

CRIMINAL LAW (MENTALLY IMPAIRED ACCUSED) ACT — OFFENDERS

193. Hon TJORN SIBMA to the parliamentary secretary representing the Attorney General:

I refer to the cohort of 56 offenders, as of 31 December 2022, managed under the Criminal Law (Mentally Impaired Accused) Act 1996.

- (1) How many were granted a leave of absence and/or a conditional release order?
- (2) Were any of this cohort charged with an offence while on a leave of absence or a conditional release order?
- (3) Regarding (2), what was or were the nature of this charge or charges?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question. The following information has been provided to me by the Attorney General.

- (1) Forty-nine.
- (2)–(3) Electronic records of any charges alleged against a mentally impaired accused while subject to a leave of absence order or conditional release order are not retained by the Mentally Impaired Accused Review Board’s case management system. Paper records would exist; however, the cohort to which the honourable member’s question applies dates back to 1986 and would require considerable investigation to ascertain a response. Further, the board could not be confident that following such an investigation, any response would be accurate as it is unable to guarantee it was notified by the Western Australia Police Force of any and all charges alleged against a mentally impaired accused who was undertaking board-sanctioned leave.