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## ATTORNEY GENERAL; MINISTER FOR COMMERCE

Our Ref: 44-19186

Hon. Simon O'Brien MLC  
Chairman  
Standing Committee on Environment and Public Affairs  
Parliament House  
PERTH WA 6000

Dear Mr O'Brien

### PETITION NO 98 – REMAND FACILITY FOR WOMEN

Thank you for your letter dated 21 October 2015 seeking my comments on the terms of the petition and the submissions from the principal petitioner and tabling Member.

I am unable to address most of the issues raised in the petition, as they fall within the portfolio responsibilities of the Hon. Joe Francis MLA, Minister for Corrective Services. However, I can provide the following comments on areas that fall within my portfolio of responsibility.

The decision to grant or refuse bail is made in the first instance by an authorised officer, a Justice of the Peace, a magistrate or a judge. If bail is refused or cannot be met by the accused, the accused is transferred to a custodial facility on remand. Custodial facilities fall within the portfolio of the Minister for Corrective Services.

The *Bail Act 1982* (WA) (the Bail Act) was reviewed by the Department of the Attorney General, following the Coroner's findings in relation to the death of the late Mr Ward. Amendments to the Bail Act are currently being drafted, a number of which will positively impact access to bail, including for women.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael Mischin', written over a large, stylized circular flourish.

Hon. Michael Mischin MLC  
**ATTORNEY GENERAL; MINISTER FOR COMMERCE**

13 NOV 2015