Justice and Other Legislation Amendment Bill 2026 – Department of Justice response to submissions to the Justice, Integrity and Community Safety Committee

The following stakeholders provided submissions to the Justice, Integrity and Community Safety Committee (the Committee) in relation to the Justice and Other Legislation Amendment Bill 2026 (the Bill):

1. Tim Robinson
2. The Red Rose Foundation
3. Legal Aid Queensland
4. Australian Lawyers Alliance
5. Australia's Right To Know coalition of media organisations
6. City of Moreton Bay
7. Queensland Nurses and Midwives' Union
8. Gladstone Region Autistic & Neurodivergent Network Inc.
9. Arrow Energy Pty Ltd
10. Waste, Recycling Industry Association (Qld)
11. Queensland Coronial Legal Service
12. Local Government Association of Queensland
13. City of Townsville
14. National Electrical and Communications Association (NECA)
15. Queensland Law Society
16. Queensland Integrity Commissioner

The Department of Justice's (DoJ) responses to the issues raised in the submissions are set out in the table below.

Issue and relevant clauses	Submission and key points	DoJ response
Scrap Metal Theft (clauses 39 to 41, and 54)	**1 – Tim Robinson** • The submitter raises concerns that the new offence for unlawful possession of a prescribed metal item reasonably suspected of being stolen may affect individuals who legitimately possess these items. Also, the submitter considers that the term "reasonable suspicion" should be clarified. • The submitter suggests that the Committee should examine whether the proposed penalties for metal theft are proportionate and that tiered penalties might be considered.	**Unlawful possession of prescribed metal item** The new offence will not apply to someone who lawfully possesses a prescribed metal item. DoJ acknowledges that this will regularly include tradespeople and those involved in recycling scrap metal. DoJ notes that there are existing offences for unlawfully possessing things reasonably suspected of being stolen, namely *Summary Offences Act 2005* section 16 and *Criminal Proceeds Confiscation Act 2002* section 252. The new offence will operate similarly to these existing offences but with a higher maximum penalty.

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		As with any offence, police officers will exercise discretion about when to investigate and bring proceedings for offences against this section. The term “reasonable suspicion” is fundamental to a range of criminal law provisions. Ordinarily, the expression means that there needs to be some fact that would cause a reasonably minded person to conclude something. Given its use across the statute book, DoJ considers that providing further legislative definition for this threshold is unnecessary. **Maximum penalties** The Attorney-General and Minister for Justice and Minister for Integrity (Attorney-General), in the human rights statement of compatibility, concluded that the proposed increased maximum penalties appropriately reflect the seriousness of metal theft, particularly where this occurs during or in the lead up to a natural disaster, where the conduct endangers life or health or the operation of a public facility or infrastructure is disrupted. Also, DoJ notes the penalties are structured in a tiered way and increase depending on the culpability of the associated behaviour. Further, a maximum penalty has been described by the courts as a yardstick enabling comparison between the case before the court and the worst possible case. A sentencing court retains discretion under the *Penalties and Sentences Act 1992* to impose an appropriate sentence considering all of the relevant circumstances of the offending.

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Scrap Metal Theft (clauses 39 to 41, 54, 117-123)	**6 – City of Moreton Bay** • Strongly supports measures in the Bill including: • increased penalties for metal theft; • new offences for attempted theft and the possession of suspected stolen scrap metal; • mandatory transaction registers for scrap metal dealings; and • tighter photographic identification verification requirements for second-hand dealers transacting in scrap metal. • Identifies three areas that the submitter considers require further strengthening: • prohibition of cash payments for scrap metal; • restricting scrap metal sales to registered scrap metal dealers; and • need for standalone scrap metal legislation.	**Scrap metal theft – Criminal Code** DoJ notes the submitter supports amendments to the Criminal Code which increase penalties for metal theft and introduce new offences for attempted metal theft and unlawful possession of a prescribed metal item. **Scrap metal theft – Second-hand dealers** DoJ notes the submitter supports amendments to the *Second-hand Dealers and Pawnbrokers Act 2003* (Second-hand Dealers Act) contained in the Bill, including the strengthened identify verification and record keeping requirements. In relation to proposals for further strengthening the legislative framework, DoJ notes the following: • Prohibition of cash payments for scrap metal: The Bill does not include a prohibition of cash payments for scrap metal. As reflected in the submissions to the Committee about the Bill, there are different stakeholder views about the need for, and effectiveness of, prohibiting cash and similar payment methods being used in scrap metal transactions. Whether a 'cash ban' will be considered and/or implemented in the future is a policy matter for the Government. • Restricting scrap metal sales to registered scrap metal dealers: The existing licensing requirements imposed by the Second-hand Dealers Act in effect restrict the sale of scrap metal to licensed persons. More specifically, under the Second-hand Dealers Act, a person carrying on a business of dealing in second-

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		hand property, which includes scrap metal, is required to be licenced as a second-hand dealer. A searchable register of licenced second-hand dealers is available online. The Office of Fair Trading ensures compliance with the requirement to be licensed where it has been identified that a person is dealing in second-hand property. Penalties apply for failing to hold a licence when required. • Need for standalone scrap metal legislation: The Bill strengthens the existing legislative framework for second-hand dealing, which captures scrap metal dealing. The need for standalone scrap metal legislation is a policy matter for the Government.
Scrap Metal Theft (clauses 40, 120)	**8 – Gladstone Region Autistic & Neurodivergent Network Inc** • The Bill should not be progressed in its current form • The submitter raises concerns that the new offence for unlawful possession of a prescribed metal item "reasonably suspected" of being stolen and reverse onus of proof unfairly burdens the accused and targets those least able to prove legitimate ownership. • The submitter does not support strengthened identity requirements and recording the seller's address. The submission raises concern that expanding the capturing of seller information (such as name, date of birth and residential address) with verification creates a risk of creating exclusion (for example, for people who do not wish to (or cannot) provide their details as they are experiencing domestic and family violence, homelessness, or housing instability).	**Scrap metal theft – Criminal Code** The proposed offence for unlawful possession of a prescribed metal item reasonably suspected of being stolen will impose a reverse onus, requiring the defendant to demonstrate, on the balance of probabilities, that they had no reasonable grounds to suspect the item was stolen. The "balance of probabilities" is a well-established civil standard of proof requiring a court to consider whether it is more likely than not that a particular fact or claim is true. This approach is considered appropriate for this offence, as the relevant information is exclusively within the knowledge of the defendant. For further clarification, please refer to the response provided to submission 1 regarding the operation of the "reasonable suspicion" threshold.

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		Scrap metal theft – Second-hand dealers DoJ notes that the submitter raises several concerns. The scope of the Second-hand Dealers Act currently captures dealing in scrap metal, which is second-hand property. The amendments to the Second-hand Dealers Act include clarifying that the Act captures scrap metal by inserting a definition of "scrap metal" into the Act, increasing some penalties relating to scrap metal, and imposing additional photographic identify verification requirements for scrap metal transactions. The Second-had Dealers Act currently requires the verification of identity (although not requiring the use of photographic identification) and the recording of certain particulars of the seller (although not date of birth or residential address). As scrap metal theft is causing significant harm to the community, the need to disrupt the sale and disposal of stolen scrap metal through second-hand dealers, by imposing additional identity and record keeping requirements for scrap metal transactions, is targeted and justified. No alternative, less disruptive mechanism has been identified.
Scrap Metal Theft (clauses 118, 120, 121, 123)	**9 – Arrow Energy** • The Bill includes amendments that will assist in addressing metal theft, including: ○ strengthening requirements for scrap metal dealers to obtain photographic identification information from sellers;	**Scrap metal theft – Second-hand dealers** DoJ notes the view of the submitter is that amendments to the Second-hand Dealers Act contained in the Bill will assist in addressing metal theft. The Second-hand Dealers Act currently requires second-hand dealers to report suspected stolen property to police. The Bill contains amendments to modernise the provision and to introduce an escalating penalty for

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	○ increasing penalties for unlicensed second-hand dealing in scrap metal; ○ requiring the recording of all scrap metal transactions, regardless of value; and ○ requiring second-hand dealers to report suspected stolen property to police. • The submission states that: ○ the measures represent an appropriate and pragmatic step towards disrupting the market for stolen metal. ○ given the remote nature of many industrial sites, preventing theft at the point of occurrence can be challenging. ○ measures that target the sale and disposal of stolen material are therefore critical to reducing the incentive for this criminal behaviour.	second-hand dealers that repeatedly fail to inform police of scrap metal suspected to have been stolen or unlawfully obtained.
Scrap Metal Theft (clauses 117 to 123)	**10 – Waste, Recycling Industry Association (Qld)** • Supports the Bill, in particular amendments providing for: ○ distinct treatment of scrap metal from other second-hand goods; ○ removal of the requirement for scrap metal to be held for 7 days; and ○ increased penalties for breaches of the law occurring within the scrap metal sector. • Supports the non-inclusion of a ban on cash payments for scrap metal in the Bill.	**Scrap metal theft – Second-hand dealers** DoJ notes the submitter's support for amendments to the Second-hand Dealers Act contained in the Bill. The Bill attempts to balance the objective of disrupting sale and disposal of stolen scrap metal with the need to avoid unnecessary regulatory burdens which may not achieve the objective of the Bill or the objective of the Second-hand Dealers Act in deterring crime in the second-hand property market. DoJ notes the concerns raised by the submitter about the existing requirements of the Second-hand Dealers

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	• Has raised concerns about the practicality of metal recyclers complying with existing provisions of the *Second-hand Dealers and Pawnbrokers Regulation 2004* (the Second-hand Dealers Regulation) and has requested to be consulted in development of amendments to the SHDP Regulation.	Regulation, particularly in their application to metal recycling industry. DoJ intends to consult with stakeholders in the development of amendments to the Second-hand Dealers Regulation.
Scrap Metal Theft (clauses 39 to 41, 54 and 117 to 123)	**12 – Local Government Association of Queensland** • Broadly supports the Bill in-principle, in particular: ○ increased penalties; ○ new offences; ○ strengthened identity verification requirements; and ○ enhanced transaction recording obligations. • Considers the following further reforms required: ○ Prohibit payments in cash for scrap metal; and ○ Prohibit scrap metal being sold to businesses other than registered scrap metal dealers	**Scrap metal theft – Criminal Code** DoJ notes that the submitter supports amendments to the Criminal Code which increase penalties for metal theft and introduce new offences for attempted metal theft and unlawful possession of a prescribed metal item. **Scrap metal theft – Second-hand dealers** DoJ notes the submitter supports amendments to the Second-hand Dealers Act contained in the Bill, including the strengthened identify verification and record keeping requirements. In relation to proposals for further strengthening the legislative framework, DoJ notes the following: • Prohibition of cash payments for scrap metal: The Bill does not include a prohibition of cash payments for scrap metal. As reflected in the submissions to the Committee about the Bill, there are different stakeholder views about the need for, and effectiveness of, prohibiting cash and similar payment methods being used in scrap metal transactions. Whether a 'cash ban' will be considered and/or implemented in the future is a policy matter for the Government. • Restricting scrap metal sales to registered scrap metal dealers: The existing licensing requirements imposed

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		by the Second-hand Dealers Act in effect restrict the sale of scrap metal to licensed persons. More specifically, under the Second-hand Dealers Act, a person carrying on a business of dealing in second-hand property, which includes scrap metal, is required to be licenced as a second-hand dealer. A searchable register of licenced second-hand dealers is available online. The Office of Fair Trading ensures compliance with the requirement to be licensed where it has been identified that a person is dealing in second-hand property. Penalties apply for failing to hold a licence when required.
Scrap Metal Theft (clauses 39 to 41, 54 and 117 to 123)	**13 – City of Townsville** • Supports the Bill in particular increased penalties and new offences. • Supports enhanced regulatory oversight of scrap metal transactions.	**Scrap metal theft – Criminal Code** DoJ notes that the submitter supports amendments to the Criminal Code which increase penalties for metal theft and introduce new offences for attempted metal theft and unlawful possession of a prescribed metal item. **Scrap metal theft – Second-hand dealers** DoJ notes the submitter supports the Bill, including enhanced regulatory oversight of scrap metal transactions.
Scrap Metal Theft (clauses 39 to 41, 54 and 117 to 123)	**14 – National Electrical and Communications Association (NECA)** • Strongly supports the proposed amendments to the Second-hand Dealers Act and Criminal Code. • Supports amendments contained in the Bill including: ○ new offences (including possession and attempt);	**Scrap metal theft – Criminal Code** DoJ notes that the submitter supports amendments to the Criminal Code which increase penalties for metal theft and introduce new offences for attempted metal theft and unlawful possession of a prescribed metal item. **Scrap metal theft – Second-hand dealers**

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	○ increased penalties; ○ identity verification requirements; and ○ strengthened regulation of scrap metal transactions. • To further strengthen the Bill's effectiveness, the submitter recommends the Government consider: ○ targeted enforcement on high-risk infrastructure, prioritising theft from electrical infrastructure, construction sites and public utilities; and ○ data sharing with industry, including licensed contractors and industry bodies (e.g. NECA).	DoJ notes that the submitter supports amendments to the Second-hand Dealers Act (for example, strengthened identity verification requirements). **Scrap metal theft – Other** DoJ notes the submitter's recommendations for targeted enforcement focused on high-risk infrastructure, as well as data sharing. As these are matters for the Queensland Police Service (QPS), DoJ will advise QPS of the submitter's recommendations.
Scrap Metal Theft (clauses 39-41, 54, 119 and 121)	**15 – Queensland Law Society** • Notes existing Criminal Code offences already capture the conduct addressed by proposed new metal theft offences. • Notes the intention to deter behaviour with increased penalties, however raises concern that the proposed penalties are substantially higher than those that apply to comparable offending. • Identifies that while there is sound policy rationale behind proposals requiring pawnbrokers and second-hand dealers to notify police of transactions and suspected stolen goods, the effectiveness of these notifications and record keeping approaches is hampered by challenges in identifying suspected stolen metal and noncompliance.	**Scrap metal theft – Criminal Code** It is the policy intention of the Bill to enhance penalties for offences commonly associated with metal theft, including stealing, wilful damage, and receiving tainted property. Additionally, the Bill introduces two new offences: attempted metal theft and possession of prescribed metal items reasonably suspected of being stolen. The ongoing prevalence of metal theft, and consequential disruption and risk presented to the community, demonstrates the necessity for targeted legislative measures to address this specific form of criminal behaviour effectively. In relation to the creation of a new offence, DoJ notes the Attorney-General, in the human rights statement of compatibility, concluded that the continued prevalence of metal theft show that Queensland's laws need to be bolstered to respond to the particular nature of this kind of offending.

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		In relation to the increased maximum penalties, DoJ notes the Attorney-General, in the human rights statement of compatibility, concluded that the proposed penalties appropriately reflect the seriousness of metal theft, particularly where this occurs during or in the lead up to a natural disaster, where the conduct endangers life or health or the operation of a public facility or infrastructure is disrupted. Also, DoJ notes the penalties are structured in a tiered way and increase depending on the culpability of the associated behaviour. Further, a maximum penalty has been described by the courts as a yardstick enabling comparison between the case before the court and the worst possible case. A sentencing court retains discretion under the *Penalties and Sentences Act 1992* to impose an appropriate sentence considering all the relevant circumstances of the offending. **Scrap metal theft – Second-hand dealers** DoJ acknowledges that the requirement to report suspected stolen goods to police can be challenging in some circumstances. However, it is to be noted that the Second-hand Dealers Act currently requires second-hand dealers to report suspected stolen property to police. Further, given the harm in the community that arises from metal theft, it is important that the Second-hand Dealers Act include a clear obligation to report suspected stolen scrap metal to police.
Disclosure to Accredited Media Entities (AME)	**1 – Tim Robinson**	The amendments provide a legislative basis for existing practices which involve disclosing information to AME.

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(clauses 60, 94, 95, 104-108 and 145)	• Additional safeguards should be considered in view of the presumption of innocence and the potential for reputational harm but acknowledging the transparency of court proceedings.	An offence is included which prohibits the intentional or reckless disclosure of an alleged offender's name when it has been provided to an AME under the amendments. The alleged offender's name may only be disclosed in limited, clearly defined circumstances including if the person's name becomes lawfully accessible to the public. This might first occur when the proceeding is conducted in an open court and no statutory non-publication prohibition applies.
Disclosure to Accredited Media Entities (AME) (clauses 60, 94, 95, 104-108 and 145)	**5 – Australia's Right to Know coalition of media organisations** • The amendments do not improve the process and support ongoing communications between the media and the QPS. • Specific issues focussed upon clauses 104-108 include: • The provisions only allow for the release of information subject to a QPS media release and therefore the vast majority of charges laid will not be subject to the regime established under the Bill; • *Alleged offender information* (excluding the person's name) could not be published without the police commissioner's authorisation given under the *Police Service Administration Act 1990;* • Circumstances in which the offence does not apply are contained in the amendments. However, the offence only relates to the disclosure of an alleged offender's name, therefore, other *alleged offender information* remains unable to be disclosed; • The Bill may potentially leave open proceedings against AME for a breach of a statutory duty or	DoJ notes the matters that are raised in the submission. As the Explanatory Notes provide, the objective of the amendments is to facilitate and provide a legislative basis for longstanding practices in which information is disclosed to enable media representatives to identify when a court proceeding is to be held. In that context, consideration will be given to the matters raised in the submission.

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	negligence because a statutory duty to refrain from doing something is imposed upon an AME; • The restraint on an accredited media entity disclosing the charges, details of the court proceedings and file numbers does not lapse since the provisions which permit disclosure for particular purposes only apply to the name of the alleged offender; • A journalist to whom alleged offender information is disclosed under the amendments cannot provide another journalist details such as the date, time, courtroom or QP numbers for a particular matter; • The phrase "lawfully accessible to the public in connection with the offence" is not defined which exposes journalists to unnecessary risk; • The use of "lawfully accessible" is higher than "publicly available" which is a standard used in section 10.2 of the PSAA; • Journalists will seek alternative sources of information. • Specific issues focussed on clauses 60, 94, 95 and 145 include: • That the release under the Courts Act creates a discretion to a Registrar to release information; • Despite the amendments providing a basis to release a law list to media, there is no mention of a law list in the amendments; • There is no reference to a registrar having to provide information in respect of alleged offenders that they have not inquired about;	

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	• The Bill is expressed in the singular which does not allow the disclosure of a list of alleged offenders. • The submission attaches suggested amendment to the Bill which the submitter considers would better achieve the outcomes sought by Government.	
Disclosure to Accredited Media Entities (AME) (clauses 60, 94, 95, 104-108 and 145)	**8 – Gladstone Region Autistic & Neurodivergent Network Inc** • The submission suggests the following amendments: imposing a duty to issue a correction, maintaining a correction log, and providing notice to an affected person and a correction pathway. • The submission suggests a safeguarding package across all of the amendments which would include additional amendments to provide for disclosure and decision registers, retention limits and mandatory destruction, disability-accessible process standards, annual reporting, an independent post-implementation review and sunset clauses. • Four questions are raised in the submission: 1. Recipient class control: who defines "accredited media entity", how is version control managed, and what review and appeal rights exist? 2. Trigger control: what criteria govern the QPS media-release trigger, and what review exists for premature or wrong releases? 3. Correction architecture: who must issue updates, within what time, to which exact recipients, and what logging and audit proves propagation?	Noted. . As the Explanatory Notes provide, the objective of the amendments is to facilitate and provide a legislative basis for longstanding practices in which information is disclosed to enable media representatives to identify when a court proceeding is to be held. The matters identified in the submission are not part of the existing practices. In response to the question asked in the submission: 1. 'Accredited media entity' is defined in the relevant amendments. The definition applies the Supreme Court's media accreditation policy which applies across the Supreme, District and Magistrates Courts in Queensland. The policy is appended to Supreme Court Practice Direction 8 of 2014 (AMENDED). The policy outlines the process in which media representatives may become accredited. The policy is administered by the Supreme Court. 2. The QPS may release a media statement under 5.6.11 of the QPS Management Support Manual (MSM) The MSM is publicly available (Management-Support-Manual.pdf). While the MSM provides additional detail about the

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	4. Bulk harvesting controls: what prevents automation and cross-linking (including via QPS reference numbers)?	processes involved, the MSM permits the release of facts to the media relating to occurrences of public interest provided the release: (1) does not unnecessarily disclose the personal particulars of any person involved; (2) does not interfere with the proper administration of justice; (3) is not likely to unduly interfere with the efficient and effective discharge of law enforcement duties; and, (4) is not in contravention of any statute. 3. Correction architecture is not included in the amendments. The amendments provide for the release of *alleged offender information*. That phrase is defined which limits the information able to be released to factual matters related to the alleged offender. 4. The amendments provide that an AME may use the alleged offender information only to the extent necessary to enable the entity to attend a court proceeding relating to the offence.
Stock offence framework (clauses 36, 39, and 42 to 53)	**8 – Gladstone Region Autistic & Neurodivergent Network Inc** The submitter raised concerns that increasing minimum fines shifts error costs onto people least able to pay and increases default rates and exposure to SPER enforcement. The submitter posed three committee questions: 1. Deterrence vs debt: what evidence shows higher minimums reduce offending? 2. Safeguards: what non-discretionary hardship pathways exist, with strict decision timeframes, before enforcement escalates?	The Explanatory Notes for the Bill acknowledge that the increased prescribed fine amounts may disproportionately impact some persons or groups who may find it more challenging to pay a fine due to financial reasons. However, they also note that imposing a fine is not mandatory; the court has discretion to determine an appropriate sentence for each offender considering all of the relevant circumstances. In relation to the submitter's comments regarding deterrence, DoJ notes that deterrence is not the sole purpose of sentencing, a sentence may also be imposed

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	3. Telemetry: will Government publish default, enforcement, imprisonment rates and disproportionality indicators? The submitter suggested three amendments to the Bill: 1. Automatic pause on enforcement escalation once hardship requested. 2. Disability-accessible hardship pathway with strict timeframes and reasons. 3. Mandatory reporting of defaults, enforcement actions, and fine-default imprisonment.	for punishment, denunciation, rehabilitation, protection of the community, or recognition of harm to a victim. The submitter's suggested changes to the state penalties enforcement framework regarding hardship pathways, enforcement escalation, and mandatory reporting are outside the scope of the Bill.
District Court civil monetary limit (clauses 62 to 63)	**4 – Australian Lawyers Alliance** The submitter does not support the proposed increase to the monetary limit unless it is accompanied by reforms to the costs recovery framework and a commitment to provide additional judicial and administrative resources for the District Court. This includes the appointment of further judges and investment in court infrastructure. The submitter cautions that increasing the monetary limit without making corresponding changes to the Scale of Costs and relevant Practice Directions for the District Court will lead to an increase in the number of high-value, complex cases being governed by a costs regime that fails to cover the actual expenses involved. The submitter states this could leave successful litigants with greater unrecovered legal costs, discourage individuals from pursuing legitimate claims due to financial risks, and worsen existing court delays, especially in complex personal injury matters. **15 – Queensland Law Society** The submitter expressed broad support for increasing the monetary limit. However, it was noted that additional judicial, registry, and administrative resources will likely be required to manage the increased workload effectively, particularly in	The relevant amendments will commence on 1 January 2027 to ensure that implementation activities for the District Court can be carried out before commencement. In relation to the concerns regarding the District Court's Scale of Costs, it is noted that the Scale of Costs was last updated on 1 July 2024 to align with the scales of costs in the Federal courts based on movements in the consumer price index and wage price index since 1 July 2023. Consideration will be given to reviewing the Scale of Costs and any relevant Practice Directions (regarding, for example, the calculation of general care and conduct uplift) during implementation, in consultation with the Rules Committee and relevant Heads of Jurisdiction, to assess the need for updates or amendments. High-level court data modelling indicates that the increased jurisdictional monetary limit of the District Court will shift approximately 440 cases per year from the Supreme Court to the District Court. This number is based on the average number of claims in the Supreme Court over the past three financial years however, due to

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	regional areas. The submitter also recommended a comprehensive review of the Scale of Costs, including calculation of the general care and conduct uplift, noting that successful litigants may face higher unrecoverable legal costs. Further, the submitter called for: • increased legal assistance resources to support parties, particularly self-represented litigants; and • the prompt development of a new elodgement civil case management system for both the Supreme and District Courts to ensure individuals currently benefiting from the online lodgement system in the Brisbane Supreme Court do not experience delays or reduced efficiency in the District Court.	limitations of the available data, this figure may be understated. While the shift in matters will increase the caseload of the District Court and in turn create additional operational pressures, this increase in demand on the District Court will be met within existing resources at this time. Impacts will be monitored over the longer term. Further, DoJ is progressing work to facilitate electronic filing (eLodegment) capabilities for all court users across Supreme, District and Land Court civil jurisdictions. This work is a key component of the Supreme, District and Land Courts Civil Case Management Project under which civil matters will transition to a single, modern civil case management system. It is anticipated that eLodgment will be extended to the District Court by September 2026.
Coroners Act (Clause 33)	**2 – The Red Rose Foundation** The submitter supports the proposed amendment to make any coroner eligible for appointment as Chairperson of the Domestic and Family Violence Death Review and Advisory Board (the Board). The submitter suggests expanding eligibility further to include other suitably qualified judicial officers. The submitter makes other recommendations for strengthening the Board and its death review framework to: • Enable family participation in the death review process including dedicated specialist domestic and family violence support service; • Strengthen the membership framework by expanding representation to include specialist domestic and family	DoJ acknowledges the submitter's support for the amendment to expand the eligibility of the chairperson of the Board to an appropriately qualified coroner. A judicial officer who is currently an appropriately qualified coroner is considered to be the most appropriate option for the role of Chairperson due to the knowledge and expertise of coroners in relation to death investigation processes. The purpose of the Board is to identify systemic failures, gaps or issues and make recommendations to improve systems, practices and procedures to prevent or reduce the likelihood of domestic and family violence deaths. In reviewing DFV-related deaths, the role of the Board is not to investigate the circumstances of an individual death, but to identify systemic issues. Individual reportable deaths are still investigated by a coroner who will make findings surrounding the

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	violence practitioners, First Nations representatives, individuals with lived experience of domestic violence related deaths, and organisations with expertise in domestic violence fatality review and prevention.; and • Support the timely completion of death reviews.	circumstances of the particular death. Family members are supported through the investigative process which is separate to the reviews conducted by the Board. The Board comprises representatives of government and non-government organisations with specialist experience, qualifications and expertise. The Coroners Act provides that when appointing members, the Minister must ensure: • the membership reflects the diversity of the Queensland community and includes at least one member who is an Aboriginal or Torres Strait Islander; and • that members have experience, knowledge or skills relevant to the Board's functions, for example, experience knowledge or skills in relation to domestic and family violence, the justice system and health. The Board also engages experts to conduct research and provide expert reports to help the Board perform its functions.
Coroners Act (Clauses 20 to 35)	**7 – Queensland Nurses and Midwives' Union** Overall, the submitter supports the proposed amendments, including to: • clarify that the State Coroner can delegate functions to Registrars and appropriately qualified Deputy Registrars; • make any coroner eligible for appointment as Chairperson of the Domestic and Family Violence Death Review and Advisory Board;	DoJ acknowledges the submitter's support for key amendments in the Bill. The submitter's comments on the underlying causes of the overrepresentation of Aboriginal and Torres Strait Islander people in custody are noted but ultimately outside the scope of the Bill.

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	• clarify a coroner's ability to state that they have made a referral of information in their findings or comments; and • expand the reportable deaths framework. The submitter supports in principle the amendments to allow any coroner to investigate and conduct mandatory inquests into deaths in custody from natural causes to alleviate pressure on the coronial system. The submitter notes that consideration must be given to addressing underlying causes and systemic issues that contribute to disproportionate representation of Aboriginal and Torres Strait Islander people in custody.	
Coroners Act (Clause 24 and 31)	**8 – Gladstone Region Autistic & Neurodivergent Network Inc.** The submitter raises general concerns about safeguards relating to the amendments to clarify that the State Coroner can delegate functions to registrars and appropriately qualified deputy registrars, and the amendments allowing any coroner to investigate and conduct mandatory inquests into deaths in custody from natural causes. The submitter raises questions relating to safeguards, families' review rights, and reporting on coronial services generally.	DoJ notes the submitter's concern about ensuring appropriate safeguards for the amendments. All coroners are appointed Magistrates and have extensive legal experience. Coroners will conduct investigations and inquests with a high level of scrutiny and in accordance with the Coroners Act and the State Coroner Guidelines. Furthermore, the State Coroner retains oversight over all coronial investigations and inquests into deaths in custody. The State Coroner has oversight over delegations to ensure only appropriate functions are delegated. The amendments to delegate functions relating to non-complex matters are to allow matters to be resolved expeditiously, to provide more timely answers and give comfort to bereaved family members. The Bill specifies functions that the State Coroner cannot delegate, including functions relating to coronial inquests and investigations into deaths in custody, deaths in the

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		course of or as a result of police operations, and mining related reportable deaths. The new section 86 provides that the delegation must be to a registrar or an *appropriately qualified* deputy registrar, which as per the *Acts Interpretation Act 1954* Schedule 1 definition means that they must have the qualifications, experience or standing appropriate to perform the function or exercise the power. The State Coroner provides the Attorney General with an annual report about the operations of the Coroners Court of Queensland in accordance with section 77 of the Coroners Act, which includes a summary of each death in custody investigation finalised during the reporting period.
Coroners Act (Clause 20)	**11 – Queensland Coronial Legal Service** The submitter is generally supportive of the proposed amendments. The submitter raises concerns about the amendments to allow any coroner to investigate and conduct mandatory inquests into deaths in custody from natural causes and recommends that the status quo be maintained. The submitter states that: • Deaths that are medically described as natural frequently involve complex and significant questions and may involve issues of public importance; • Deaths in custody engage the State's fundamental obligation to protect the right to life under section 16 of the *Human Rights Act 2019* (Qld), including ensuring they are subject to effective, independent and rigorous investigation. This requires an investigation of the systems responsible for the person's care; and	All deaths in custody or deaths that happen in the course of, or as a result of, police operations will continue to be subject to a mandatory coronial inquest (section 27). All coroners are appointed Magistrates and have extensive legal experience. Coroners conduct investigations and inquests with a high level of scrutiny, and in accordance with the Coroners Act and the State Coroner's Guidelines. Additionally, the State Coroner has oversight over all coronial investigations and inquests into deaths in custody, and for reporting on all deaths in custody in the Annual Report. The amendment does not limit the ability of the State Coroner or a Deputy State Coroner to investigate a death in custody by any cause. Section 63 of the Coroners Act provides the State Coroner with the power

Issue and relevant clauses	Submission and key points	DoJ response
	• Specialist oversight by the State Coroner or Deputy State Coroner is critical to provide a consistent expert and approach. The submitter highlighted a case study of a natural cause death in custody to demonstrate that deaths characterised as "natural" may nonetheless raise serious questions of public importance and State accountability.	to transfer an investigation to another coroner, including to the State Coroner. The amendment in the Bill is also consistent with most other jurisdictions.
Enforcement warrants containing charging orders and stop orders (clauses 17 to 18 and clauses 146 to 148)	**8 – Gladstone Region Autistic & Neurodivergent Network Inc** The submitter is concerned that making civil enforcement faster and stricter without proper safeguards can lead to unfair outcomes. The submitter notes that if it is easier to enforce penalties or seize property than to correct mistakes, the system can unfairly cause housing instability and financial harm, especially for vulnerable or self-represented individuals. The submitter suggests introducing plain-English, disability-accessible notice standards with minimum response times; mandatory hardship and property safeguards; immediate pause and correction mechanisms; and mandatory reporting on volumes and outcomes of errors.	The purpose of the amendments is to allow the District and Magistrates Courts to issue enforcement warrants containing charging orders and stop orders, consistent with the powers given to the Supreme Court. The amendments will ensure that a person seeking an enforcement warrant for a charging order or a stop order is not put to the cost of applying to a higher level of court than is necessary. The amendments do not otherwise facilitate easier enforcement of penalties or the seizure of property, and therefore, no additional safeguards are necessary.
Enforcement warrants containing charging orders and stop orders (clauses 17 to 18 and clauses 146 to 148)	**15 – Queensland Law Society** The submitter expressed broad support for the simplified enforcement warrant process for the District and Magistrates Courts.	Noted.
***Integrity Act* - Oral advice provided by the Integrity Commissioner**	**8 – Gladstone Region Autistic & Neurodivergent Network Inc** The submitter raised concerns that the amendments relating to oral dealings 'expand low-visibility oversight pathways	The amendments will enable the Integrity Commissioner to give oral advice on ethics and integrity issues in response to an oral request.

Issue and relevant clauses	Submission and key points	DoJ response
(clauses 78 to 82)	where accountability commonly fails'. The submitter also noted that oral channels create a 'record after the fact' risk as the decision-maker controls what is written down. The submitter posed the following question to the committee: • Oral integrity dealings: is there a same-day record duty, minimum content standard, and an access/correction right for the person affected? The submitter suggested the following amendments to the Bill: • Same-day written records, a minimum content standard and access rights; • Annual reporting (aggregate) of oral volumes and audit results.	Appropriate safeguards will apply to oral requests made and oral advice given, including that the Integrity Commissioner: • must make a written record of any oral request for advice or oral advice given; and • may decide to defer consideration of an oral request for advice until the advisee makes the request in writing. The Integrity Commissioner must continue to provide written advice in response to written requests for advice, ensuring that the existing framework for written requests is preserved. To preserve the confidentiality of the ethics or integrity advice, the amendments ensure that any written documents made by the Integrity Commissioner, such as file notes relating to an oral request received or oral advice provided, are exempted from disclosure under the *Right to Information Act 2009* and subject to secrecy protections and certain immunities under the *Integrity Act 2009*.
***Integrity Act* - Oral advice provided by the Integrity Commissioner** (clauses 78 to 82)	**15 – Queensland Law Society** The Bill amends the *Integrity Act 2009* to allow a designated person to obtain the Integrity Commissioner's advice verbally, rather than making a formal written request for advice. The Society broadly supports this reform to encourage people to seek advice. We recommend, however, that appropriate guidance be developed so that the circumstances in which verbal advice on ethics and integrity issues are made and given align with the policy intent outlined in the explanatory notes, that is, that such requests are intended for minor or non-complex matters.	As acknowledged in the Explanatory Notes for the Bill, the provision of oral advice is intended for minor matters where the provision of oral advice would be appropriate in the circumstances. The amendments to the *Integrity Act 2009* include a number of safeguards where: • an oral request is made, such as that the Integrity Commissioner may defer consideration of the request until it is made in writing and the oral request must be recorded in writing;

Issue and relevant clauses	Submission and key points	DoJ response
		• oral advice is provided, such as that the oral advice must only be provided where the Integrity Commissioner considers it appropriate to do so and any oral advice must be recorded in writing. Decisions as to whether any additional guidance is required is a matter for the Integrity Commissioner.
***Integrity Act* - Oral advice provided by the Integrity Commissioner** (clauses 78 to 82)	**16 – Queensland Integrity Commissioner** The submitter notes appropriate delegation of certain functions and powers under the *Financial Accountability Act 2009* and the *Statutory Bodies Financial Arrangements Act 1982* is critical for the efficient administration and management of the Office of the Queensland Integrity Commissioner and is consistent with delegation powers ordinarily given to Chief Executives of statutory bodies. The submitter also notes permitting Designated Persons to seek advice orally will allow expedient provision of ethics and integrity advice on straightforward and low risk matters. The statutory obligation upon a Designated Person to provide all relevant information continues to apply irrespective of how the request is made, and the Integrity Commissioner is required to maintain a written record of each verbal advice provided. The submitter notes that if the Integrity Commissioner considers an advice request should be made in writing (e.g. it is complex, involves many facts), the Integrity Commissioner can decide to defer considering the request until it is made in writing. The submitter supports both proposed amendments to the Act.	DoJ notes the Integrity Commissioner's support for the proposed amendments to the *Integrity Act 2009*.

Issue and relevant clauses	Submission and key points	DoJ response
***Ombudsman Act* - Public statements (clause 98)**	**8 – Gladstone Region Autistic & Neurodivergent Network Inc** The submitter described the amendment as being 'a limited power to make statements after an investigation where identifying information is already public' and raised concerns that 'public domain' statement triggers can 'ratchet: once information is public (including by leak), official amplification becomes easier than correction.' The submitter posed the following question to the committee: • Public statements: what statutory balancing test applies, and what is the correction duty if a statement is wrong or misleading? The submitter suggested the following amendments to the Bill: • Public statements: what statutory balancing test applies, and what is the correction duty if a statement is wrong or misleading? • Statutory correction duty for public statements/records with equivalent visibility. • Annual reporting (aggregate): corrections, and audit results.	The amendment does not create a new limited power to make public statements. The amendment clarifies that section 92 (Secrecy) of the *Ombudsman Act 2001* does not prohibit a person or an agency from making a public statement about an administrative action or an investigation if the Queensland Ombudsman has concluded its investigation and the information identifying the investigation or administrative action is already in the public domain. In these circumstances, a statement can be made to the extent the statement confirms the way in which the investigation concluded or corrects public misinformation about the investigation or administrative action. The amendment does not change the existing operation of section 92 which is that a person or an agency is prohibited from disclosing information that they obtained in a preliminary inquiry, investigation or because of the Queensland Ombudsman exercising another function.
Correct 'Casino Acts' definition (clauses 10 to 12)	**8 – Gladstone Region Autistic & Neurodivergent Network Inc** The submitter raised concerns that retrospective validation removes a ground of challenge and can narrow or extinguish remedies. Further, that Parliament cannot audit who loses what without a defect/consequence map. The submitter posed three questions to the Committee:	The amendment to insert the *Queen's Wharf Brisbane Act 2016* (Queen's Wharf Brisbane Act) into the definition of 'Casino Acts' corrects a technical omission. The definition should have been updated as a consequential amendment arising from the commencement of the Queen's Wharf Brisbane Act, however was inadvertently overlooked. Correcting the definition does not represent a policy change.

Issue and relevant clauses	Submission and key points	DoJ response
	1. Defect map: what defect is cured, which decisions are validated, and what consequences/remedies are displaced? 2. Affected class: who is affected, and how would they know? 3. Narrowness: why is this the narrowest possible scope and period? The submitter suggested the following amendments: • Validation schedule (defect cured, period, affected class, remedies displaced). • Preserve substitute remedies/compensation where validation causes loss. • Post-commencement statement to Parliament confirming operation and impacts.	Retrospective clarification that the conduct of two-up under Part 8A of the *Charitable and Non-Profit Gaming Act 1999* is lawful, notwithstanding the exclusivity provisions of the Queen's Wharf Brisbane Act, and express validation for permissions and approvals given, is necessary to legitimise Returned and Services Leagues (RSLs), Services Clubs or persons approved by an RSL sub-branch that had in good faith conducted two-up within the geographical exclusivity zone of the Queen's Wharf Brisbane Casino in the period from the beginning of 27 May 2016 to the commencement of the Bill. The proposed retrospective commencement date of 27 May 2016 is justified as it reflects the date on which the amendment would have taken effect had the definition of 'Casino Acts' been correctly updated upon the commencement of the substantive provisions of the Queen's Wharf Brisbane Act.
Security Providers Act (licence renewals) (clause 140)	**8 – Gladstone Region Autistic & Neurodivergent Network Inc** The submitter appears to have concerns that amendments to the *Security Providers Act 1993* (Security Providers Act) retrospectively validate previous actions of the chief executive regarding licence renewal applications.	The amendments to the Security Providers Act aim to clarify the existing policy and legislative intention that applications for renewal of a security providers licence must be made in the approved form and accompanied by the prescribed fee. Transitional, declaratory, and validating provisions contained in clause 140 of the Bill provide administrative certainty by making it clear that the requirements applied to historic licence renewal applications (more specifically, renewal applications made in the *relevant period*, prior to commencement of the amendments in the Bill).

Issue and relevant clauses	Submission and key points	DoJ response
		In addition, the transitional, declaratory, and validating provisions enable the chief executive to use the process set out in amended section 20 of the Security Providers Act to provide a licensee who has made a deficient renewal application prior to commencement (and which has not been decided before commencement) with an opportunity and process to rectify their application. The submitter's comments regarding the potential of retrospective, validating provisions to extinguish remedies are noted. However, given the policy and legislative intention, both in the past and present, is that licence renewal applications are required to be made in the approved form and accompanied by the prescribed fee, the extinguishment of any potential remedies that might be available to security provider licensees is justified on the basis that the amendments provide administrative certainty about the intended operation of the provisions for licensees and the Office of Fair Trading (as the licensing authority).

Issue and relevant clauses	Submission and key points	DoJ response
***Right to Information Act* – vexatious applicant declaration framework** (clauses 114 and 115)	**8 – Gladstone Region Autistic & Neurodivergent Network Inc** The submitter raised concerns that 'expanding vexatious machinery and categorical exclusions increases the State's capacity to suppress scrutiny while reducing contestability', that 'persistence (often caused by agency delay and refusal, and disability barriers) can be reframed as applicant misconduct' and 'exclusions remove categories from the scheme entirely (stronger than exemptions)'. The submitter posed three questions to the Committee: 1. Quantified problem: what is the evidence base for the expansion (volumes, costs, harms)? 2. Safeguards: must the decision-maker consider agency-conduct causation and disability and access barriers before restricting? 3. Oversight: what independent audit and annual reporting applies to excluded document use and outcomes? The submitter suggested the following amendments: • Agency-conduct causation safeguard + disability-accessible assistance duties. • Least-restrictive restriction requirement (time-limited, scope-limited) with reasons and review. • Independent audit + annual reporting, with sunset discipline for high-risk exclusions.	Before 1 July 2025, the Information Commissioner could consider applications under the *Information Privacy Act 2009* in deciding whether to make a vexatious applicant declaration under that Act. Following the commencement of the *Information Privacy and Other Legislation Amendment Act 2023*, the access to information pathway was removed from the Information Privacy Act to allow a single right of access to information through the *Right to Information Act 2009*. However, these reforms led to a technical change where previous access or amendment requests made under the Information Privacy Act can no longer be considered by the Information Commissioner when determining whether to make a vexatious applicant declaration under the *Right to Information Act 2009*. The Bill amends the *Right to Information Act 2009* to enable the Information Commissioner, when deciding whether to make a vexatious applicant declaration, to consider any 'access or amendment actions' previously made under the IP Act.

Issue and relevant clauses	Submission and key points	DoJ response
***Information Privacy Act* – privacy complaint** (clause 74)	**8 – Gladstone Region Autistic & Neurodivergent Network Inc** The submitter raised concerns that the Bill expands 'excluded entity document' categories such that if 'personal information is moved into an excluded class, the State can keep using it while correction rights become weaker or impractical'. The submitter posed the following questions to the Committee: 1. Exact carve-out: word-for-word, what new entity/document classes are excluded, and are they defined by entity, purpose, or scheme participation? 2. Accuracy reality: what enforceable correction right remains for excluded-class information, and is there a duty to notify downstream recipients/systems? 3. Governance: what purpose limits, retention and destruction duties, access logging, and independent audit and reporting apply to excluded-class use? The submitter suggested the following amendments: • Preserve an enforceable accuracy correction right (reasons + review) even for excluded classes. • Propagation duty: corrected information must be pushed to downstream systems and recipients. • Mandatory reporting: excluded-class use volumes and categories, correction outcomes, and access logging and audit compliance.	The Bill does not expand the categories of documents excluded from the *Information Privacy Act 2009.* The Bill amends section 164(2)(a) of the Information Privacy Act (in the context of the meaning of 'privacy complaint') to clarify the term 'in a document to which the Act does not apply' which is not currently a defined term. The Bill replaces this term with words already in use elsewhere in the Information Privacy Act to confirm that a privacy complaint does not include a complaint about personal information in a document held by an entity which is not subject to the Act, or in a document to which the privacy principle requirements of the Information Privacy Act do not apply.

Issue and relevant clauses	Submission and key points	DoJ response
***Public Records Act* – definition of 'chief executive'** (clause 112)	**8 – Gladstone Region Autistic & Neurodivergent Network Inc** The submitter raised concerns the amendments to the *Public Records Act* 'removes a governance-level accountability hook for recordkeeping'. The submitter also raised concerns that shifting accountability downwards weakens the ability for record-keeping, and that in disputes the State can rely on an absence of documentation. The submitter posed the following questions to the Committee: 1. Necessity: what concrete problem is being solved by removing chair accountability, and what evidence shows it will not increase missing-record outcomes? 2. Hard standards: what mandatory record-creation rules apply to high-risk decisions (disclosure, enforcement, exclusion, review), and who is personally accountable for compliance? 3. Remedy protection: what is the statutory reconstruction + notification duty when a required record cannot be located, with strict timeframes? The submitter suggested the following amendments: • Preserve a non-delegable governance duty for recordkeeping compliance. • Reconstruction + notification duty when records are missing (steps + timeframes + reasons). • Independent audit + annual reporting on missing-record incidents, root causes, and remediation.	The Bill does not reduce or replace governance duties or accountability for the management of public records. The amendments merely clarify which officer is responsible for compliance with requirements prescribed in the *Public Records Act 2023*. The amendment to the Public Records Act supports the responsibility for the management of public records to be placed with the chief executive of the public authority or the person with day-to-day responsibility for the management of public records.

Issue and relevant clauses	Submission and key points	DoJ response
Evidence Act 1977 (clause 65)	**3 – Legal Aid Queensland** The submitter notes this amendment relates to section 103ZI of the *Evidence Act 1977*. The submitter requests that Parliament use this opportunity to reconsider the provision more generally, with a view to removing certain timing requirements. The submitter contends that the timing requirements in the provision related to the filing and serving of applications to cross-examine a complainant are impractical, and fail to account for practices in regional and circuit locations and may compromise the defendant's right to silence by requiring premature disclosure of their case. As an alternative to their primary suggestion to remove the requirements, the submitter proposes amending the provision to allow courts the discretion to set appropriate timelines, such as by Practice Direction. Finally, the submitter suggests that if these suggested amendments are not made, the operation of the section should be reviewed further.	DoJ notes the submitter's feedback regarding the practicality of the original policy underpinning this provision, which was to establish a fixed timeframe for filing and serving applications for leave under the *Evidence Act 1977.* The amendment in the Bill is specifically intended to resolve the ambiguity associated with the anomalous use of the term '*special hearing'* within the current provision. The amendment achieves this through a redrafted provision that adopts the defined term "*relevant recorded evidence*". Revising the policy associated with this provision at a more fundamental level is outside the scope of the Bill.
Other matters	**8 – Gladstone Region Autistic & Neurodivergent Network Inc** The submitter is concerned that grouping multiple amendments into an omnibus Bill limits legislative scrutiny. The submitter recommends progressing the amendments as separate Bills or, if this is not done, conducting separate hearings, findings, recommendations, and human rights analyses to ensure thorough scrutiny.	DoJ notes that the amendments identified for inclusion in the Bill are a matter for Government. The Bill is designed to address multiple issues within the justice portfolio, enabling a streamlined approach to reform. While the Bill presents the amendments in a unified package, the Committee retains the ability to scrutinise the individual amendments thoroughly and make separate findings and recommendations as necessary.