

DISTRICT COURT — APPEAL DECISION

347. Hon NICK GOIRAN to the parliamentary secretary representing the Attorney General:

I refer to the appeal decision in RE AB [2023] WADC 28, delivered on 17 March 2023, in which His Honour, in upholding the appeal of a victim of sexual assault, said, at 61 —

The assessor’s decision and the process by which it was reached is, to say the least, gravely disquieting.

On what date was the Attorney General first made aware of this matter by the State Solicitor?

Hon KYLE MCGINN replied:

I thank the member for some notice of the question. I answer on behalf of the parliamentary secretary representing the Attorney General. The following answer has been provided by the Attorney General.

The State Solicitor’s Office appeared in the case as amicus curiae on behalf of the chief executive officer of the Department of Justice. In accordance with the judge’s request, made in open court when the decision was delivered that the decision be brought to the attention of the CEO, the SSO brought the decision to the attention of the Department of Justice for forwarding to the CEO for noting on 21 March 2023. The SSO advised the Attorney General’s office of the decision today.