

SCOTT AUSTIC — EX GRATIA PAYMENT

Statement by Parliamentary Secretary

HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary) [10.02 am]: Tragically, on 9 December 2007, Ms Stacey Thorne was brutally stabbed to death in her own home. She was a much-loved and cherished member of her community. Mr Scott Austic was convicted of Ms Thorne’s wilful murder on 6 April 2009. However, following an appeal and retrial, Mr Austic was ultimately acquitted, having served approximately 12 and a half years in prison. Mr Austic sought an ex gratia payment in the sum of \$8.5 million in recognition of the injustice he has suffered. In 2021, the Attorney General authorised an interim payment of \$250 000 to Mr Austic pending the foreshadowed referral of the matter to the Corruption and Crime Commission. On 27 March 2023, the Corruption and Crime Commission provided the Attorney General with its *Report to Attorney General on aspects arising out of the trial of Scott Austic*, which attaches a copy of the CCC’s initial report at annexure A and the report of independent barrister Mr Tony Power at annexure B with redactions. I table this report and the annexures.

[See paper [2223](#).]

Hon MATTHEW SWINBOURN: The McGowan government has decided that it is appropriate in all the circumstances of this case, including the four and a half years of incarceration between the rejection of his petition to the former Attorney General and his successful appeal and ultimate release from prison, to make an ex gratia payment to Mr Austic in the sum of \$1.35 million. This brings the total payment to Mr Austic to \$1.6 million. The payment has been made following comprehensive legal advice analysing the circumstances of the matter obtained from the highest levels within the State Solicitor’s Office. That legal advice ran to 37 pages analysing and advising on all the circumstances of the matter from the first prosecution right through to the latest CCC report. After that thorough examination, these materials did not disclose any wrongdoing by the police or prosecution.

I table a document entitled *Statement of reasons for ex gratia payment to Mr Scott Austic*.

[See paper [2224](#).]

Hon MATTHEW SWINBOURN: Finally, I wish to extend my sincerest condolences to Ms Thorne’s family, who have been living with the heartbreak and lack of closure about the circumstances surrounding her death for many years.