

CRIMINAL LAW (MENTALLY IMPAIRED ACCUSED) ACT — REFORM

87. Hon ALISON XAMON to the minister representing the Attorney General:

I refer to the heinous Criminal Law (Mentally Impaired Accused) Act 1996, which has now been recognised by the United Nations as being in direct violation of the human rights of people with disabilities.

- (1) Is this government committed to addressing this disgraceful situation as a matter of urgency by committing to introducing new legislation?
- (2) If the government is committed to introducing new legislation, is it intended that this will be in the form of amendment to the current act or a complete repeal?
- (3) If the government is committed to introducing new legislation, will the Attorney General commit, at a minimum, to meeting face to face with the following organisations, which have been instrumental in pushing for the reform of the Criminal Law (Mentally Impaired Accused) Act —
 - (a) the Western Australian Association for Mental Health;
 - (b) Mental Health Matters 2;
 - (c) Developmental Disability WA;
 - (d) the Aboriginal Legal Service; and
 - (e) the Mental Health Law Centre?
- (4) If no to (3), why not?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

- (1) Yes. The reforms are a priority for the government and it will introduce them in the second half of this year.
- (2) The current act will be substantially amended rather than completely repealed.
- (3)–(4) The Attorney General acknowledges the many organisations and individuals who have advocated for these much-needed reforms, including the advocacy of Hon Alison Xamon, MLC. The Attorney General, his staff and department have already started consultation on these reforms and will continue to consult as the legislation is being prepared.