



McGinty's monster, says Ellis

MP raps ALP on sentence

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GERALDTON MP Brian Ellis has blamed former attorney-general Jim McGinty for the light sentence handed down to Matthew McDonald, who was convicted of the manslaughter of Yalgoo farmer Bill Rowe.

Mr Ellis, Upper House Member for the Agricultural Region, said legislation brought in by Mr McGinty under the previous Labor government had locked the judge into a prescribed sentencing regime.

Truth in Sentencing legislation requires a one-third reduction for what were previously good behaviour remissions earned in prison, and is on top of the mandatory one third reduction for an early guilty plea.

"This means that two thirds of the sentence is wiped off before time spent on remand is deducted and any other mitigating factors are taken into account," Mr Ellis said.

"The current government kept its promise to make the repeal of this legislation a top priority and it was introduced within days of Parliament resuming after the election.

"With only two more sitting

days of Parliament available, Mr McGinty — who was responsible for this problem in the first place — then delayed the legislation by trying to make amendments. He was unsuccessful, and the Bill has now moved to the Upper House for debate."

Mr McGinty, now the shadow attorney-general, said Labor had disputed the legislation because one of the Department of Public Prosecutions top QC's, Robert Cock, and other government legal officers, had advised the Opposition that the Bill would not meet key objectives.

"In particular it won't let the court impose maximum penalties," he said.

"We're suggesting some amendment to toughen it up because it will be a tragedy if the Liberal legislation is found inadequate."

The legislation is considered so important that the Upper House did not sit as planned yesterday so that the implications of the Bill could receive full consideration.

A special sitting day has been convened next Tuesday for it to be debated.

Bill Rowe's widow Ellen had said at the time that the Rowe family was disappointed the legislation

was "so near and yet so far", as the sentencing date for Matthew McDonald had already been set.

However, she was relieved the Bill was being given priority and urged members of all political parties to ensure it passed through Parliament before it rose for the summer recess.

The legislation has implications for the Rowe family because of a further trial regarding injuries sustained by Mrs Rowe's son-in-law, Dr Luke Neil.

In the meantime, Mr Ellis arranged for Mrs Rowe to meet with attorney general Christian Porter today to discuss her call for a coronial inquiry into departmental issues related to the Christmas Day incident.

Mr Ellis said an inquiry would provide an avenue for the Rowe family to have their concerns and unanswered questions investigated and would also provide natural justice to the departmental officers to put forward their case.

Mr Porter is expected to make his decision after he has considered facts put to him by Mrs Rowe and after he has determined how these lie within the parameters of a coronial inquiry.