

HIGH RISK SERIOUS OFFENDERS ACT — CONTINUING DETENTION AND SUPERVISION ORDERS

909. Hon Dr BRAD PETTITT to the parliamentary secretary representing the Attorney General:

Sections 35 and 36 of the High Risk Serious Offenders Act 2020 empower the state to bring a court action to make a continuing detention order or supervision order to certain prisoners in WA. In most cases the State Solicitor's Office represents the state or, on rare occasions, the Director of Public Prosecutions does so.

- (1) What are the titles of individuals empowered to make the decision to instruct the SSO and DPP to bring high risk serious offenders applications to court, and within which government agency do they work?
- (2) What are the titles of the individuals who prepare the briefs on information that lie behind these applications, and within which government agency do they work?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question. I provide the following long answer that is based on information provided by the Attorney General.

- (1) Under section 11 of the High Risk Serious Offenders Act 2020, the Attorney General can authorise the Director of Public Prosecutions or the State Solicitor's Office to make an application for a restriction order under the act. The State Solicitor is currently authorised to make an application in accordance with the act. In doing so the State Solicitor considers a referral provided by the High Risk Serious Offenders Review Committee as set out below, in addition to other factors as set out in the act. The State Solicitor is supported by individual lawyers within SSO who are specialised in making applications under the act. They consist of lawyers with titles of Assistant State Counsel and Senior Assistant State Counsel.
- (2) Referrals to the State Solicitor's Office are made by the HRSORC, for consideration of an application to the Supreme Court under the act. The HRSORC is currently made up of a number of representatives from different areas within the Department of Justice and a representative of the police, and includes: the deputy commissioner of offender services, Department of Justice; assistant commissioner of adult community corrections, Department of Justice; superintendent, administration of adult male prisons, Department of Justice; director of offender programs and psychological services, Department of Justice; and the executive manager of the sex offender registry, from the police.