

SEXUAL OFFENCE LAWS — REFORM

178. Ms C.M. ROWE to the Attorney General:

I refer to the McGowan government's commitment to ensuring Western Australia's sexual offence laws are fit for purpose.

- (1) Can the Attorney General update the house on the review of sexual offending laws and processes in Western Australia currently being conducted by the Law Reform Commission?
- (2) Can the Attorney General inform the house how this important review will ensure the best support and protection is provided to victim-survivors in Western Australia's justice system?

Mr J.R. QUIGLEY replied:

I thank the member for Belmont for the question.

- (1)–(2) In February 2022, I and the then Minister for Women's Interests announced two concurrent inquiries into the multitude of issues surrounding sexual offending in Western Australia. The purpose of these reviews was to ensure the laws and practices deliver justice outcomes for victim-survivors in our state. The Law Reform Commission of Western Australia is chaired by the Honourable Justice Lindy Jenkins, a retired Supreme Court judge. She is considering whether there is any need for law reform, including specifically to the laws surrounding the concept of consent. I know that the Honourable Lindy Jenkins has been attending criminal trials to observe them as an observer. She has presided over many of these sorts of trials herself. She has recently published volumes 1 and 2 of a discussion paper inviting public submissions. Those discussion papers are available on the Law Reform Commission's website.

At the same time, the Office of the Commissioner for Victims of Crime is leading the other review, which looks at the end-to-end criminal justice process for victims of sexual offending, from the reporting of an offence to the release of the offender at the final outcome. The Commissioner for Victims of Crime, Ms Kati Kraszlan, plays an important part in advocating for and supporting victims of crime in our justice system. Ms Kraszlan has helped facilitate the state's new family violence laws, delivered the National Redress Scheme in WA for victims of institutional child sexual abuse, helped develop a fund for the funerals of homicide victims, and the introduction of the state's landmark revenge porn laws. As part of her review, Ms Kraszlan is looking at, amongst a whole range of issues, the experience of adult victim-survivors in the criminal justice system, the factors that contribute to the under-reporting of sexual offences and alternative mechanisms for receiving, investigating and resolving sexual offence complaints that best meet the victim-survivors' interests and the interests of justice. The Department of Justice will complete its review and provide the government with a copy of its recommendations, scheduled for 1 May, 2024 and I expect the commission will provide its final report to government in July this year. The findings from these important reviews will inform the development and implementation of the sexual violence prevention and response strategy. It is important to note that we allow both the Law Reform Commission and the Office of the Commissioner for Victims of Crime to carefully undertake and complete their reviews, listen to the community and provide their recommendations.

I encourage all victim-survivors to get involved in this process, to have their say and help guide our government so that we can deliver updated sexual offence laws that are fit for purpose and make the experience of interacting with the criminal justice system as respectful and empowering as possible. We want our laws to support and protect victim-survivors as well as to ensure the effective prosecution of offenders. The McGowan government is determined to ensure that victim-survivors feel supported in coming forward to police and can have confidence that the justice system is working effectively to keep them safe. I look forward to considering the recommendations of both reviews.