T R A N S C R I P T

LEGISLATIVE COUNCIL LEGAL AND SOCIAL ISSUES COMMITTEE

Inquiry into a legislated spent convictions scheme

Melbourne—Monday, 1 July 2019

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WITNESS

Mr Campbell Thomson, Barrister, Victorian Criminal Bar Association.

The CHAIR: Good afternoon. Welcome. I declare the Standing Committee on Legal and Social Issues public hearing open again. Before we start, I would like begin this hearing by respectfully acknowledging the Aboriginal peoples, the traditional custodians of this land which we are meeting on today, and pay my respects to their ancestors, elders and family. I particularly welcome any elders or community members who are here today to impart their knowledge on this issue to the committee or who are observing from the gallery.

Welcome, Mr Thomson. As you know, we are doing an inquiry into a legislated spent convictions scheme. All evidence taken at this hearing is protected by parliamentary privilege as provided by the Constitution Act. Therefore any information you give today is protected by law and cannot be used against you in a court of law or any other forum. Of course it is not protected if you make the same comments outside here. Your evidence is being recorded, and a transcript will be sent to you a couple weeks after this. Please, if we could ask you to speak for 5 or 10 minutes, and then we can open it up for questions. I appreciate you providing this evidence for us as well, Mr Thomson.

Mr THOMSON: Firstly, I would like to thank the committee for allowing the Criminal Bar Association to make submissions on the Spent Convictions Bill 2019. The submission that I handed to the committee before speaking was made 10 years ago by David Ross, QC, when another bill was being considered by this Parliament. Can I say that it is opportune that Victoria now considers a spent convictions bill, given that every other state in the commonwealth has. Queensland passed a bill in 1986, Western Australia in 1988 and the other states followed. I have had the opportunity to look at the legislation that has been passed in the other states and compare that with what is in the current bill, and I would like to make a few comments if I can.

Firstly, I have been a criminal barrister for 27 years, both prosecuting and defending, in this state and in the Northern Territory, acting for a lot of Indigenous clients, both prosecuting and defending. And I note there have been two submissions to the committee from a couple of Aboriginal legal aid centres, and can I say I wholeheartedly support their submissions on the adverse effects of overpolicing and the increased rates of incarceration for Aboriginal people and the real, positive results that will flow to the Aboriginal community if this bill is passed. In my submission, there should be some amendments made in light of what has happened in other jurisdictions.

Can I start by saying that I think one of the holes in the act is that it leaves open and only for regulation what a prescribed offence is. In a lot of other state acts the offences for which a conviction cannot be spent is spelled out in the act, and there are advantages to that in that everybody knows where they stand. Some acts in other states specifically say that a sexual offence cannot be an offence for which a conviction can be spent. In my respectful submission, to label any particular offence as a prescribed offence without taking into account the seriousness of that offence is an error because in all offences there are the very serious and there are the very minor.

For instance, one can envisage in the sexual offence category many offences which today would be considered minor—for instance, a young man who has just turned 18 having consensual sex with his longtime girlfriend, who is almost 16, and he gets convicted of sexual penetration of a minor. Most right-thinking people in the Victorian community would think that that is not a conviction that could never be spent, that there should be an opportunity for that to become automatically spent after, say, a five-year period. Now, one can look at all the offences in the Crimes Act or in the Summary Offences Act and probably make the same submission: that for very minor examples there should be discretion, either in the Magistrates Court or the County Court, to declare a matter a spent conviction. So I think that is a real issue for the committee to consider: whether the act should set out what offences are prescribed matters for the purposes of section 4 of the bill.

I do agree that convictions for a body corporate should not be able to be spent, and there must be an issue as to whether the six-month period in section 4(1)(a) is the right cut-off point. For example, in Queensland the cut-off point is 30 months. In Western Australia the cut-off point is 12 months. It is an issue, I think, for this Parliament as to whether six months is too low. In my submission, at the least the committee should consider

recommending a 12-month period as the minimum period, because especially now when we can see in the last 10 years there has been a gradual increase in the sentences for particular offences across the board, and so a six-month sentence may not be for a particularly serious offence given the current sentencing requirement. So that is a matter that I think the committee should consider.

Another matter which is not really considered by the bill is how this bill interacts with sexual offender registration, for example. At the moment sex offences are not prescribed. Presumably some of them will be prescribed under the legislation, but if a minor sexual offence is going to be declared a spent conviction, there should be the opportunity for that person then to say, 'Well, if that's the case, I should no longer be on the sexual offenders register'. So that is a matter that needs to be taken into account by the bill, in my submission.

Another matter that does not seem to have been properly considered by the bill is how disclosure in social media can be restrained. I am not sure whether section 11 is supposed to deal with the press. It says:

> A person who has access to records of convictions kept by or on behalf of a public entity must not, without lawful authority, disclose to any other person information concerning a spent conviction … without the consent of the convicted person.

What about someone who does not have access to records of conviction but finds out about a spent conviction of a next-door neighbour and publishes that on social media? That should be an offence that is set out in the act, because that can have just as much harm as a publication in a newspaper or a publication to an employer, for example, for someone who is applying for a job. So that should be restrained by legislation. And it should be set out clearly in section 11 that a disclosure of spent convictions by the media is also punishable by a fine. If you look at the offences for unlawful disclosure in other acts in other states, the minimum penalty is 100 penalty units. There is a question as to whether 50 penalty units is too low, because 50 penalty units is going to mean nothing to News Corporation. It should be a higher amount, in my submission.

Those are the main issues that I wanted to draw the committee's attention to, and I will be happy to answer any questions about other portions of the bill. I must say I am a surprised that there have not been more written submissions; there may have been submissions that have not been published to the web yet. The two submissions by the Aboriginal legal centres are the only submissions of substance that I have seen. I am surprised that the legal aid commission has not made a submission nor the DPP, for example, because they are two parties on either side of the fence who would have useful things to say on the point.

The CHAIR: We are eagerly awaiting their submissions. We have certainly written to them all. The written submissions have been slowly trickling in, and we will see some more substantive submissions come in over the next little while, I fully expect. Certainly the Law Institute of Victoria did do a fairly substantive submission to us which if it is not up on the website it will be shortly. There is a process of approval before they are posted publicly.

Thank you very much for that, Mr Thomson. The terms of reference for this inquiry have not gone specifically to that bill. So we are not confined by that bill; the terms of reference are more open. We welcome your comments as more open of where we should be going, and I appreciate the comments you made. I think particularly in my first question I would love you to expand on the exclusions from a spent conviction scheme. As you say we can include sex offences, but is that really fair when you are looking at some of those lower level offences?

Mr THOMSON: Well, there are other offences where there should be discretion for a judicial officer to make a finding that this is an offence that is so minor in nature that it can be a spent conviction after five years or even on the spot. There are certain traffic offences which are punishable by imprisonment where one could think that that should be the case. There are offences, for instance, such as the non-payment of fines. One of the Aboriginal legal centres started a case where an Aboriginal woman had amassed an enormous number of traffic fines which she was unable to pay, and she faced the prospect of going to jail to pay off those fines. That is clearly the sort of case where a conviction could be spent at the discretion of a judicial officer of some description.

The CHAIR: Are you aware of any jurisdiction that does enable judges to immediately expend convictions?

Mr THOMSON: Yes. I was looking at, for instance, Tasmania—just let me check that. In South Australia some sex offences can be declared spent at the discretion of a magistrate.

Dr KIEU: At the time of sentencing?

Mr THOMSON: At the time of sentencing, yes.

The CHAIR: Okay.

Mr THOMSON: In Western Australia there can be an application to a judge by either the police or the Attorney-General or the person affected. So there should be flexibility in the legislation for either a magistrate in relation to summary offences or a judge in relation to indictable offences to declare a conviction spent either immediately or after a set period of time.

The CHAIR: Currently under the police policy of disclosure if an offence is older than 10 years and is not a violent offence and the sentence has been less than 30 months, they will effectively spend it. However, convictions with no conviction recorded are disclosed up until that 10-year period, and this has surprised some of our witnesses. They thought they had a 'no conviction recorded', they went and got a police check and, lo and behold, there is the—

Mr THOMSON: Well, the bill makes it clear that that can be spent immediately—

The CHAIR: Yes, and you would be supportive—

Mr THOMSON: So I think that is a really good thing, because a finding of guilt for a minor offence when no conviction is recorded should be spent, and one can see why, especially for people in deprived economic circumstances who are trying to get a job, for instance, as a lollipop lady on the local school crossing. If a non-conviction bond stops them from getting a job like that, then it is absurd, and the legislation should be mindful of the situations that those sorts of people face. So I think one of the major issues for the legislature to take into account before finalising this bill is, 'Okay, what offences are we going to prescribe, and what are we going to say about minor offences and the power of magistrates and judges to declare them spent'. If you look at what other states have done, there is a balance that can be struck which the community will accept.

The CHAIR: So in looking at all of the jurisdictions, 30 months is probably the top end?

Mr THOMSON: That is the outside.

The CHAIR: That is the outside, so it sits at two and a half years. And then the UK has actually expanded that out to four years. But would you recommend that 30 months, or two and a half years, is getting it about right? That that is—

Mr THOMSON: My view would be that I think selling that to the community would be difficult. A 36-month or a 48-month period, I think that would be very hard to sell to the community. I think anything between 12 and 24 months is appropriate, and it is a matter for the Parliament where to strike that balance. But I think six months is too low, definitely. It should be between 12 and 24 months, in my opinion.

Dr KIEU: Given your experience, Mr Thomson, the judicial officers, the sentencing by them, is varying with perhaps similar cases. It depends on the individual circumstances.

Mr THOMSON: Sure. There is a range of possible sentences for any specific offence, but if it is too low or too high the Court of Appeal will take action and either the accused or the OPP will appeal the sentences as inadequate or excessive. But I am not sure that that is going to be an issue with these sorts of matters because you will be talking about sentences that are well over any minimum period that we are talking about.

Sentences for serious offences—serious sexual offences, serious violent offences—are going to be a lot more than two years, so I do not think we are going to be fussed about those being declared spent straightaway. And the legislation rightly makes open an application after a set period of time to the County Court to declare a conviction spent. There may be circumstances as they are set out in the bill where a court can say, 'This person's completely turned their life around. The victim agrees that it could be declared a spent conviction.

They' making a valuable contribution to the community. They should be able to expand that contribution, which they'd be able to do if this was declared a spent conviction'. So I think it is a good thing to enable a judicial officer in the County Court to have as broad a discretion as possible.

Dr KIEU: There is another witness proposing a different view. I would like to seek your opinion on that. Instead of basing it on the sentencing, because of the variations in sentencing, some witnesses would propose basing it on the maximum sentence under certain acts for that type of criminal offence. What would your view be about that?

Mr THOMSON: I do not agree, because again you can have very long prescribed sentences. Rape is probably not a good example, but for armed robbery the maximum penalty is 25 years. You can have very low level armed warriors. For instance, you could have an armed robbery in a schoolyard where someone has got a ping-pong bat and saying, 'Give me your lunch money', with a ping-pong bat. That could be an armed robbery. Yet the maximum penalty is 25 years. So I do not think the maximum penalty is the yardstick for this act.

Dr KIEU: Another question that you raised earlier was about republishing some of the past criminal history by particularly social media. In that bill, and we are not restricted to that, as the Chair mentioned, it is an offence to disclose a spent conviction of somebody. So why are you worrying about that type of—

Mr THOMSON: Well, I do not think the bill makes it clear that it is an offence to disclose a spent conviction. It talks about, if we look at section 11:

> A person who has access to records of convictions kept by or on behalf of a public entity must not …

It should not be so confined. You should not have to find out about a spent conviction from records kept by or on behalf of a public entity. You should not discriminate on the basis of the source of the information. Any disclosure of a spent conviction not authorised by the convicted person should be punishable by a fine, in my view.

Ms LOVELL: It is probably worth telling you again that that is not an exposure draft—that was a private members bill—so any legislation that comes out of this is not necessarily reflected in what is in that bill.

Mr THOMSON: Sure. All right. But I think that is a really important issue for the Parliament to take up—the disclosure of spent offences and how that should be dealt with. One other thing that I should have mentioned earlier is that most of the other state acts have compulsory disclosure of spent convictions by particular classes of people. For instance, someone applying to be a judicial officer in this state should in my view have to disclose spent convictions for dishonesty, for example. And the same goes for someone applying to be a police officer, a firefighter, a child protection worker or a teacher. The bill does not say anything about that at the moment. There should be a section in the bill making it compulsory for people applying for certain positions to disclose spent convictions.

The CHAIR: Yes, and I think our understanding is that in legislation around the appointment of those particular types of people, within that legislation there is the requirement for full disclosure.

Mr THOMSON: Full disclosure within their own legislation.

The CHAIR: Correct, and this would not override those circumstances. Even something like IVF, where full disclosure must be made.

Mr THOMSON: I think that should be made clear in any act. It is the intersection with other legislation.

The CHAIR: I think that is a very good point, Mr Thomson.

Ms LOVELL: I just want to touch on the disclosure of the spent convictions. Given that most of those spent convictions will be a matter of public record anyway—it will not be public that it has been spent, but it would be a matter of public record and it would be reported on in the media that that person has been charged with an offence; it might be 20 years ago, but still someone could come across an old newspaper—how do you make it an offence for someone to republish something that is a matter of public record? And they may not know that it has been spent.

Mr THOMSON: Yes. Well, I think maybe there needs to be a test in the act about malice and lack of knowledge. If someone says, 'I've read this in a law report'—for example, a law student might be reading the law reports and be reading the report of a trial and a sentence 20 years ago and put it on their Facebook page to their other law student friends, 'This is a really interesting case, don't you think?'—and it turns out that they have published a spent conviction, if they have done that without knowledge and without malice then perhaps that should not be subject to penalty. But where you have got malice—for instance, a former partner disclosing the spent convictions of a partner after a divorce, where it is clearly malicious—and there is clearly knowledge that the conviction was spent, then that should be prescribed.

Ms LOVELL: You talked before about convictions that cannot be spent. How would you spell those out?

Mr THOMSON: I think that clearly for offences like murder, incest, rape, no-one would ever say that you should be able to have a spent conviction for any of those three very offences.

Dr KIEU: What about culpable driving?

Mr THOMSON: There are many categories of culpable driving, so I am not sure about that, actually, because culpable driving can be a split-second bad decision to overtake when it is unsafe, and that leads to deaths in both cars. A lot of people would say that the criminality of that is low. Of course there has got to be a general deterrence of people driving dangerously, but whether you should be able to spend a conviction or have a spent conviction for culpable driving is a real issue, I think. And I think there are certainly cases where I would argue that someone should be able to go before a judge and say, 'Look, I did this 10 years ago. These are the circumstances. It was a split-second bad decision by me, but I should have the benefit of the 10 years I have spent without committing anything more than a minor offence, and that should be able to be spent now'. So I would not put culpable driving in that category.

Ms LOVELL: So in other words it is about premeditated crimes, not accidents.

Mr THOMSON: Not necessarily. For instance, with the commercial trafficking of drugs of dependence and large commercial trafficking, where the penalty is life imprisonment, I think most people would say that a conviction for large commercial trafficking should not be able to be spent, and I do not think you would find much argument for anybody working in the criminal law about that. So that is another category where I think most people would see be happy to see it prescribed. But you can go through the Crimes Act and look at the vast range of other offences—dishonesty offences and even violent offences. For instance, intentionally cause injury can cover a vast range of offences from a smack in the face which does not even leave more than a slight bruise to someone belting someone over the head and cracking their skull with a cricket bat. So there is a huge range of offences within the particular category of offence, and at the minor end they should be able to be spent.

The CHAIR: Will some of that be resolved by the fact that if we set the ability for a conviction to be spent at a prison sentence of a maximum 30 month, or 24 months, then that would balance that because someone who smashes someone's head in with a cricket bat is not going to get—

Mr THOMSON: They are going to get more than a 24-month sentence.

The CHAIR: They are going to get more than a 24-month sentence, yes, whereas that person who has slapped someone, you know—

Mr THOMSON: Yes. But I think the person who does bash someone on the head with a cricket bat should have the ability after 10 years to go before a judge and argue their case—

The CHAIR: Okay, yes. Absolutely, to argue their case.

Mr THOMSON: even with that. It should not be automatically spent, but they should have the opportunity to seek redress after a certain amount of time. I think that is important. I think schedule 1 in the current bill that I have had a look at sets the balance pretty well right. If you look at all the other states and what they have done in relation to each category, I think schedule 1 has got it pretty well right, and I do not think you would find much argument about the time limits in schedule 1.

The CHAIR: Yes, and so where we draw those lines, but the ability to seek for your conviction to be spent by a court application.

Mr THOMSON: By a court application, yes.

Dr KIEU: Would it be a good idea in your opinion to encourage the judicial officer—the judge or the magistrate—at the sentencing time, because we have the whole spectrum of categories from the less serious to the very serious ones, to make some statement or to declare something about a certain sentence for that particular person so it could be spent later on?

Mr THOMSON: For instance, in the sentencing as it stands it tells the prisoner who has pleaded guilty what they would have got if they did not plead guilty, if they had gone to trial, and they would have got a bigger sentence. You could have a section in the Sentencing Act to say if a judge or magistrate considers it reasonable that this conviction should become spent after a certain amount of time, they should say so. That would give a future judge hearing a submission down the track some guidance as to what the judge who actually considered the facts and circumstances at the time believed about both the offender and the seriousness of the offence. So I think that would be a helpful thing to include.

Dr KIEU: Practically they would be given certainty—

Mr THOMSON: Yes.

Dr KIEU: and also to open a venue for the prosecutor to appeal against it or not. And thirdly, it would not open uncertainty for people when they apply later on in their life that this is the case.

Mr THOMSON: Well, it gives them something to look forward to and something to work towards, because if they do not commit more than a minor offence—

Dr KIEU: An incentive.

Mr THOMSON: in that 10-year period, then they know that they have got a good opportunity to get the conviction declared spent at that time. So I think that is a good idea.

The CHAIR: With the time period, having worked in the territory, you would have dealt with spent convictions. We heard evidence earlier today saying that when you look at the data, if someone has not reoffended within a six to seven-year period, they are just as likely to offend as someone who has never offended.

Mr THOMSON: So there is a statistical basis for that proposition?

The CHAIR: I do not have the footnote for it.

Ms LOVELL: Or just as likely not to offend as someone who has never offended.

The CHAIR: Or just as likely not to offend; is that it?

Ms LOVELL: Yes.

Mr THOMSON: I think that is it, because recidivism is normally within two years—

The CHAIR: Two years; correct.

Mr THOMSON: of having been incarcerated. If someone is going to reoffend, they will reoffend usually within two years. So someone who has not reoffended for six or seven years is unlikely to reoffend further in the future, I think. So are you saying that that is a guide for perhaps the yardstick? Rather than 10 years, should it be seven years?

The CHAIR: Do we take that into account, or is the 10 years really also symbolic that this person is fully—

Mr THOMSON: Rehabilitated.

The CHAIR: Rehabilitated, and probably redemptive in that it is—

Mr THOMSON: Well, I have to say that all the other states use the 10-year period as a yardstick.

The CHAIR: Yes. New Zealand uses seven.

Mr THOMSON: I have not looked at what the period is in the UK or other common-law jurisdictions, but I think if there is a statistical basis for it, using good criminological data that if people have not offended after seven years they are very unlikely to offend thereafter, then I think that would be a proper basis for reducing the 10-year period to seven years.

The CHAIR: I think this is something that we have heard from various witnesses—whether the severity of the offence and harm that it has caused should bear some relationship onto the amount of crime-free period that that person should have committed. So if it was a relatively minor charge, we could say maybe after five years, but if it was a serious charge—a serious conviction—after 10.

Mr THOMSON: I think it is going to be too difficult.

The CHAIR: Too complicated.

Mr THOMSON: Too difficult to put into legislation, I think. Courts would waste a lot of time trying to work out where something fits in a category. If it is clear in the legislation, it will be much easier to apply without having too much discretion on that issue, I believe. I think schedule 1 gets it pretty right. To go further just creates too much difficulty for the judicial officer involved, I think.

The CHAIR: Yes. Sure.

Dr KIEU: In defining the crime-free period, some of the witnesses proposed that that should exclude some of the minor offences. What do you think about that? I mean, for example, people on parole may have had imposed very strict parole conditions. Now with a crime-free period some convictions are to be spent. Some say no crime, no offences at all. Some would say that minor offences should be excluded—should not be considered as a—

Mr THOMSON: For instance, with someone on parole, in my view, the use of a small amount of cannabis should not be considered so serious that it breaches the offence-free period. I think the bill gets it right in talking about minor offences with a penalty of less than $500, because for smoking cannabis you are going to get a fine of $100 probably, or something like that. So that is the sort of offence that should not interrupt the crime-free period, in my view. Certain driving offences fit in the same category. Perhaps a minor shoplifting offence would fit into that minor offence category, because if you steal a tube of toothpaste from the chemist you are probably going to get a $100 or $200 fine as well, and if you are convicted for a much more serious offence and that is all you have done over a 10-year period, that should not mean that you cannot apply for a spent conviction on your more serious offence, in my view.

The CHAIR: There are recommendations—and certainly some jurisdictions have implemented this—that under the Equal Opportunity Act an irrelevant criminal conviction or record cannot be used—

Mr THOMSON: To discriminate in employment situations.

The CHAIR: to discriminate in employment, yes.

Mr THOMSON: If I can refer again to those submissions by the Aboriginal legal services, that was a major factor for them—that what might be a fairly serious conviction a long time ago has impeded an Aboriginal person in their maturity from getting a job which was properly available to them and which they were qualified to get apart from this conviction a long time ago. So I think whether any spent convictions act would need to consider how it interacts with employment law is something that needs to be considered by the Parliament if you want to achieve some form of social justice through this legislation and allow people to redeem themselves, because none of us is the same person 10 years later. We are all vastly different. There is not a cell in our bodies

that is probably the same, and allowing people who are disadvantaged to overcome that disadvantage and achieve employment is a really important thing, certainly for the Aboriginal population of Victoria.

Dr KIEU: This is just another question, Mr Thomson. In order to consider whether a conviction of a person with a conviction could be spent, you have talked about the type of convictions and also the length of sentence. What about the number of offences in the past? For example, in the Canadian jurisdiction a conviction cannot be spent if that person has committed acts of five or six indictable offences in the past, and that would be excluded. So what is your view on that?

Mr THOMSON: I think if you have got multiple indictable offences, then I would agree that those convictions should not be able to be automatically spent, but I believe you should still have the opportunity to be able to go before a court and argue—

Dr KIEU: Why.

Mr THOMSON: that many years afterwards they should be able to be declared spent if you can show you have rehabilitated yourself and not committed further offences within a specific period. So I do not agree that multiple offences should automatically disqualify you from applying before a court for a conviction to be spent or a number of convictions to be spent if there is enough time and a period of good behaviour.

Ms LOVELL: How would you treat something like the one-punch offences now, because it is something that we treat as a very serious crime?

Mr THOMSON: Well, manslaughter?

Ms LOVELL: It can be a range of things with one punch.

Mr THOMSON: Most people would say that you should not be able to have a spent conviction for manslaughter—perhaps negligent manslaughter, but certainly not manslaughter by unlawful or dangerous act. I think most people would say that should always be on the record. But if it is a one-punch and someone falls over, hits their head on the pavement and gets a cracked skull but they do not suffer any brain injury, for example, you still might get a fairly serious sentence for that. That should not be able to be spent automatically, but it should be in the category of, 'Yes, if I'm offence-free for 10 years, I should be able to apply to a court'.

Ms LOVELL: But it is the same offence. It is there but for the grace of God whether when they hit they head they knock themselves unconscious, they get an acquired brain injury or they die. It is the same offence, so how do you treat something like that?

Mr THOMSON: The law says that we have to apply the eggshell principle. If you hit someone with a weak skull and they die, then that is your fault. It is not the fault of the victim that they have got a thin skull. So I think that is just tough luck really. If you kill someone, you kill someone. So I do not think even the most progressive of my colleagues would argue that a manslaughter should be able to be spent in those circumstances where you punch someone intending to hurt them and they have fallen over and died as a result or have received a serious injury as a result.

The CHAIR: Just one last question, looking at, I guess, the variations in the various schemes around the jurisdictions. We have seen that for probably half of them it is at the end of the orders or on release from a sentence; the other half would say at conviction. Would you have an opinion on when that crime-free period should start, at conviction or on release or if it is—

Mr THOMSON: At the time of sentence, so when a court says, 'I'm convicting you to five years imprisonment for robbery', 10 years later you should be able to apply for that to be a spent conviction.

Dr KIEU: Not five years.

Mr THOMSON: There is certainty because everyone knows when the judge has convicted someone it is recorded. It is on a court record somewhere. There is time certainty and date certainty. So I think that should be the starting point.

The CHAIR: Yes. Great. Thank you, Mr Thomson.

Mr THOMSON: My pleasure.

The CHAIR: It has been really interesting, and we really appreciate you coming in. I can assure you there will be more submissions up on our website soon.

Mr THOMSON: Okay. Thank you very much for allowing me to speak on behalf of the Criminal Bar Association.

The CHAIR: We very much appreciate your time. Thank you, Mr Thomson. As I said, you will get a draft transcript of this hearing in the next couple of weeks.

Witness withdrew.