

**Further to LC QWN C744 on 17 August 2022 –**

President

On Wednesday 17 August 2022 in relation to question without notice 681 the Hon Nick Goiran requested that the Attorney General table any briefing notes or similar documents at or around the commencement and conclusion of the review into Collie Courthouse. On behalf of the Attorney General, I informed the House that the Attorney General's Office would take steps to identify and review any relevant briefing notes for the purposes of tabling them in Parliament. I undertook to provide an update to the House as soon as practicable.

I can now inform the House that the Attorney General's Office have received and located two relevant briefing notes. I now table them.

# LEGISLATIVE COUNCIL

## Question Without Notice

**Tuesday, 16 August 2022**

**C744. Hon Nick Goiran to the Parliamentary Secretary representing the Attorney General**

I refer to the Attorney General's media statement of 8 August 2022, *Court services in Collie to remain open*, and I ask:

1. What was the genesis for the review into the Collie Courthouse?
2. When did it commence?
3. Did the Attorney General receive a briefing note or similar document at or around the commencement and conclusion of the review process?
4. Will you table these briefing notes?

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### Answer

1. As part of its duty to ensure taxpayers' dollars are used effectively, the Department of Justice regularly reviews services provided by the Magistrates Court in Western Australia.

2. Approval to consult with stakeholders was given by the Attorney General on 28 March 2022, with consultation commencing in mid-April 2022.

3 - 4. More time is required to identify and review any relevant briefing notes. This will be done as soon as practicable and the Member will be advised accordingly.

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Min Ref: 67-  
DoJ Ref: 00417-2022

## ATTORNEY GENERAL

### MAGISTRATES COURT OF WESTERN AUSTRALIA AT COLLIE

#### Purpose

To advise that the Department of Justice (DoJ) will be commencing consultation with relevant stakeholders regarding the proposed closure of the Magistrates Court of Western Australia (MCWA) Registry at Collie.

#### Background Information

As part of an ongoing Court Services budget review process the Department of Justice (DoJ) is commencing consultation with stakeholders regarding the proposed closure of Court registries and associated services, where:

- the courts are within 180 kilometres of another DoJ Magistrates Court registry; and
- there has either been a significant reduction in criminal and civil case lodgements, or the amount of case lodgements does not justify the maintaining of full court services.

#### Current Situation

Using this criterion, the MCWA at Collie, along with Merredin and Katanning, were identified as registries that could be closed. At this time, DoJ only seeks to progress consultation on the closure of the MCWA at Collie.

The MCWA at Collie is located 59 kilometres from Bunbury. A Magistrate from Bunbury circuits to the location three to four days per month with additional days being added as needed.

In terms of workload, criminal and civil lodgements are extremely low with 346 and 112 lodgements respectively in 2020/2021. These figures have remained relatively static over the last 10 years, as demonstrated in the table below.

CRIMINAL LODGMENTS - Previous 10 Years											
	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	Change %
Collie	343	331	390	440	551	479	403	423	446	346	0.90%

CIVIL LODGMENTS - Previous 10 Years											
	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	Change %
Collie	121	134	157	199	174	115	107	126	163	112	-7.40%

The MCWA at Collie staffing levels consists two FTE, (Clerk of the Court and a Customer Service Officer) and one cleaner.

Currently, both positions are substantively vacant. The Clerk of Court position is filled temporarily with an officer from another location. As a result, Court and Tribunal Services (CTS) of the DoJ now seeks to expediate the closure of the MCWA Registry at Collie and commence consultation directly with stakeholders in the region.

It would be proposed to transfer one FTE, the Customer Service Officer (CSO), to the MCWA at Bunbury given the minimal distance between sites. The remaining Clerk of the Court position would be abolished along with the cleaner position.

With the closure of the Court any charges previously heard at the location would be dealt with in the general list in Bunbury and would be identified as Bunbury Court charges. There is a TransWA bus service from Collie to Bunbury (return) six days per week, allowing court users to attend at Bunbury Court.

WA Police do not have overnight holding facilities at Collie and transport offenders to Bunbury if they cannot be bailed. Although not discussed with the Police the impact is likely to be minimal on normal Police services.

Corrective Services (CS) utilise an interview room on Court days to maintain contact with offenders in the community. There is no permanent presence in the town.

It is proposed that stakeholder engagement and consultation is commenced as soon as possible with consultation on the proposed closure being managed by the Director, Magistrates Court and Tribunals.

The initial engagement and consultation are anticipated to take up to eight weeks and will include:

- Notification to the Minister for Regional Development; Agriculture and Food; Hydrogen Industry – the Hon. Alannah MacTiernan MLC.
- Notification to the local Member of Parliament – Ms Jodie Louise Hanns MLA.
- Notification of proposed closure to the President of the Children's Court and the Chief Magistrate asking for comment.
- Consultation with the Shire of Collie regarding the proposal and requesting feedback.
- Consultation with Heads of Agencies (WAPol, Corrective Services, Legal Aid WA, Aboriginal Legal Service and Department of Communities) regarding the proposal and requesting feedback.

Any feedback received during the consultation process will be considered and collated and a final briefing will be made to the Attorney General.

**Recommendation**

Approval is given to progress consultation on the closure of the MCWA at Collie.

Approved / Not Approved \_\_\_\_\_  
Signature

Date \_\_\_\_\_



Joanne Stampalia  
**EXECUTIVE DIRECTOR**  
**COURT AND TRIBUNAL SERVICES**



Dr Adam Tomison  
**DIRECTOR GENERAL**  
**DEPARTMENT OF JUSTICE**

16 March 2022

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DoJ Ref: 01954-2022

## **ATTORNEY GENERAL**

### **MAGISTRATES COURT OF WESTERN AUSTRALIA AT COLLIE**

#### **Purpose**

To provide advice on the outcome of the consultation process into the proposed closure of the Magistrates Court of Western Australia (MCWA) Registry at Collie.

#### **Background Information**

Following approval by the Attorney General (see Min 67-28973) the Department of Justice (DoJ) has undertaken consultation with respect to the proposed closure of the MCWA at Collie.

Notification of the consultation and information regarding the proposed closure was referred to the following major stakeholders with a request for feedback to be provided to the Director, Magistrates Court and Tribunals by 3 June 2022.

- The Minister for Police; Road Safety; Defence Industry; Veterans Issues - the Hon. Paul Papalia MLA.
- The Minister for Mines And Petroleum; Energy; Corrective Services; Industrial Relations – the Hon. Bill Johnston MLA.
- The Minister for Regional Development; Agriculture and Food; Hydrogen Industry – the Hon. Alannah MacTiernan MLC.
- The local Member of Parliament – Ms Jodie Louise Hanns MLA.
- President of the Children's Court – His Honour Judge Hylton Quail
- The Chief Magistrate – His Honour Steven Heath
- Shire of Collie
- Legal Aid WA
- Western Australia Police Force (WAPOL)
- Department of Justice – Adult Community Corrections
- Department of Justice – Women and Young People
- Department of Communities
- Western Australian Regional Association of Justices
- South West Community Legal
- Young and Young Solicitors

#### **Current Situation**

Seven responses were received from stakeholders providing feedback into the proposed closure of the MCWA at Collie.

There was a strong opposition to the closure in the feedback, with one stakeholder identifying an alternate service delivery model, utilising the MCWA at Collie as a circuit location which could still provide reduced services to the community.

Further, it was identified the previous daily bus service between Collie and Bunbury had recently ceased and there are currently no public transport options available for the community.

As a result, it has been identified that the proposed closure would have a significant impact on the Collie community and it is not recommended to proceed with the proposed closure of the MCWA at Collie at this time.

In relation to staffing at the MCWA at Collie, the Customer Service Officer position has recently been filled on a permanent basis. The Clerk of Court position is filled temporarily and a recruitment process can be progressed to fill the position on a permanent basis.

Correspondence from the Attorney General will be sent to the following stakeholders thanking them for their engagement in the process and advising them that the MCWA at Collie will remain open for the foreseeable future:

- The Minister for Regional Development; Agriculture and Food; Hydrogen Industry – the Hon. Alannah MacTiernan MLC.
- The Minister for Police; Road Safety; Defence Industry; Veterans Issues - the Hon. Paul Papalia CSC MLA.
- The Minister for Mines And Petroleum; Energy; Corrective Services; Industrial Relations – the Hon. Bill Johnston MLA.
- The local Member of Parliament – Ms Jodie Louise Hanns MLA.

Concurrently, similar correspondence from the Director, Magistrates Court and Tribunals will be sent to all remaining stakeholders thanking them for their engagement in the process and advising them that the MCWA at Collie will remain open for the foreseeable future.

### **Recommendation**

For your approval and draft correspondence is attached for your consideration.

Approved / Not Approved \_\_\_\_\_  
Signature

Date \_\_\_\_\_



Dr Adam Tomison  
**DIRECTOR GENERAL**  
**DEPARTMENT OF JUSTICE**

22 June 2022

Attachment(s): Draft reply