

CRIMINAL PROPERTY CONFISCATION ACT

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

I refer the Attorney General to the confiscation by the state of a home in City Beach that had been used to cultivate cannabis some 20 years ago, as outlined in the *Subiaco Post* on 1 April 2023.

- (1) Is there any statute of limitation built into the Criminal Property Confiscation Act 2000?
- (2) If no to (1), will the government consider adding one as part of its ongoing review of our confiscation laws?
- (3) What is the estimated value of the confiscated property in this case, given that the City of Cambridge had previously attempted to have it demolished?

Hon MATTHEW SWINBOURN replied:

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

- (1) Generally, there is no time limitation for the commencement of actions under the Criminal Property Confiscation Act 2000. However, in relation to the confiscation of property under section 8 of the confiscation act—that is, on the basis that a person has been declared a drug trafficker under section 32A of the Misuse of Drugs Act 1981—the offence in respect of which the person is declared a drug trafficker must have been committed after the commencement of the confiscation act on 1 January 2001. In the case referred to in the *Subiaco Post*, the offence relied upon by the state in the confiscation action was committed in 2013. Confiscation action in respect of the property was also commenced in 2013.
- (2) The review into the Criminal Property Confiscation Act 2000 was completed by the former Chief Justice Hon Wayne Martin. The review report is being carefully considered, and any further action will be the subject of consideration by cabinet.
- (3) A kerbside assessment obtained on 10 December 2020 from a licensed land valuer estimated the property value to be in the order of \$1 375 000.