

CRIMINAL PROPERTY CONFISCATION ACT — MARTIN REVIEW

593. Hon Dr BRIAN WALKER to the parliamentary secretary representing the Attorney General:

I refer the Attorney General to the report by Hon Wayne Martin, KC, reviewing the Criminal Property Confiscation Act, submitted to the Attorney on 19 May 2019, four years or—to be precise—1 486 days ago.

- (1) What was the overall cost to the taxpayer of this review?
- (2) How many confiscation cases have been brought by the state in those 1 486 days, and what value of property has been confiscated since the government was advised by Mr Martin that its current confiscation laws were not fit for purpose?
- (3) Are there any other legal reviews under consideration that have been on the Attorney's desk for four or more years; and, if so, will he please list them?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question.

- (1) The total fee paid by the state to the reviewer, Hon Wayne Martin, AC, KC, was \$36 107.50, inclusive of GST. The reviewer was assisted by officers of the State Solicitor's Office in completing the review, and the total time recorded in connection with the review was 691 hours and 30 minutes.
- (2) The Office of the Director of Public Prosecutions is unable to provide an accurate number of confiscation cases commenced since 19 May 2019 because cases are predominately commenced by the Western Australia Police Force obtaining issue of a freezing notice under the Criminal Property Confiscation Act. There may also be multiple freezing notices issued in one case, and the ODPP is not necessarily advised of all freezing notices obtained by the WA Police. Due to the protracted nature of confiscation proceedings, which typically take several years to resolve, and the delay between when property is confiscated under the Criminal Property Confiscation Act and when it is ultimately recovered by the state and paid into the confiscation proceeds account created by the Criminal Property Confiscation Act, the value of property which has been confiscated since 19 May 2019 to date cannot be obtained without a significant manual review of matters. If the member wishes to pursue that particular answer, I suggest he puts it on notice.
- (3) No.