

MANDATORY SENTENCING — ELECTION COMMITMENT

602. MR N.W. MORTON to the Minister for Police:

Can the minister update the house on the progress of the state government's election commitment for mandatory sentencing for home invasions by repeat offenders?

Mrs L.M. HARVEY replied:

I thank the member for Forrestfield for this question.

This was a really important commitment by the Liberal–National government in the lead-up to the state election and it was made for very good reasons. Before I outline the commitment and the time frame, I would like to update the house and remind everyone about why people on this side of the house believe that this legislation is important. The member for Forrestfield might be interested to know that, despite aggravated burglary having a maximum penalty of 20 years' imprisonment, the average term of imprisonment for all aggravated burglaries is only 20 months. By way of example and to look at the horror of this crime, an offender with a lengthy criminal record broke into a house after disconnecting the victim's phone. He entered the bedroom of the victim and sexually assaulted her while her four-year-old daughter was sleeping beside her. That offender was sentenced to only seven years and six months in jail; indeed, only six years of that sentence related to the sexual assault. That sentence is completely out of step with community expectations of justice for the victims of crime. That is why this government believes that it needs to be fixed and that is why it is our intention to bring this legislation to the house by the end of the year.

As part of our commitment, an adult offender who commits a serious offence —

Ms M.M. Quirk interjected.

The SPEAKER: Member for Girrawheen, I call you to order for the first time.

Mrs L.M. HARVEY: As part of our commitment, an adult offender who commits a serious offence of a physical or violent sexual assault in the course of a home invasion will receive under our legislation a mandated minimum term that will be 75 per cent of the maximum term for that offence. We are looking at three years' detention for juveniles of 16 years and older.

Ms M.M. Quirk interjected.

Mrs L.M. HARVEY: Will the member for Girrawheen support it when it comes in?

Several members interjected.

The SPEAKER: Members!

Mr B.S. Wyatt interjected.

The SPEAKER: Member for Victoria Park, I call you to order for the first time. Minister, can you just return to the answer and address the question.

Mrs L.M. HARVEY: Under our legislation, an offender who breaks into a house and violently rapes someone will face a mandated minimum term of 15 years in jail. An offender who breaks into a house and causes serious harm will face a mandated minimum term of seven years and six months.

Ms M.M. Quirk interjected.

Mrs L.M. HARVEY: Members opposite need to work out whether they will support this.

Mr B.S. Wyatt: Support what?

Mrs L.M. HARVEY: Support our legislation when it comes through.

Several members interjected.

The SPEAKER: Members!

Mrs L.M. HARVEY: An offender who breaks into a house and indecently assaults somebody will face a maximum term of three years and nine months.

Mr B.S. Wyatt: A maximum?

Mrs L.M. HARVEY: A mandated minimum of three years and nine months.

Several members interjected.

The SPEAKER: Members!

Mrs L.M. HARVEY: Maybe the member for Midland should make up her mind about whether she will support it.

Several members interjected.

The SPEAKER: Member for Victoria Park, I call you to order for the second time. Member for Midland, I call you to order for the first time. Minister, continue.

Mrs L.M. HARVEY: It is our intention also to amend the existing three-strikes laws to target serial offenders of home burglary. The existing mandatory penalty of 12 months for a third-strike offender will be increased to two years, which is double the mandatory minimum term for an aggravated burglary committed by a third-strike offender. A third-strike offender will be an adult offender who commits three burglaries over three separate dates. For juveniles, the Young Offenders Act 1994 will need some amendment. There are some limitations with the three-strikes legislation.

Mrs M.H. Roberts interjected.

Mrs L.M. HARVEY: The member for Midland got out of the blocks really quickly and then could not make up her mind on whether she supported it.

Several members interjected.

The SPEAKER: Members!

Point of Order

Mrs M.H. ROBERTS: This minister is wasting a lot of time on a dorothy dix question. We have already had the Minister for Health waste 10 minutes on not answering a question. I put it to you, Mr Speaker, that question time is being abused by the government.

Several members interjected.

The SPEAKER: Members! Member for Wanneroo, I call you to order for the first time. I have asked for the house to listen to points of order in silence. We have now been going for 15 minutes and we have answered two and a half questions. I would appreciate concise questions and concise answers. Thank you, minister.

Questions without Notice Resumed

Mrs L.M. HARVEY: Thank you, Mr Speaker. I will endeavour to wind up my response shortly.

Several members interjected.

Mrs L.M. HARVEY: What is being highlighted by those opposite, and I put to the house that part of the reason —

Ms M.M. Quirk: Do your job, minister, and just sit down.

The SPEAKER: Member for Girrawheen!

Mrs L.M. HARVEY: I put to the house that part of the reason that there is so much confusion on that side of the house is that the member for Butler says that he does not support mandatory sentencing —

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale, I call you to order for the first time. Minister, can you wind this up, please.

Mrs L.M. HARVEY: I think it would be great if perhaps one of the members opposite could stand and clarify for the house whether they will support my legislation when I bring it through.

Several members interjected.

The SPEAKER: Member for Armadale, I call you to order for the second time. Member for Girrawheen, I call you to order for the second time.

Mrs L.M. HARVEY: In closing, I believe that the Leader of the Opposition has said that he will support our legislation. That is what I am interested to hear, because members have frequently refused to indicate whether they will support this legislation when I bring it to this place.

Several members interjected.

The SPEAKER: Members!

Mrs L.M. HARVEY: It is the government's intention to bring it to this house by the end of the year.