

CRIMINAL PROPERTY CONFISCATION ACT 2000 — OFFENCES

5121. Hon Giz Watson to the Parliamentary Secretary representing the Attorney General

- (1) For each confiscation action under the *Criminal Property Confiscation Act 2000* instituted or continued by the Office of the Director of Public Prosecutions (ODPP) since 1 January 2009, will the Attorney General please provide full details regarding —
 - (a) the nature of the confiscation offence;
 - (b) the sentence imposed on the offender for the confiscation offence;
 - (c) the ODPP assessment regarding each factor considered in deciding whether to institute or continue the confiscation action;
 - (d) whether the property that was the subject of the confiscation action was subject to a mortgage with an innocent third party;
 - (e) the extent of any legal or equitable interest held by a third party in the property that was the subject of the confiscation action; and
 - (f) whether the property that was the subject of the confiscation action was substituted property?
- (2) When will the Attorney General introduce a Bill that amends the anomaly he identified in his speech in the other place on 8 September 2011 when responding to a grievance brought by the Member for Southern River?

Hon MICHAEL MISCHIN replied:

- (1) (a)–(e) The information requested in points (a) to (e) inclusive is not readily available and would require the allocation of significant resources and time to conduct a full review of individual files. Given the broad parameter of “actions instituted or continued” the number of files is in excess of 500 and could be as high as 900.
 - (f) [See paper 4435.]
- (2) The Government is considering amendments to the Criminal Property Confiscation Act 2000 (WA). No date for the introduction of any amendments has been finalised.