

DEPARTMENT OF JUSTICE — PERSONS WITH COGNITIVE OR MENTAL HEALTH IMPAIRMENT

1000. Hon ALISON XAMON to the Leader of the House representing the Attorney General:

I refer to the “National Statement of Principles relating to Persons Unfit to Plead or Not Guilty by Reason of Cognitive or Mental Health Impairment”.

- (1) Has the Western Australian government formally endorsed the national principles?
- (2) If yes to (1), has work begun on implementing the principles?
- (3) If yes to (2), please advise what work is being undertaken?
- (4) If no to (1) or (2), why not?

Hon SUE ELLERY replied:

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

- (1) Yes, the Attorney General formally endorsed the national principles on behalf of the Western Australian government on 13 November 2018. I note that the commonwealth Attorney-General’s Department recently published a copy of the endorsed national principles on its website and I will table the attached information. Madam President, it appears to me that “the attached information” is not attached. If it comes in before the end of question time, I will provide it.
- (2) Yes.
- (3) The government is progressing work on a bill to repeal and replace the Criminal Law (Mentally Impaired Accused) Act 1996 in line with a number of commitments taken to the 2017 election. That bill, once completed, will broadly align with the national principles.
- (4) Not applicable.