

PROHIBITED BEHAVIOUR ORDERS

**545. Hon SUE ELLERY to the parliamentary secretary representing the Attorney General:**

I refer to the Attorney General's statement in February this year that prohibited behaviour orders are now in effect. In the six months since, can the Attorney General advise —

- (1) How many prohibited behaviour orders have been applied for?
- (2) How many prohibited behaviour orders have been approved?
- (3) What behaviours were they granted for and what conditions were attached?
- (4) Which authorities or agencies applied for them?
- (5) Is it currently possible for a prosecuting authority to apply to a court for the granting of a PBO?
- (6) If no to (5), will the Attorney General explain why and how he did not mislead the people of Western Australia when he proclaimed six months ago that PBOs were in effect?

**Hon MICHAEL MISCHIN replied:**

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

- (1) Nil. Following the proclamation of the Prohibited Behaviour Orders Act 2010 in February, Western Australia Police decided to undertake a period of training and planning to prepare to utilise the act in several pilot areas. Further regulations assisting in the operation of the act have since been passed and police training and implementation of the pilot areas were completed in July 2011. Decisions to seek orders are ultimately at the discretion of prosecuting officers and are dependent on the identification and conviction of offenders of a nature the act seeks to target. Further, it was never the case that applications for prohibited behaviour orders were intended to be applied for the day after the legislation passed through Parliament. It was known that the process of drafting regulations, court rules and establishing the website would take substantial time and as such it was always expected that the first PBO applications would start to flow in August 2011.
- (2)–(4) Not applicable.
- (5) Yes.
- (6) Not applicable.