

JUSTICE SYSTEM— GOVERNMENT INITIATIVES

**771. Mrs L.M. HARVEY to the Attorney General:**

Before I ask my question can I —

Several members interjected.

**The SPEAKER:** Order! Members, in this place there has generally been, I think, a marvellous tradition of not conducting loud conversations while another person is on his or her feet asking a question. I formally call for the first time the member for Victoria Park and the Leader of the Opposition. Member for Scarborough, can you start your question from the beginning, please.

**Mrs L.M. HARVEY:** I acknowledge first, if I may, those people from the Jump Aboard With Stirling program from the City of Stirling, and Councillors Rod Willox and Elizabeth Re, also from the City of Stirling, who are in the gallery today.

My question to the Attorney General is: obviously the big difference between the Liberal-National government and the previous Labor government is our tough stance on law and order.

Several members interjected.

**The SPEAKER:** Order!

**Mrs L.M. HARVEY:** Can the Attorney General please inform the house of the initiatives the Liberal-National government has put in place in the past year to make an impact on the status of law and order and restore the public's faith in the justice system in Western Australia?

**Mr C.C. PORTER replied:**

I thank the member for her question.

Several members interjected.

**The SPEAKER:** Order! Take a seat, Attorney General. Some people in this place are obviously not anxious for more questions to be asked. I want to hear more questions. The member for Mandurah might desist from interjecting, likewise the member for Albany.

**Mr C.C. PORTER:** I recognise students from Ashdale Secondary College, who are in the gallery today, and I understand that school will be one of the first independent public schools.

After one year in government there have been a number of significant achievements. It is somewhat trite to talk about the \$656 million that has been put aside for prison infrastructure to fund new prisons in Kalgoorlie and Derby, the development of Acacia and work camps in Wyndham, the wheatbelt and Warburton. For the first time, those facilities will modernise our prison system so that Indigenous people can be incarcerated close to their homes, to be properly skilled, to be given programs and to be repatriated into their communities in a way we consider is likely to decrease rates of re-offending. In fact, on Tuesday I think it was, I spoke at some length about the way in which Indigenous programs delivered in prisons had decreased from 228 in 2000-01 to 17 in 2007-08, and our program delivery had increased by 45 per cent. The increase in program delivery for Indigenous people is 61 per cent over the previous year; individual participation in programs, 123 per cent; in addictions programs and violence programs, 123 per cent; and in sex offending programs, 485 per cent.

One of the very important matters, other than program delivery, that struck me upon coming into government and an area in which we have achieved a great deal, is the compliance rate for community work. In January this year the compliance rate—that is to say the number of people scheduled to turn up at a work party to do community work to pay their debt to society—was 24 per cent. In the nine months to today's date it has gone up to 50 per cent. That is very important. I do not usually descend to anecdotal information, but I have caught the disease. I will tell one very short story about a trip to South Hedland during which we visited the community corrections office. At that stage I was very concerned that community work was not being achieved. I asked to go out and see a work party where people were turning up for community work. About 10 people were supposed to turn up to a work party. I turned up and there was the community corrections employee ready to supervise the work party. He was doing a good job. I looked around and asked: where are all the people who have turned up for community work? One government employee was supervising one person who had turned up to do community work. Can members imagine what the community's level of confidence is in community work when only one person turns up to a work party? I wondered myself, but now at least half the people turn up to their work parties. There is \$2.5 million worth of community work being completed. Earlier this week, the Minister for Police eloquently outlined legislative achievements.

I will close by talking about the achievement of getting rid of the disastrous truth-in-sentencing laws brought in by the opposition in 2003. I will do that by referring to the summing up of the sentencing judge in the matter of Bropho, who was in court charged with unspeakable offences committed against an 11-year-old girl. The District Court Judge said that with a maximum penalty of 20 years, he thought a sentence of 10 years' imprisonment as the starting point of a sentence properly reflected the nature of Mr Bropho's offending behaviour. He said that it was a matter of considerable regret to him that he was bound by law to reduce that sentence by one-third on account of the so-called truth-in-sentencing amendments to the Sentencing Act, by which the Parliament of this state had made a mockery of every maximum penalty in the state. He said that people should understand that judges are required to reduce every penalty they fix upon as being appropriate to an accused person as being the sentence they would have imposed prior to the passing of the so-called truth-in-sentencing amendments.

That may not have been the then Labor government's intention when it introduced that legislation. But the effect it had of destroying community confidence in our courts was known very early.

**Mr E.S. Ripper:** It replaced administrative inaction, and you know it.

**Mr C.C. PORTER:** It made a mockery of every maximum penalty in the state. I think I have said earlier in this house that 100 000-plus offenders move through our criminal justice system. That means thousands and thousands of victims and individual citizens who were watching sentencing got to hear things like that. We came to government and that situation has been repaired.