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JUSTICE, INTEGRITY AND COMMUNITY SAFETY COMMITTEE

Members present:

Mr MA Hunt MP—Chair
Mr RD Field MP
Ms ND Marr MP
Ms MF McMahon MP
Hon. MC de Brenni MP

Staff present:

Ms F Denny—Committee Secretary
Miss A Bonenfant—Assistant Committee Secretary

PUBLIC BRIEFING—INQUIRY INTO THE JUSTICE AND OTHER LEGISLATION AMENDMENT BILL 2026

TRANSCRIPT OF PROCEEDINGS

Wednesday, 8 April 2026

Brisbane

WEDNESDAY, 8 APRIL 2026

The committee met at 10.30 am.

CHAIR: Good morning. I declare open this public briefing for the committee's inquiry into the Justice and Other Legislation Amendment Bill 2026. My name is Marty Hunt MP. I am the member for Nicklin and chair of the committee. I would like to respectfully acknowledge the traditional custodians of the land on which we meet today. With me here today are: Natalie Marr MP, the member for Thuringowa; Russell Field MP, the member for Capalaba; Melissa McMahon MP, the member for Macalister; and the Hon. Mick de Brenni MP, the member for Springwood, who is substituting for Peter Russo MP, the member for Toohey.

This briefing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee is a serious offence. I also remind members of the public that they may be excluded from the briefing at the discretion of the committee. I remind committee members that staff are here to provide factual or technical information. Any questions seeking an opinion about policy should be directed to the minister or left to debate on the floor of the House.

These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and the chair's direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. Please turn mobile phones off or to silent mode. I welcome representatives from the Department of Justice who have been invited to brief the committee on the bill. Please remember to press your microphones on before you start speaking and off when you are finished.

BOURKE, Mr Gregory, Executive Director, Strategic Policy and Legislation, Department of Justice

IMPSON, Mr Jamie, Acting Director, Strategic Policy and Legislation, Department of Justice

KRAA, Mr Leighton, Director, Strategic Policy and Legislation, Department of Justice

LINNAN, Ms Tara, Acting Director, Strategic Policy and Legislation, Department of Justice

McKARZEL, Mr David, Assistant Director-General, Regulatory Policy and Legislation, Department of Justice

O'MAY, Mr Justin, Director, Justice Policy and Reform, Department of Justice

REARDON, Mr David, Director, Regulatory Policy and Legislation, Department of Justice

ROBERTSON, Mrs Leanne, Assistant Director-General, Strategic Policy and Legislation, Department of Justice

STRUBER, Ms Trudy, Principal Legal Officer, Strategic Policy and Legislation, Department of Justice

CHAIR: I invite you to make an opening statement to the committee before we go to questions.

Mrs Robertson: Thank you for the opportunity to brief the committee today about the Justice and Other Legislation Amendment Bill 2026. I would like to begin my statement by also acknowledging the traditional custodians of the land on which we are meeting and to pay my respect to elders past, present and emerging.

The bill introduces a range of amendments to justice portfolio legislation to enhance community safety, ensure the efficient administration of justice, improve legal certainty and repeal outdated legislation. Key amendments in the bill include: deterring metal theft and disrupting the sale and disposal of stolen metal as scrap; creating greater coronial efficiencies; strengthening the stock offence framework; increasing the monetary limit of the District Court civil jurisdiction; and facilitating existing practices in which information is disclosed to enable media representatives to determine when a court proceeding is held.

Other reforms in the bill include: streamlining court procedures regarding enforcement warrants containing charging and stop orders; clarifying the application timelines for leave to cross-examine a complainant or admit evidence about their sexual activities; supporting the effective management of privacy complaints under the Information Privacy Act 2009; supporting more effective delivery of the Integrity Commissioner's core functions; allowing retired judicial officers to serve as acting members of the Land Court; clarifying the requirement for when reserve judges must take or make the oath or affirmation of allegiance and of office; supporting collaboration between the Queensland Ombudsman and the National Student Ombudsman; clarifying public record management responsibilities; clarifying the framework for vexatious applicant declarations and cybersecurity information sharing under the Right to Information Act 2009; ensuring licensing processes under the Security Providers Act 1993 remain clear; clarifying that the state may continue to permit two-up by an RSL or other relevant party for commemorative purposes on Anzac Day despite two-up exclusivities granted to any casino, reflecting government policy which has been in place since 2012; and making a range of technical corrections to various acts.

I note that the department has already provided the committee with a detailed written briefing dealing with all amendments in the bill as well as a response to stakeholder submissions. With the committee's permission, I would like to provide more detailed information on some of the key amendments.

Amendments in the first part the bill introduce changes to the Criminal Code and the Second-hand Dealers and Pawnbrokers Act 2003 to disrupt the theft, sale and disposal of stolen metal as scrap metal. The bill amends the Criminal Code to increase penalties for key offences often associated with metal theft including stealing, wilful damage and receiving tainted property. It also introduces two new offences: attempted metal theft and unlawful possession of metal reasonably suspected of being stolen. The penalties in this bill are designed to reflect the seriousness of the behaviour, particularly the impacts of metal theft in places like sporting and community facilities, agricultural properties, construction sites and public infrastructure. The highest maximum penalty, 25 years imprisonment, applies to cases of stealing or wilful damage where life or health is endangered or where the offence occurs during or in the lead-up to a natural disaster. The bill also increases penalties for receiving tainted property that is a valuable metal item to 20 years imprisonment, targeting pawnbrokers or second-hand dealers who knowingly trade in stolen goods, or 16 years otherwise.

Notably, the suite of amendments to the Criminal Code also address theft targeting telecommunications cables even when they do not contain metal, setting a maximum penalty of 14 years imprisonment where the offence results in a disruption to critical services. The bill clarifies and confirms that the second-hand dealers act applies to persons carrying on a business of dealing in second-hand scrap metal by inserting a definition of scrap metal into the second-hand dealers act. The bill also increases the penalty for unlicensed dealing in second-hand property that is scrap metal from 200 penalty units to 400 penalty units or two years imprisonment. Also, the bill introduces an escalating penalty that will be applicable if a second-hand dealer repeatedly fails to report suspected stolen scrap metal to police as required by the second-hand dealers act.

In addition, the bill strengthens identity verification requirements under the second-hand dealers act to increase transparency and traceability of the sources of scrap metal. More specifically, second-hand dealers will need to use photographic identification such as a driver's licence to verify the identity of a person from whom the second-hand dealer is buying or otherwise acquiring scrap metal.

The bill also contains amendments to the Coroners Act to create greater efficiencies and clarify coronial operations. The amendments will ease the pressure on the coronial system, streamline the application of resources and support the Coroners Court to provide bereaved family members with answers and closure in a timely way. The amendments will: clarify which functions the State Coroner

can and cannot delegate to registrars and deputy registrars; allow any coroner to investigate and conduct mandatory inquests into deaths from natural causes that occur in custody or a police opposition; allow the appointment of any coroner with appropriate experience and knowledge as chairperson of the Domestic and Family Violence Death Review and Advisory Board; make it clear that a coroner may note in their comments or findings if they have given information to an investigative entity or professional oversight body; remove an example of an unnatural death that has caused confusion; and expand the reportable deaths framework to include as a death in care the deaths of people with disability in Queensland who receive disability supports under the Australian government's Disability Support for Older Australians Program.

Another key aspect of the bill are the amendments to the stock offence framework under the Criminal Code. Primary producers play an important role in the Queensland community, and offences involving stock can result in significant losses for primary producers. The bill therefore increases the minimum financial penalties for stock related offences such as stealing and illegally branding stock animals to reflect the seriousness of this offending. The bill also amends the stock offence framework to improve procedural requirements for enforcing these offences.

The bill also amends the District Court of Queensland Act to increase the monetary limit of the District Court's civil jurisdiction from \$750,000 to \$1.5 million. This increase will broadly align the District Court's monetary limit with that of equivalent courts in other states and territories and address inflationary pressures, given the monetary limit has remained unchanged for 15 years. These amendments will commence 1 January 2027 to ensure that implementation activities can be carried out before that new monetary limit comes into effect.

I note that submissions to the committee raised the need for further consideration of the scale of costs and relevant practice directions dealing with costs to ensure that successful litigants do not face higher unrecoverable legal costs as a result of their matters now being heard in the District Court instead of the Supreme Court once the amendments commence. Should the bill be passed, consideration will be given to reviewing the scale of costs and relevant practice directions in consultation with the rules committee and relevant heads of court jurisdiction to assess the need for updates for amendments to these.

Finally, the bill also amends the Police Service Administration Act 1990, the Supreme Court of Queensland Act 1991, the District Court of Queensland Act and the Magistrates Courts Act to provide legislation for two current practices that provide media with information about court proceedings. Those two practices are: firstly, the release of information to the media where the Queensland Police Service makes a media release; secondly, the release of a detailed law list to media outlets. The amendments to the Police Service Administration Act will provide a requirement that the Queensland Police Service disclose information about an alleged offender's appearance in court when the Queensland Police Service has released a media statement in relation to the occurrence for the purposes of enabling media representatives to attend the proceeding. That is the first practice.

Currently, information is released on a discretionary basis and subject to conditions which limit the use of the information to enabling a journalist to attend court. These amendments will generally require that the information be disclosed but continue to ensure that the information disclosed is used only to enable a media representative to attend the court proceeding. The amendments also provide for a mechanism that will mean the Department of Justice is also subject to the provisions. The amendments give a legislative basis for the current practice to overcome reported delays in access to the information and refusals to provide the information.

The second practice is the disclosure of a detailed law list to media representatives. This is a longstanding practice and, as outlined in the explanatory notes to the bill, the amendments to the respective court acts provide a legislative basis for that practice to continue. The amendments to the court acts are broadly drafted and do not prescribe how the information is to be disclosed. This feature of the drafting ensures flexibility for the department should better methods for disclosing this information become available. The amendments to both the Police Service Administration Act and the court acts provide for an offence that applies to the intentional or reckless disclosure of the name of an alleged offender. The purpose of the offence is to ensure that the information is provided only to enable a media representative to attend the court proceeding.

Chair, thank you for the opportunity to address the committee this morning. Of course we are happy to take questions.

CHAIR: Thank you very much. I want to take you to the Australian Lawyers Alliance's issues with scale of costs. Reading through this quite extensive bill, this is the area I understood the least in terms of how it operates. What are scales of costs? How are they determined? Who is responsible for it? Why is it an issue and how is that being addressed? If you could unpack that a little bit more in layman's terms for us that will be helpful.

Mrs Robertson: I will defer to my colleague, Leighton Kraa.

Mr Kraa: The scale of costs, put simply, is a standard schedule of legal costs that a lawyer is entitled to charge for work done for a proceeding in the court. The scale of costs and other procedures for costs orders are set out in the Uniform Civil Procedure Rules 1999, often known as the UCPR. Under the UCPR, the court has the power to order that one party can pay the legal costs of another party. Generally, costs follow the event, so that means that the unsuccessful party will be paying the successful party's legal costs in the proceeding. How that works practically is that the court may either fix the costs to be paid or order that a costs assessor assess the amount that should be paid. When assessing the cost to be paid, the scale of costs is applied to determine the maximum amount that can be claimed for specific legal services. They effectively provide a guideline in determining the amount of costs that can be paid following a proceeding.

The purpose of the scale of costs is based on the premise that a party that is awarded costs is entitled to recover their reasonable costs they incurred to prepare and conduct litigation. It assists parties with estimating their exposure to costs when deciding to start or continue with litigation. By placing caps on the costs that can be recovered, it is also intended to discourage behaviour that might waste the courts' or the parties' times and encourage settlement and promote compliance with procedures.

In 2018, the scales for the Supreme and District courts were amalgamated. There is effectively one scale of costs that applies to both courts. The difference, which is highlighted in the submission that you referenced from the Australian Lawyers Alliance, relates to the care and conduct allowance. This is an allowance that is specified through guidelines, issued in a practice direction from the Chief Justice, and has regard to a range of circumstances which the scale of costs does set out, such as the complexity of the proceedings, the difficulty and novelty of any question that is raised and the skill, labour and specialised knowledge that is involved in a proceeding. This general care and conduct amount contemplates that matters between the courts such as the District and Supreme courts may be more complex and acknowledges the hierarchy that exists between those two courts. Does that provide a general overview?

CHAIR: Yes. I am guessing that by bringing it from the Supreme Court into the District Court reduces the costs they can apply for, essentially?

Mr Kraa: In respect of the care and conduct allowance component only, that is the difference between the two courts. The way those guidelines work under the relevant practice direction is to set percentage amounts, and those percentage amounts are then applied to the total amount allowed for costs. Generally speaking, to give an example, a straightforward claim in the Supreme Court for an amount below \$2 million has a range of 15 to 20 per cent, whereas a straightforward claim in the District Court has a range of 10 to 18 per cent, so slightly lower. The reason for that difference between the two courts is to recognise the greater complexity and significance, like I said, but also the greater stakes and consequences that are typically associated with cases heard in the Supreme Court versus the District Court.

CHAIR: Are those percentages set in legislation or how are they determined?

Mr Kraa: They are set in guidelines through a practice direction that is issued by the Chief Justice. As Mrs Robertson alluded to, and as per the department's written statement, consideration can be given to looking at how those scales are applied, given the change in the monetary limits, but that would necessitate consultation with the rules committee and relevant heads of jurisdiction, given the instrument that they are set in.

Ms McMAHON: My question is in relation to the civil jurisdiction for the District Court being increased to \$1.5 million. The Queensland Law Society outlines in their submission that there is a positive intent—obviously we need change to the court's jurisdiction—but it will only work if there are increased resources. Can you advise what resources will be put in place to ensure the District Court is not under-resourced for their increased workload?

Mr Kraa: As set out in the explanatory notes for the bill, the reforms to increase the District Court's monetary allowance is going to be met within existing resources. We do note, as announced by government, that funding was recently allocated as part of the Mid-Year Fiscal and Economic

Review to enhance the capacity of Queensland's judicial system, ensuring that cases can be heard more promptly. By addressing increasing workloads and reducing delays, that initiative was anticipated to improve access to justice for Queenslanders and support the timely resolution of matters before the courts, but ultimately funding impacts will be monitored over the longer term.

Ms McMAHON: Has there been any modelling to determine what that actual cost value for the district courts will be with this particular change?

Mr Kraa: What I can offer in terms of modelling is that high-level court data modelling indicates that increasing the jurisdictional monetary limit of the District Court will shift approximately 440 cases per year from the Supreme Court to the District Court. Like I said, while that shift will increase the case load of the District Court, the increase in demand will be met within existing resources at this time and those impacts will be monitored over the longer term.

Ms McMAHON: Just to confirm, there has not been an actual figure indicated of what those 440 additional cases per year will cost in the District Court funding?

Mr Kraa: I suppose some difficulties in modelling something like that is that it will depend on the complexity of each particular case in terms of the length and the significance of the matters considered, but ultimately, no, I do not have any other modelling that I can provide the committee with.

Ms MARR: I want to talk about metal theft. We have the Mayor of Townsville wanting to talk to us in the hearings today and I think this is a relevant question. You mentioned that there is a case which applies to stealing or wilful damage where the offence occurs during or in the lead-up to a natural disaster. Can you please outline what would be captured as 'in the lead-up to'?

Mr Kraa: I will call Jamie Impson to the table.

Mr Impson: The bill sets a maximum penalty of 25 years imprisonment for stealing and wilful damage occurring in three different types of disaster situations: first, in an area in which disaster operations are being undertaken during the response phase and in anticipation of a natural disaster. This is defined by cross-reference to the relevant definitions in the Disaster Management Act. The response phase typically involves activities aimed to minimise the impact of a disaster and support the safety of communities. This phase could include, for example, activating coordination centres at different levels to ensure emerging issues, risks, responses and general situational awareness are communicated to relevant groups, and to engage with local disaster management groups regarding the use of facilities at shelters or places of refuge.

Second, it will capture 'during a natural disaster'. The bill does not define 'natural disaster' which is consistent with the existing approach taken in the Criminal Code. It will be up to a court to determine what may be a natural disaster in the absence of a coordinated operations or a declaration.

Third, it will apply in an area that is a declared area for a disaster situation under the Disaster Management Act. There are two ways that an area may be declared. A district disaster coordinator may, with the approval of the minister, declare a disaster situation within the disaster district, or the minister and the Premier may declare a disaster situation for the state or a part of the state. A disaster under a disaster declaration is broader than a natural disaster and, for example, it can include events such as oil spills, gas leaks and attacks against the state.

Ms MARR: To be more direct with my question, in our electorate we had somebody steal cabling when we were leading into a cyclone. If there is a watch called by the Disaster Management Group, does that warrant a lead-up to a disaster event? Are they captured in that?

Mr Impson: There are many natural disasters which this could apply to, and we cannot comment particularly on operational decisions relating to the making of disaster declarations, which are a matter for the Queensland Police Service. For the benefit of the committee, the disaster management guideline does set out the phases and how the disaster management framework moves through that. It would depend on the exact actions of the Disaster Management Group, but it is likely that the situation you are discussing would be captured.

Mr de BRENNI: Assistant Director-General, you aware of report No. 45 to the 57th Parliament, *Inquiry into scrap metal theft*, correct?

Mrs Robertson: Yes, the department is aware of that report.

Mr de BRENNI: You would be aware as well, Assistant Director-General, that that report made several recommendations and comments to the parliament when it was tabled and some of those are addressed by the bill, particularly the components around metal theft that we are considering today?

Mrs Robertson: Yes, the department is aware of that.

Mr de BRENNI: Assistant Director-General, did the department investigate legislative options as recommended by that report in 2024, following the tabling of the report in parliament?

Mrs Robertson: I will defer to my colleague David McKarzel and also my colleagues Jamie Impson and Greg Bourke, but perhaps start with David in relation to that.

Mr McKarzel: There was a formal response to the 2023 parliamentary inquiry report tabled by the previous government. This bill is not a formal response to the 2023 inquiry as such, but I can advise that the current bill is significantly informed by the recommendations that were in that report, and a number of the provisions align with a number of the recommendations that were made in that report to address metal theft concerns.

Mr de BRENNI: I will go back to the previous question. Were legislative options considered in 2024 by the department?

Mr McKarzel: In 2024? Are you talking about in the previous parliament, member?

Mr de BRENNI: Yes.

Mr McKarzel: Chair, am I permitted to refer to that?

Mrs Robertson: Chair, if I may, I think that that question probably gets into advice that the department gave to a previous government. I am not aware of the details, but it would potentially get into that area.

CHAIR: I would agree with that, and under the standing orders that question is ruled out of order.

Mr FIELD: We all know that with metal theft people steal metal or copper and cash it in wherever they can. Can you outline how the bill strengthens the identification verification requirements under the second-hand dealers act? How is it different to the current practice of today?

Mrs Robertson: I will defer to my colleague, Mr McKarzel.

Mr McKarzel: I will ask my colleague David Reardon to take you through the detail. There are a number of aspects of the second-hand dealers act that have been strengthened. I will ask David to go through the detail with you.

Mr Reardon: Yes, member, you are quite correct that one of the purposes of the bill is to strengthen the identity verification requirements under the second-hand dealers act. I should say that strengthening the additional requirements are limited to second-hand property that is scrap metal. If we are talking about second-hand property that is not scrap metal then the existing requirements apply.

To explore that in a little more detail, at the moment a second-hand dealer who is acquiring second-hand property from someone will need to obtain the person's name and address and verify that. The way that the bill will strength those requirements in relation to scrap metal is that, in addition to the person's name and address, the dealer will also have to obtain the person's date of birth. They will also have to verify the person's name and date of birth by some sort of photographic identification. From memory, the bill includes examples things you would expect such as a driver's licence, a passport or something like that.

When it comes to the person's residential address, if that can be verified on the photo ID then that will comply. That is appropriate under the bill. If the photo ID does not include the person's address then the second-hand dealer can use another form of documentation to verify the person's address. Really what those amendments are about is trying to increase the traceability of where scrap metal is coming from. Does that answer the question?

Mr FIELD: Yes, it does. Basically, it does not affect the normal everyday person who is going to take their old car battery to scrap or anything like that as they do now. It is not going to impact those people in great detail?

Mr Reardon: It should not affect someone disposing of second-hand property, significantly. It is an obligation on the second-hand dealer to verify the person's identity—the person who they are acquiring the scrap metal from. If an everyday person or consumer is going in to dispose of scrap metal then the dealer will need to verify that person's identity before receiving the metal. Again, that is to increase the traceability and transparency of where this metal is coming from when it arrives at the dealer.

Mr FIELD: On Facebook you see some individuals who collect old batteries and old scrap metal from whomever, and as an individual they take it to a scrap metal merchant to cash it in. Do they have to give advice of where they got the scrap metal from? Say there is a middleman who acquires all of this scrap metal and takes it to the scrap metal dealer. Are they going to ask where he got it all from in terms of the traceability of that product? Does he have to supply the information about how he ended up with 100 batteries or three tonne of copper—whatever it may be—when taking it to a scrap metal merchant to cash it in?

Mr Reardon: What the person will need to provide to the second-hand dealer is their name, address and date of birth. They do not need to make a statement about where they have got to the product from as such. That provision works with an existing provision that, if the police have said to a second-hand dealer, 'We think there is a certain item that has been stolen. We are looking for it, so keep on an eye out for it,' then the dealer has an obligation to report to the police if the item shows up in their stock. By requiring that additional identity verification, the department is hoping that that will assist police to track down the source in terms of the person who has given that product to the second-hand dealer.

Mr de BRENNI: Assistant Director-General, are you aware of operations Cobra, Tensile and Wreckers that were conducted between 2020 and 2024?

Mrs Robertson: I am personally not aware. I do not know whether any of my colleagues at the table are. I am getting some nods from down the table.

Mr de BRENNI: You are getting a nod there. They were Fair Trading targeted operations. Assistant Director-General, have departmental representatives travelled to or engaged with counterparts in the states of Victoria or New South Wales to evaluate their frameworks for dealing with the issue of theft in or about 2024?

Mrs Robertson: I am not aware. I do not have an answer in relation to that. Again, I think potentially we are going into work that may have been done under the previous government.

CHAIR: Member, can you outline how this is relevant to the inquiry currently before the committee?

Mr de BRENNI: I submit to you, Chair, that the department has been preparing work since the inquiry report tabled in the parliament in 2023 around this matter. I put it to the Assistant Director-General, again through you, Chair, that the issue of scrap metal has been around for a few years and there has been work in a policy sense, in a targeted operation sense and in the consideration of legislative options. I am not asking about advice to government and I am not asking about policy decisions. I am asking about the work of the agency over the past few years. Assistant Director-General, is it fair to say that that work—targeted investigations and also educational programs around this issue—has been going on for at least three to four years?

Mrs Robertson: I might ask my colleagues at the end of the table in relation to what is on the public record in relation to educational activities et cetera that have occurred. I would also make the point that obviously decisions about approaches to issues—as I am sure members will appreciate—are ultimately a matter for the government of the particular day.

Mr de BRENNI: No. I am not asking for that. I am asking about the work the agency has been doing.

Mrs Robertson: No. I appreciate that.

Mr McKarzel: As all members would know, the former Transport and Resources Committee highlighted the importance of compliance and enforcement in regard to the current laws that relate to the scrap metal industry. The Office of Fair Trading advises that from November 2023 through to March 2026 they conducted over 130 spot checks. The OFT advises that those spot checks led to 55 matters being referred for further investigation. They further advise that approximately 70 offences were identified—a number of which were scrap metal related but not all of them—and the appropriate compliance action was undertaken by OFT which includes official warnings and infringement notices.

Mr de BRENNI: Thank you, Mr McKarzel. To wrap up that query, Assistant Director-General, given that there was a parliamentary inquiry, that there have been these targeted investigations and I am advised that there has been engagement with counterparts in other states, it would be correct to say that the department has been actively engaged through its various divisions on this matter for some time? Perhaps I could rephrase the question: it would be incorrect to say that the agency has been idle on this matter?

Mrs Robertson: As Mr McKarzel has outlined, there has been some activity by the department.

CHAIR: In relation to the District Court monetary limit increase, are you able to advise the committee whether the department has consulted with the judiciary on that and where was that initiated from?

Mrs Robertson: Traditionally in relation to court legislation that affects the courts, there is consultation. The department, obviously out of respect for the judiciary, does not disclose what was actually said in relation to amendments in that sense.

CHAIR: You mentioned other states that have a \$1.5 million limit for their District Court equivalent. What are those states?

Mr Kraa: As we stated earlier, it does broadly bring Queensland into line with monetary limits in other jurisdictions that are significantly higher. To provide some examples of that, the monetary limit for the New South Wales District Court is \$1.25 million and the Victorian and South Australian district courts have unlimited civil jurisdiction. It brings Queensland better into line with other jurisdictions but also deals with the inflationary effects over the past 15 years.

Ms McMAHON: Going back to the scrap metal theft issues, in their submission the Queensland Law Society outlined that there are a number of provisions already in the Criminal Code that are and could be used for copper theft offences. Could you explain the department's rationale for the creation of new offences?

Mr Impson: In relation to attempted metal theft, the Criminal Code provides in section 535 that an attempt to commit an indictable offence is also an offence. The punishment for these offences is provided in section 536 for nonlife offences to half the greatest punishment for the actual offence. This means currently the maximum penalty for attempted stealing, other than in a case of special punishment, is 2½ years imprisonment. To provide an increase in the penalty, a new offence for attempting to steal is introduced by the bill. The new offence applies in the same circumstances as the proposed special case of punishment for stealing a valuable metal item or component in clause 39(2) which will insert new clause 17. The effect of this is to increase the penalty for attempted stealing in those circumstances.

The introduction of a new offence of possessing certain kinds of prescribed metal provides an alternative charge in cases where there may be insufficient evidence to support a charge of stealing but there is nevertheless evidence to establish that the item was reasonably suspected of being stolen. The offence is limited to catalytic converters, diesel particulate filters, cabling or wiring in a person's possession that are reasonably suspected of being stolen.

As the Queensland Police Service acknowledged in its submission to the former Transport and Resources Committee's inquiry into scrap metal theft, investigating metal theft is challenging due to the generic nature and properties of metal theft that make it difficult to identify its origin or ownership. Some forms of metal do not have distinct markings or serial numbers and of those that do the markings can usually be removed by burning or grinding. The new offence will provide police officers with another way to target metal theft.

Ms MARR: In relation to the proposed amendments to the Coroners Act, has there been any engagement or consultation with the State Coroner and Coroners Court of Queensland? Can you please further outline if any other consultation has occurred?

Mrs Robertson: I may turn to my colleague Ms Linnan in relation to that and in relation to other consultation. I turn to the document that the department provided to the committee as part of its written submission. On amendments to the Coroners Act, as outlined there, it talks about consultation with the NDIS Quality and Safeguards Commission, the Crime and Corruption Commission, the Queensland Law Society, the Bar Association, the Caxton Community Legal Centre, Townsville Community Law and the Aboriginal and Torres Strait Islander Legal Service. Again, because the State Coroner is a judicial officer and because it is an amendment affecting their legislation, yes, there would be consultation but we usually do not disclose the outcomes of that.

Ms MARR: In her statement Mrs Robertson mentioned that amendments provided greater efficiencies. What is the main intention of the amendments to the act and what benefit will they be to the coronial justice system?

Ms Linnan: The bill amends the Coroners Act to clarify which functions the State Coroner can delegate to registrars and deputy registrars, allow any coroner to investigate and conduct mandatory inquests into deaths from natural causes that occur in custody or in the course of a police operation, and allow the appointment of any coroner with appropriate experience and knowledge as chairperson of the Domestic and Family Violence Death Review and Advisory Board. Those amendments create greater coronial efficiencies which ease the pressure on the coronial system, they streamline the allocation of coronial resources and they support the Coroners Court to provide bereaved family members with answers and closure in a timely way.

The bill also contains two clarifying amendments to make it clear that a coroner may note in their findings that they have given information to an investigative entity or professional oversight body. Again, this amendment is trying to make it clear to families what the outcomes of an investigation are

to provide some closure and certainty that matters have been investigated appropriately. There is also a clarifying amendment to remove an example of an unnatural death that caused confusion and there was over-reporting. It is trying to remove that over-reporting to create efficiencies.

Finally, the bill also expands the reportable deaths framework to include deaths in care and the deaths of people with a disability in Queensland who receive disability supports under the Australian government's Disability Support for Older Australians Program. The amendment essentially reinstates coverage for people in that cohort that used to exist in the Coroners Act but currently does not.

Mr de BRENNI: Assistant Director-General, in their submission, the LGAQ described copper theft as 'an attractive and low-risk activity'. Could you highlight to the committee what measures are contained in the bill to increase the likelihood that government or enforcement agencies will detect offending—that is, the theft or removal of that infrastructure—while it is occurring?

Mrs Robertson: I will defer my colleagues Mr Bourke and Mr Impson.

Mr Bourke: The bill introduces a suite of measures to the Criminal Code through a tiered penalty framework that escalates up to the maximum 25 years where there is an endangerment to the life or safety of persons that can often involve electrical equipment and electrical infrastructure. The Criminal Code takes that comprehensive sweep to signal the significant disruption the behaviour can cause with increased penalties to signal the specific behaviour—to denounce it and call it out in that specific way. I think the sweep across the code of the particular offences that are often caught up in metal theft is a clear signal—calling out of the behaviour and attempting to disrupt. That sends a clear signal to metal theft offenders.

Mr Impson: In relation to the unlawful possession offences, as I just outlined in my answer to the member for Macalister, that offence provides police a new tool to be able to target metal theft where it might not be possible to prove a stealing offence.

Mr de BRENNI: For those offenders who may not be aware or conscious of the Criminal Code and these increased penalties—and I note that the submitters have been very welcoming of the increased penalties for obvious reasons: the endangerment of health and risk to safety—if it means that detection rates of the offending—the theft of the infrastructure—remain unchanged, can you advise whether the department has any evidence that the increased penalties, while supported, alone will alter offender behaviour?

Mr Impson: I do not think the department can offer a comment on our opinion of how the offences will operate, but I can relate what the Attorney-General concluded in the human rights statement of compatibility—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 where the operation of a public facility or infrastructure is disrupted. I note, as we mentioned in our response to submissions, that the penalties are structured in a tiered way and increase depending on the culpability of the associated behaviour.

Mr de BRENNI: You mentioned the issue around the endangerment and the importance of that. Are you aware of luminance standards for major roads in Australia and whether or not the theft of metal used in that lighting infrastructure leaves those roads not meeting the standard as a result of an offence under these provisions?

Mr Impson: The department would not be able to comment on the standards relating to main roads.

Mr FIELD: Regarding the media amendments, can you explain your understanding of how, in practice, disclosure is currently undertaken when QPS release a statement and a request for information is done by the media?

Mrs Robertson: I will defer to my colleague Mr O'May.

Mr O'May: I am advised that a journalist sends an email to QPS media containing the following information: the media representative will request the date of the media release they are inquiring about and a summary of what was reported—the media release will commonly include a QPRIME number as a reference point as well so that information is included in the email; a statement indicating that they are a journalist and the name of the media organisation that they work for—the fact that the media organisation they work for is an accredited media entity; and a request that the Commissioner of Police consider releasing the offender's name so that they can locate the court in which the charge is to be heard and also that they are aware that the information, if it is to be released, may be subject to conditions and if those conditions are contravened it may constitute an offence under the Police Service Administration Act.

Once the email has been received by the Queensland Police Service I understand that the request and the offender's details are then supplied to the commissioner's delegate. I understand that that delegate is the executive director for media and communications division. The delegate will then consider the request. The delegate makes and records their decision and, if approved, the offender's name is provided to the journalist by email, along with conditions. Some of the conditions which are imposed are: the information is only to be used for locating the court in which the charge is to be heard; where it is required, validation of the identity of the person making inquiries with the relevant court registry; and also that the information is not to be disseminated to any third party.

Just backtracking a little bit, I did omit to say that, as part of their consideration of the request, the delegate will consider the request and consider the human rights implications and impacts for releasing the information under section 10.2 of the Police Service Administration Act. Should the delegate decide not to release the information, the decision is provided to the journalist. Some examples of where information may be determined not to be released include where the information would offend a Queensland statute which prohibits the release of information that is likely to lead to the identification of a victim child, where there is legislation which prohibits the release of the information, where there is Queensland legislation requiring the charge to be heard in a closed court or where the nature of the matter may require the proceedings to be subject to a non-publication order.

Those processes have been in place since March 2025. I have been further advised as well that for the period from 1 April 2025 to 31 March 2026 the QPS has released a total of 2,111 media releases. The QPS media has been unable to break down the data to determine how many relate to incidents where a person has been charged with an offence. That total number of releases may also include proactive-style media releases, potentially on government election commitments and other good news stories that are provided to the public. For the same period between 1 April 2025 and 31 March 2026 there have been 292 requests received by police media from journalists seeking information about a person who has been charged with an offence, and for the same period 74 of those requests were declined due to not meeting requirements for authorisation of release.

Ms McMAHON: Sticking with the amendments in relation to accredited media entities, this morning's *Courier-Mail* editorial stated that the laws were drafted without any input from those they are meant to help—the professional news media. Can you advise who the department consulted with when drafting these specific amendments?

Mrs Robertson: The decisions in relation to consultation are a matter for the minister. I would suggest, Chair, respectfully, that that question should be directed to the minister.

CHAIR: Agreed. Do you have another question?

Ms McMAHON: The Australia's Right to Know coalition of media organisations have made a submission, and I note in your response to their submission that consideration will be given to the matters raised in the submission. Given that the Attorney-General has said that she is relying on this committee process rather than consulting, will you be considering any further amendments clarifying or otherwise based on their submission?

Mrs Robertson: I think that the department has had time to consider the submission since the response to submissions was given. The point that we would really like to make is that these are amendments, as outlined in the explanatory material and also our written submission, are specifically aimed at the situation where the Queensland Police Service has actually issued a media release and it is confined to that limitation in that sense. Respectfully, we would think that some of the issues that have been raised by Australia's Right to Know are potentially outside the scope of the bill. It is very much focused on giving a legislative basis in relation to the practice that has been on foot.

The Police Service Administration Act amendments, as my colleagues outlined when he was outlining the provisions in more detail, at the moment are a discretionary framework. The amendments in subsection (4) of new section 10.2CC make it clear the situations where, in fact, the commissioner must not disclose. It is quite limited to where there has been a restriction or a prohibition by a court order. Otherwise, there is an obligation for the information to be released. Again, it is for that limited purpose so that the journalist knows which particular court the matter is actually being heard by. Does my colleague have anything to add in that space?

Mr O'May: Perhaps just for completeness, our understanding of the proposed amendments which were appended to that particular submission appears to propose a somewhat unfettered right of access to information which is held by both the Queensland Police Service and the Department of Justice about the appearance of a person in court. Going back to what Mrs Robertson was just outlining then, the purpose of the amendments is somewhat more limited in scope.

CHAIR: Just to be clear, do the amendments in any way restrict or limit access to court or police data that is currently available to the media?

Mr O'May: No. The purpose of the amendments is simply to give a legislative basis for two existing processes which enable media to get access to information. They are not intended to limit how a journalist may access information under any other statutory provisions or administrative process.

CHAIR: This committee has oversight of the Integrity Commissioner. I note in your briefing document for us that the bill does make an amendment to the Integrity Act to support the delivery of the Integrity Commissioner's core functions by clarifying the delegation powers of the Integrity Commissioner and providing them with discretion to receive requests for and to provide advice orally on ethics and integrity issues. Can someone please outline for the committee what those amendments will actually do in practice?

Mr Bourke: Sure. First of all on the delegation amendments, currently the Integrity Commissioner does not have explicit powers to delegate their functions related to the office which has powers and functions under the Statutory Bodies Financial Arrangements Act or the Financial Accountability Act. Additionally, there is no power for the Integrity Commissioner to delegate any of their functions under another act to the deputy commissioner, an appropriately qualified integrity officer or another appropriately qualified Public Service officer. The purpose of the delegation amendments is really to support the delivery of the Integrity Commissioner's core functions by clarifying their power to delegate functions. For example, functions that may be delegated may include assisting with undertaking budget planning, preparing annual financial statements, establishing and maintaining systems of internal control and risk management within the office.

Turning to the oral advice amendments, under the amendments the Integrity Commissioner may give oral advice in response to an oral request if the commissioner considers that it would be appropriate to do so. The Integrity Commissioner may also decide to defer considering such a request until the advisee makes the request in the writing. A practical example is if the Integrity Commissioner receives a phone call from an advisee requesting advice about a complex conflict of interest management plan, the amendments would enable the commissioner to defer consideration of such a request until the advisee provides it in writing. Contrastingly, if the Integrity Commissioner receives a phone call from an advisee requesting simple advice regarding whether they could accept a stakeholder gift valued at beyond the allowable limit, that the commissioner can provide quick oral advice to the particular advisee. It is just giving the Integrity Commissioner more tools and a greater toolkit in how they might provide their advice.

CHAIR: In that example, the value of a gift, they do not have the ability at the present time just to give that orally. Is that right?

Mr Bourke: All requests have to be made in writing and then responded to in writing. It just gives a bit more flexibility in how advice can actually be provided.

Mr de BRENNI: The explanatory notes to the bill outline the penalties for new offences with particular reference to those that endanger persons as a result of theft occurring. Under the bill, if the theft of motorway lighting endangers lives, is it correct to say that the offender would be subject to the higher penalty regime—the stealing offence of 25 years? Is that correct?

Mr Impson: It is a matter for the court to determine given the circumstances of the matter. If the prosecution proves to the court's satisfaction that the conduct would cause the life or health of a person to be endangered or likely to be endangered because the thing is stolen or damaged, in those circumstances they would be liable to 25 years imprisonment as a maximum penalty.

Ms McMAHON: To clarify that, to operationalise it for the police officer who has to decide which charge to proffer, would it have to result in a death? Would there have to be something that specifically points to an investigation that says that the accident or the injury or the endangerment was because there was no lighting and it did not meet standards or compliance?

Mr Impson: For the first part of your question, there is not a requirement to prove death. Death does not have to occur. It could be that the life or health of a person is endangered or likely to be endangered. For the second part, it must be proved that endangerment was caused because the thing was stolen or damaged.

CHAIR: That brings to an end the time allocated for the department's briefing and questions. I thank members of the department for appearing before the committee today. No questions were taken on notice.

The committee adjourned at 11.30 am.