



Attorney General; Minister for Electoral Affairs

Our Ref: 67-26933

Hon Peter Foster MLC
Chair, Standing Committee on Environment and Public Affairs
Legislative Council Committee Office
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

By email: env@parliament.wa.gov.au

Dear Chair

PETITION NO. 024 – MURDER OF STACEY ROBYN THORNE

Thank you for your letter dated 27 October 2021 regarding a petition requesting an inquiry into Murdered and Missing Indigenous Women in Western Australia (WA).

The petition has requested that the Legislative Council recommend that the Government:

1. Release the 2013 Corruption and Crime Commission report into Stacey Thorne's Murder.
2. Acknowledge violence against and murder of First Nations women in WA.
3. Inquire into the deaths and disappearances of First Nations women in WA.
4. Investigate the media reporting of First Nations women's deaths.
5. Commit to addressing structural and systemic discrimination that disadvantages and impedes First Nations women's access to legal services, victim supports and justice.

I understand that the Legislative Council Standing Committee on Environment and Public Affairs (the Committee) has also sought comment from the Hon Simone McGurk MLA, Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services regarding this petition. I offer the following comments alongside those provided earlier by Minister McGurk.

It is well-established Aboriginal women in WA and across Australia experience high rates of violence. The 2018 Our Watch publication *Changing the Picture – A National resource to support the prevention of violence against Aboriginal and Torres Strait Islander women and their Children* (Changing the Picture) reported that Indigenous females experience violence at 3.1 times the rate of non-indigenous women, and they were 11 times more likely to die due to assault than non-indigenous women.

The matter of violence perpetrated against Aboriginal women and their children is a priority for the WA Government and there are considerable initiatives underway in this space at both a national and state level.

At the National level, the Fourth Action Plan of the National Plan to Reduce Violence against Women and their Children 2010-2022 (National Plan) lists as National Priority Two: support Aboriginal and Torres Strait Islander women and their children. Within that priority though is the recognition that actions must value and engage the expertise of Aboriginal and Torres Strait Islander women and men, communities and organisations to lead in the creation and implementation of community-led solutions to build and manage change.

In WA, the Department of Communities is working with Professor Victoria Hovane to develop WA's first Aboriginal Safety Strategy. The Strategy will aim to support the State to reduce violence and abuse against Aboriginal women and children. This strategy is being developed in consultation with Aboriginal communities and the findings will inform the Department of Justice Aboriginal Family Safety Strategy.

There have been a number of coronial inquests into the deaths of Aboriginal women. The 2012 Coronial inquest into the death of Andrea Pickett made several recommendations for both the Department of Justice and the Department of Communities regarding improvements required in relation to Aboriginal victims of violence. Both departments have implemented the recommendations.

Since 2012, the Ombudsman has reviewed all family and domestic violence fatalities recorded in WA. As part of this function, fatalities are reviewed, demographic information, circumstances and issues are identified, analysed and reported, and patterns and trends are identified, analysed and reported on. The Ombudsman actively monitors the implementation of any recommendations relating to these reviews.

Reporting of crime in the media is, at times, problematic. Often the victim experience and victim trauma may be lost or inadequately represented in the sensationalism of a story. There are a large number of resources available to the media to improve reporting and reduce the impact on victims but it is difficult to enforce adherence to these guidelines. The Office of the Commissioner for Victims of Crime in Western Australia has produced a media guide for victims. This guide is designed to support victims in their interactions with the media following a serious crime.

The 2020 Closing the Gap targets have identified violence against Aboriginal people as a priority and set the target that by 2031 the rate of all forms of family violence against Aboriginal and Torres Strait Islander women and children is reduced at least by 50%, as progress towards zero. The WA Government is committed to reaching the target and in response has developed its first Closing the Gap Jurisdictional Implementation Plan. The Implementation Plan was developed through collaboration across Government agencies, with crucial input from the Aboriginal Advisory Council of WA and the Aboriginal Health Council of WA, which is the only WA based member of the Coalition of Aboriginal and Torres Strait Islander Peak Organisations.

I can also advise that the Department of Justice has recently established the Aboriginal Justice Advisory Committee (AJAC). The AJAC has broad representation of Aboriginal people, reflecting the diversity of the WA Aboriginal community. The AJAC will provide cultural advice and guidance to the Department on Aboriginal justice matters, including necessary access to victim services and support for Aboriginal people.

In addition, the Victims of Crime Reference Group (VCRG) reconvened in September 2021 and is scheduled to have its second meeting in December 2021. The VCRG comprises agency representatives and victims with lived experience. There are two Aboriginal victim representatives on the reference group who advocate for changes to the way in which victim services are provided to Aboriginal peoples.

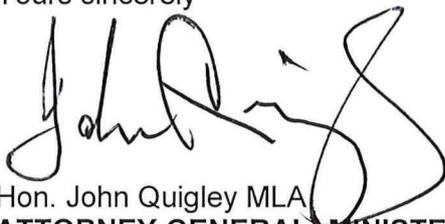
The petition also calls for the release of the 2013 Corruption and Crime Commission (CCC) Report on the late Ms Thorne's murder. As you know, the CCC is an independent investigative agency and I have no influence over its operational activities or decisions. Respectfully I suggest that the Committee refer this aspect of the petition directly to the CCC.

I also respectfully suggest that any unresolved cases concerning the homicides of, or missing Indigenous women in WA be referred to the Hon Paul Papalia, Minister for Police.

While the WA Government acknowledges the impact of the violence perpetrated against First Nations women, I do not consider a Parliamentary Inquiry as the most appropriate step given the number of inquiries undertaken or in place. Agencies have undertaken considerable consultation, and worked in partnership with Aboriginal women and communities, in developing the strategies and plans detailed in this letter. Against the backdrop of the work being undertaken in this space, a Parliamentary Inquiry may not provide any new and compelling findings. Any findings from a Parliamentary Inquiry would need to be carefully integrated into an already crowded and complex policy field.

Thank you for raising this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Quigley', with a large, stylized flourish at the end.

Hon. John Quigley MLA
ATTORNEY GENERAL, MINISTER FOR ELECTORAL AFFAIRS

23 NOV 2021