

**STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS
ANSWERS TO QUESTIONS ASKED IN THE LEGISLATIVE COUNCIL**

Question 1

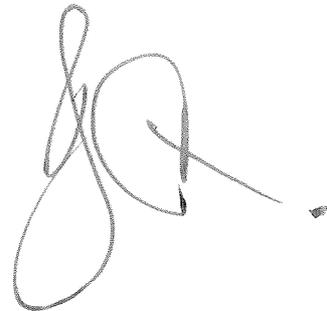
Department of Justice

Hon Nick Goiran asked:

On what date was the consultant hired?

Answer:

The consultant was engaged on 25 August 2021.

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Question 2

Department of Justice

Hon Nick Goiran asked:

Can we be provided, for the last financial year, the number of occasions that the six magistrates were required to go to locations outside of Perth? On how many occasions were each of them required to sit outside Perth?

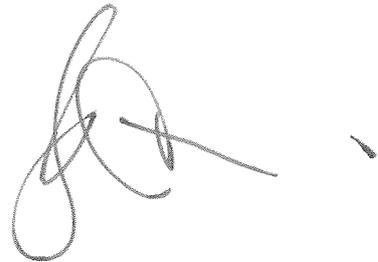
Answer:

For the financial year 2020/2021 the following Children's Court magistrates were required to sit on 214 occasions outside of Perth.

Of these 214 occasions the sitting details are as follows:

Magistrate Name	Metropolitan	Regional
Magistrate Horrigan	21	5
Magistrate Padmanabham	5	9
Magistrate Crawford	58	1
Magistrate Hogan	12	12
Magistrate Dewsbury	29	1
Magistrate Vose	21	18
Magistrate Hughes	15	7

NOTE: A sitting location of 'Metropolitan' refers to the Courts at Armadale, Fremantle, Joondalup, Midland, Rockingham and Mandurah. 'Regional' refers to all courthouses outside of the Perth Metropolitan Area.

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Question 3

Department of Justice

Hon Peter Collier (Chair) asked:

The CHAIR: I would like to follow up on one part of that, if Hon Dr Sally Talbot does not mind. Does the regional reform unit still exist within government?

Hon MATTHEW SWINBOURN: Within the Department of Justice?

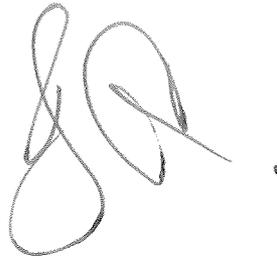
The CHAIR: No, it is an all-of-government unit that was established under the previous government, but it continued to exist under this government. I only reason I ask is because a lot of the initiatives that you are talking about overlap a lot of what was being done with the regional reform unit. The incarceration rate of Aboriginal youth is unacceptable; anyone will acknowledge that. I just hope we are not reinventing the wheel and doing something else. Sorry; this is just important to me. If in the twenty-first century we are still going around with a new program with a new government, we may as well go fishing. I just hope that that regional reform unit is part of this process. I would be interested to know. Can I take that on notice?

Hon MATTHEW SWINBOURN: We might have an answer, but if I do not have one, we can see if we can do that. We will take that on notice, if that is what the committee wants.

The CHAIR: Just to clarify, it is the regional reform unit, which is an all-of-government approach towards improving outcomes across the region, but particularly in the Kimberley, for Aboriginal people. I am looking at, firstly, whether it still exists, and whether the initiatives that were just read out to this hearing are part of the initiatives that have already commenced with the regional reform unit, or separate.

Answer:

This question has been referred to the Department of Communities through the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services.

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Question 4

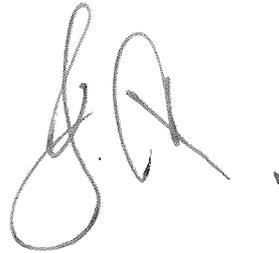
Department of Justice

Hon Dr Brian Walker asked:

I can move on to my prepared questions now. The first one is: I refer you, parliamentary secretary to budget paper No 2, volume 2, pages 426 and 427. I see a reference there to the **justice reform project**. I am a little less happy about page 425 and the spending changes table. I am looking at the justice reform project and seeing there is a reduction in costs over the estimates to 2024–25. I am wondering: **would the project that we are talking about here include a response to that damning report by Wayne Martin into criminal confiscation here in WA** and is any time frame attached to the response to that very significant report?

Answer:

No, the justice reform project, which commenced in 2018, does not respond to the 2019 report *Review of the Criminal Property Confiscation Act 2000 (WA)*.

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Question 5

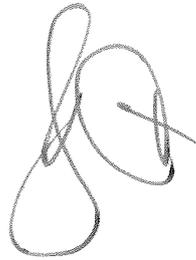
Department of Justice

Hon Nick Goiran asked:

There are 810 backlogged cases in the Coroner's Court as at 30 June 2021. 183 cases are said to be due to the direct control of the State Coroner. How many of the 183 cases have been with the Coroner for more than two years? How many of them are older than 12 months?

Answer:

86 matters are older than 24 months. A backlog matter is a matter that is 12 months old or more. All 183 matters are 12 months old or more.

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Question 6

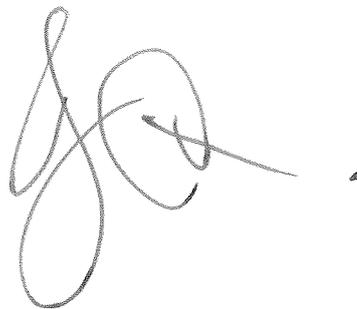
Department of Justice

Hon Nick Goiran asked:

Further to that, the genesis of those questions was of course in respect to the 27 unnatural deaths that I reported to the coroner. We know, pursuant to these answers that have been provided, that those cases on hold pending the finalisation of consideration of proposed amendments to a health act. Are the 27 unnatural death cases part of the backlog of 810 cases as at 30 June?

Answer:

No, the 27 unnatural deaths are not included in the 810 cases at 30 June 2021.

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Question 8

Department of Justice

Hon Nick Goiran asked:

To have the terms of reference and the composition of the three groups—that is the steering committee, the reference group, and the working group.

Answer:

Informal working group to consider recommendations in relation to Western Australia's sexual assault laws. This working group was the subject of a parliamentary question without notice (PQN 300) from the Hon Nick Goiran on 17 June 2021. The informal working group comprised the Commissioner for Victims of Crime, the Director of Public Prosecutions, and representatives from:

- Court and Tribunal Services (Department of Justice)
- Legislative Services (Department of Justice)
- WA Police (operations and policy)
- Department of Communities
- The Sexual Assault Resource Centre (Department of Health)

There were no terms of reference for the working group because it was an informal meeting of government officials with no binding outcomes. The working group is no longer in operation.

Sexual Violence Prevention and Response Strategy Working Group

The composition of the working group is not set and may change over the life of the project depending on action items. Small working groups may meet to discuss particular topics. It is anticipated that the working group will be comprised mostly of officers from government agencies and will include representatives from:

- WA Police
- Department of Justice
- Department of Communities
- Department of Health
- Department of Education
- Worksafe.

The above list is not exhaustive. Other agencies or non-government stakeholders may be invited to join. The working group has a draft terms of reference but the working group has not met to endorse the document. Once endorsed, the terms of reference will be published on the website: Sexual Violence Prevention and Response Strategy (www.wa.gov.au).

Sexual Violence Prevention and Response Strategy Steering Committee will oversee the project and comprises senior representatives from the following agencies:

- Department of Justice
- Department of Communities
- Department of Health
- Department of Education



- WA Police
- Office of the Director of Public Prosecutions
- Worksafe Commission

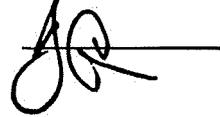
Once endorsed, the terms of reference will be published on the website: Sexual Violence Strategy (www.wa.gov.au)

Sexual Violence Prevention and Response Strategy reference group will be an independent group of experts who will provide the working group and steering committee with feedback and recommendations during the development of the strategy. The chair of the reference group will also be a member of the steering committee to ensure that the views of the reference group are reflected at the approvals stage.

The composition of the reference group is not finalised but it will consist of non-government individuals who have content expertise or knowledge, including lived experience, and who may also represent different cohorts impacted by sexual violence. The reference group will be chaired by Nicole Lambert, Chief Executive Officer at Allambee Counselling and Vice-Chairperson of the National Association of Services Against Sexual Violence.

Once endorsed, the terms of reference will be published on the website: Sexual Violence Prevention and Response Strategy (www.wa.gov.au)

Minister's initials



Question 9

State Solicitors Office

Hon Nick Goiran asked:

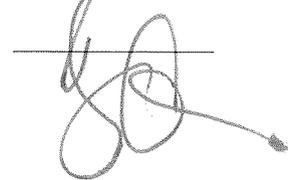
What was the time spent on Legislative Council versus CCC matter?

Answer:

Operationally SSO have coded (recorded hours) work on both matters to the same file given the interconnectedness between them. The interconnectedness arises as a consequence of, amongst other things, the dovetailing and overlap of issues; directions hearings occurring on both matters at the same time; joint books of agreed facts and submissions; joint facilitated negotiations; and the like.

Accordingly it is not possible to identify what time has been spent separately on each of the matters.

Minister's initials

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Question 10

State Solicitors Office

Hon Nick Goiran asked:

Who provided legal advice on McKechnie reappointment if SSO didn't, given the AG said legal advice was obtained?

Answer:

The Solicitor General advised on the Bill to reappoint the Commissioner McKechnie to the Corruption and Crime Commission.

Minister's initials

