



Attorney General; Minister for Commerce

Our Ref: 67-13072

PERTH CORONER'S COURT

6 SEP 2019

Coroner Sarah Linton
Coroner's Court of Western Australia
Level 10, Central Law Courts
501 Hay Street
PERTH WA 6000

RECEIVED

Dear Coroner Linton

INQUEST INTO THE DEATH OF ANNABEL NICOL

Thank you for your inquiry received by letter from the Office of the State Coroner dated 23 July 2019 regarding Recommendation 3 of your finding in the matter of Ms Annabel Nicol.

Recommendation 3 advocates I give consideration to amending the *Sentencing Act 1995 (WA)* (Act) to permit the release of court-ordered medical reports to medical and nursing staff who are treating remand and sentenced prisoners in Western Australia. The purpose of such release would be to ensure a valuable source of information was available to be accessed by medical and nursing staff to improve the level of care and treatment provided to prisoners.

I am sympathetic to your proposal.

The Act was last reviewed 2013 and, in the intervening years, developments in the area of mental health have resulted in amended sentencing legislation in other jurisdictions. For example, Part 5 of the *Sentencing Act 1991 (Vic)* was amended in July 2014 in response to the *Mental Health Act 2014 (Vic)* which, under section 346(2), allows the disclosure of patient information in certain circumstances.

In light of the above, I am pleased to advise that your recommendation will be considered as part of the upcoming statutory review of the Act which will commence shortly.

Yours sincerely


Hon. John Quigley MLA
ATTORNEY GENERAL; MINISTER FOR COMMERCE
- 2 SEP 2019