



Quiz

The Royal Prerogative of Mercy

1. With whom rests responsibility of exercising the royal prerogative of mercy?
 - a. The Attorney-General
 - b. The Governor
 - c. The Chief Justice of the Supreme Court of New South Wales
 - d. The Queen
2. Which of the following is a situation potentially warranting the favourable exercise of the prerogative?
 - a. The person seeking favourable exercise of the prerogative has severe personal, financial, or medical issues such that, if the prerogative is not exercised, their family, employment, or medical circumstances could suffer
 - b. The person seeking favourable exercise of the prerogative has given authorities post-sentence assistance in catching another criminal, at their peril
 - c. The person seeking favourable exercise of the prerogative was convicted decades ago of an offence which is no longer considered an offence today
 - d. All of the above
3. Which of the following is a factor which might lead to non-exercise of the prerogative?

- a. The defendant has high prospects of rehabilitation
 - b. The offence of which the defendant has been convicted is not a serious one
 - c. The premise that the decisions of independent judicial officers and juries, reached following a thorough criminal law process, should not be interfered with
 - d. Granting mercy would not have an adverse impact on the victim and the community generally
4. Which of the following is *not* a legal effect of granting the royal prerogative of mercy?
- a. The petitioner is partially or completely relieved of the effect of their conviction
 - b. The petitioner may make an application under s 84(3) of the *Crimes (Appeal and Review) Act 2001* (NSW) to have their conviction quashed
 - c. The petitioner does not have to disclose the existence of their conviction to anyone, ever
 - d. The petitioner does not have to disclose the existence of their conviction to anyone, with the exception of a few circumstances
5. Which of the following is a step in the procedure followed by the Attorney-General in assessing an application for exercise of the prerogative?
- a. The Attorney-General will go through the brief received, consider the arguments for and against the exercise of the prerogative, and formulate a recommendation for the Governor
 - b. In reaching a recommendation, the Attorney-General must confine himself to the information in the brief, with no right to request additional inquiries
 - c. In reaching a recommendation, the Attorney-General may accept the information in the brief as is, or request additional inquiries, dependent on the complexity of the matter
 - d. Both A and C

Answers:

1. B 2. D 3. C 4. C 5. D