

ATTORNEY GENERAL — PERSONS RELEASED FROM CUSTODY

1579. Hon Michael Mischin to the Leader of the House representing the Attorney General:

I refer to the Attorney General's comments in the Legislative Assembly on 16 August 2017, where he accused the Liberal and National parties of having 'joined forces in the Legislative Council to hinder the passage' of the so-called 'No Body, No Parole' Bill and send it off to a committee, a committee which in due course recommended amendments to which he ultimately agreed, and his repeated accusations that the Liberals and the Nationals 'are giving comfort to murderers!', and I ask:

- (a) since being appointed Attorney General, how many murderers has the Attorney General released from custody, and who, when, and for what periods of parole or supervised release;
- (b) which were released in accordance with, and which contrary to, recommendations of the Prisoners' Review Board or Supervised Release Board;
- (c) since being appointed Attorney General, how many persons detained under the *Criminal Law (Mentally Impaired Accused) Act 1996* held on charges of murder or other unlawful killing has the Attorney General released from custody, and who, when and for what periods;
- (d) which were released in accordance with, and which contrary to, recommendations of the Mentally Impaired Accused Review Board;
- (e) which of the persons released had killed children; and
- (f) which of the persons released were released contrary to the desires of the secondary victims or other next-of-kin?

Hon Sue Ellery replied:

- (a) Pursuant to section 25 of the *Sentence Administration Act 2003 (WA)*, only the Governor sitting in Executive Council may grant parole to a life sentenced prisoner, not the Attorney General.

However, the following provides the details of each life-sentenced murderer who has been released to parole by order of the Executive Council from 2014 until present:

Offender	Offence	Release On Parole	Parole Duration (Years)
Bender, John Allan	Murder	1/04/2014	5
Venter, Jacob Palmer	Murder	1/04/2014	2
Pitts, Marcus David	Wilful Murder	12/04/2014	3
Colbung, Scott Sheldon	Murder	22/04/2014	2
Walker, Shiralee Jane	Murder	22/04/2014	3
Dutton, Brian Warren	Wilful Murder	6/05/2014	3
Thompson, Christopher Miles	Wilful Murder	6/05/2014	3
Smith, Eric John	Wilful Murder	6/05/2014	3
Fry, Kevin Roy	Wilful Murder	16/06/2014	5
Cooke, Guy John	Wilful Murder	9/09/2014	3
Dowling, Leslie Margaret	Wilful Murder	18/09/2014	2
Seiffert, Jason Andrew	Murder	19/12/2014	3
Buswell, Terry John	Murder	20/04/2015	2
Tiet, Giang	Murder	22/04/2015	3
Smith, Eric John	Wilful Murder	30/04/2015	3
Bishop, Derryn Ruby	Murder	2/07/2015	2
Williams, Wayne John	Wilful Murder	26/07/2015	5
Hall, Evan Leon	Wilful Murder	27/07/2015	3
Salehi, Kamal Ali	Wilful Murder	28/07/2015	2
Axford, Murray Phillip	Wilful Murder	24/08/2015	3
Walley, Peter Dean	Murder	29/10/2015	5

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Hon Michael Mischin; Hon Sue Ellery

Ogilvie, Aaron Fabien	Murder	16/11/2015	5
Birks, Douglas	Murder	30/12/2015	3
Seel, Kurt Russell	Wilful Murder	30/12/2015	5
Thompsett, Benjamin Stephen	Murder	19/01/2016	3
Aksenov, Corey David Walter	Murder	25/01/2016	3
Cooley, Timothy	Wilful Murder	7/06/2016	5
Campbell, David Gordon	Wilful Murder	13/06/2016	5
Wood, Steven Bradley	Murder	23/08/2016	3
Fuller, Kelly Renae	Murder	22/09/2017	5
Garrett, Robert	Wilful murder	27/11/2017	5
Eastwell, Eric	Wilful murder	25/10/2017	3
Griffin, Mark William	Wilful murder	18/12/2017	5
Krakouer, Jeremy Troy	Murder	4/08/2017	3
Carmona Martinez, Raul	Murder	5/04/2018	2
Alikhani, Mojtaba	Wilful murder	16/04/2018	5
Green, Laurence Angus	1x Murder, 1x wilful murder	21/05/2018	5
Greer, Arthur Boycott	Murder	12/06/2018	2

Data January 2014 – Present

Data prior to 2014 for Life and Indefinite Term prisoners is not electronically available and cannot be readily provided.

- (b) All were released in accordance with recommendations of the Prisoners Review Board.
- (c) Pursuant to section 35 of the *Criminal Law (Mentally Impaired Accused) Act 1996* (WA), only the Governor sitting in Executive Council may release a mentally impaired accused who has become the subject of a Custody Order made under Parts 3 or 4 of that Act, and not the Attorney General.

However, 11 persons detained by a Custody Order following allegations of dangerous driving causing death, murder or other unlawful killings were released by order of the Executive Council since January 2014. The following provides the requested details of each accused:

Mentally Impaired Accused	Alleged Offence	Date Conditionally or Unconditionally Released From Custody	Duration of Release Order
Accused A	2x Wilful murder	21/06/2017	Indefinite
Accused B	Manslaughter	22/09/2017	Indefinite
Accused C	Manslaughter	25/10/2017	Indefinite
Accused D	Wilful murder	27/11/2017	Indefinite
Accused E	Wilful murder	30/1/2018	Indefinite
Accused F	Dangerous driving causing death	10/05/2016	Indefinite
Accused G	Wilful murder	12/02/2016	Indefinite
Accused H	Wilful murder	5/08/2014	Indefinite
Accused I	Murder	12/08/2014	Indefinite
Accused J	Wilful murder x2	21/01/2015	Indefinite
Accused K	Murder	10/07/2015	Indefinite

Data – January 2014 – Present

Data prior to 2014 is not electronically available and cannot be readily provided.

- (d) All were released pursuant to recommendations of the Mentally Impaired Accused Review Board.
- (e) Two persons, who were released between 1 January 2008 to date via a Conditional Release Order or Unconditional Release Order, allegedly caused the death of children:

Mentally Impaired Accused Review Board

Person Released
Accused B
Accused J

The following persons who were released between 1 January 2014 to date via a Parole Order caused the death of children:

Prisoners Review Board

Person Released
Fuller, Kelly Renae
Greer, Arthur Boycott
Tiet, Giang
Bishop, Derryn Ruby

- (f) The Prisoners Review Board and Mentally Impaired Accused Review Board do not release details derived from submissions made by secondary victims or other next-of-kin.