowledge in their possession for the purposes of facilitating the location and recovery of the remains of the victim— 5
- (a) cannot apply to the Parole Board for release from prison,
 - (b) be eligible for parole from prison, or
 - (c) be released from custody before the end of the person's sentence
- for as long as the person refuses to disclose the location of murder victim's remains. 10
- (2) A person convicted by a court of the crime of murder on the day or after this Act comes into operation who—
- (a) has relevant knowledge in their possession for the purposes of facilitating the location and recovery of the remains of the victim, and
 - (b) refuses to disclose the location of murder victim's remains 15
- must be subject to a whole life sentence as provided at section 269(4) of the Criminal Justice Act 2003 until—
- (c) the person discloses the location of the remains, and
 - (d) the remains are recovered.

2 Offence: refusal to disclose the location of the remains of a murder victim

- (1) Where a person—
- (a) is convicted by a court of the crime of murder, and
 - (b) has relevant knowledge in their possession for the purposes of facilitating the location and recovery of the remains of the victim, but 5
 - (c) refuses to disclose the location of the victims remains
- is guilty of an offence.
- (2) A person guilty of an offence under subsection (1) shall be liable on conviction on indictment—
- (a) to imprisonment for a term of not less than 10 years, or 10
 - (b) a fine not exceeding level 5 on the standard scale,
- or both.

3 Extent, commencement and short title

- (1) This Act extends to England and Wales.
- (2) This Act comes into force on the day on which it is passed. 15
- (3) This Act may be cited as the Unlawful Killing (Recovery of Remains) Act 2017.

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To establish a presumption against eligibility for parole in cases where a person, convicted of unlawfully killing another person, has not provided relevant knowledge in their possession for the purposes of facilitating the location and recovery of the remains of the victim; to create a separate offence of withholding such information; to make provision about the available sentences for such an offence; and for connected purposes.

Ordered to be brought in by Conor McGinn,
Mr George Howarth,
Siobhain McDonagh,
Tom Elliott,
Vernon Coaker,
Marie Rimmer,
Nusrat Ghani,
Sir Jeffrey M. Donaldson,
Mr Alan Campbell,
Carol Monaghan and Diana Johnson.

*Ordered, by The House of Commons,
to be Printed, 11 October 2016.*

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