

CRIMINAL PROPERTY CONFISCATION ACT

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

I refer the Attorney General to the Criminal Property Confiscation Act 2000, and specifically to the provisions within it that allow the state to confiscate crime-used property.

- (1) How many times have these crime-used property provisions been utilised by the courts since Hon Wayne Martin, QC, handed down his report on the act in May 2019?
- (2) Is the Attorney General able to provide a breakdown of the broad types of property confiscated by the state in this manner during that period and the average value of confiscations; and, if not, why not?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question. I provide the following answer based on information provided to me by the Attorney General.

- (1) Property is often frozen on multiple grounds, not solely on a crime-used basis, and freezing notices are often issued on drug trafficker, crime-used and crime-derived grounds. When property is ultimately confiscated under section 7 of the Criminal Property Confiscation Act 2000, there is no determination of whether the property is confiscated under crime-used or crime-derived grounds.

The answer to (2) is largely in tabular form, so I seek leave for the answer to be incorporated into *Hansard*.

[Leave granted for the following material to be incorporated.]

- (2) The crime-used provisions of the Criminal Property Confiscation Act 2000 (CPCA) have been utilised with respect to the following items of property:

Types of Property Confiscated	Number of Items/Property Confiscated	Average Value of Property Confiscated	Total Value of Property Confiscated
Cash	925	\$36,762.44	\$34,005,253.02
Jewellery	4	\$5,283.24	\$21,132.94
Vehicles	9	\$29,182.59	\$262,643.20
Accounts	7	\$24,215.80	\$169,510.59
Land	1	\$56,018.07	\$56,018.07
Other	1	\$8,202.80	\$8,202.80

The above refers to individual items confiscated rather than to applications for declarations of confiscation made which include numerous items sought to be confiscated. It includes property recovered under section 7 of the CPCA and frozen on multiple grounds and one of those grounds is crime-used.

Of that property, the following was confiscated solely on a crime-used basis:

Types of Property Confiscated	Number of Items/Property Confiscated	Value of Property Confiscated
Cash	2	\$4,245.00
Vehicles	6	\$127,050.00
Accounts	3	\$142,702.08
Land	1	\$56,018.07
Other	1	\$8,202.80