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
Ms H Radunz—Assistant Committee Secretary

PUBLIC HEARING—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 11.45 am.

CHAIR: Good morning. I declare open this public hearing for the committee's inquiry into the Justice and Other Legislation Amendment Bill. My name is Marty Hunt. 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 hearing 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 hearing at the discretion of the committee.

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 remember to press your microphones on before you start speaking and off when you have finished. Please turn your mobile phones off or to silent mode.

DAMETTO, Mr Nick, Mayor, Townsville City Council (via videoconference)

CHAIR: Welcome, Mr Dametto. Would you like to make an opening statement before we start asking questions?

Mr Dametto: Thank you very much, Chair, Deputy Chair and other members of the Justice, Integrity and Community Safety Committee, for allowing me to give evidence today and make a small contribution to this important bill. The Justice and Other Legislation Amendment Bill 2026 is an important bill, I believe, and has been needed for some time.

In January this year we were in the midst of an impending cyclone here in North Queensland. As most of you would be aware, when you are the mayor of a city you also become the chair of the local disaster management group. It is a very important time for any local government area as well as any city. You do a lot of things during that time, but mainly you try to make sure your community is prepared. A huge part of being prepared is making sure you have the right information out there. We make sure we get information out across a number of channels, but in North Queensland we are very heavily reliant especially on power and telecommunications.

When we heard that we had lost telecommunications at a time when we needed it most because of an attempted copper theft in the northern suburbs of Townsville, which built a lot of angst, anger and disarray in the community. Those thieves did not even pull any copper out of the ground—or minimal at most—but, in the middle of a natural disaster given the impending cyclone, seven kilometres of fibre-optic cable had to be replaced. I must commend the Telstra and Optus crews that worked very closely together, in conjunction with the NBN, to get that part of the network up and running quite quickly.

That is just a small example of what copper theft is doing across the state, particularly in Townsville. The Townsville City Council has been affected by this with over $70,000 of damage last year. A number of business owners and commercial property owners have told us that, while waiting to be leased, their buildings were stripped of copper—everything from the copper pipe that takes the hot and cold water around their plant right through to the high-voltage lines coming in from transformers. That is a cost and a burden to everybody. Our crews are hearing complaints about brass taps being stolen, which cost nothing but add to the maintenance cost of the city. Those people do not understand the cost of what they are doing to the community in choosing their own personal gain over what is causing angst and problems throughout the community.

Other examples of where we are seeing issues with copper theft are not only on council land and with council assets but also on road corridors, which include TMR and Queensland Rail corridors. We have a piece of road infrastructure that we handed over to Transport and Main Roads for a period when they were doing some road upgrades and they are seeking to hand that back to the Townsville City Council right now. Not to say that it is a bone of contention, but we have a large section of copper missing from the streetlights along Shaw Road, which connects to the Townsville Ring Road. Although this will not hold up the handover of the road back to the Townsville City Council, the questions must be posed: who looks after the lights moving forward? Who replaces the copper moving forward? Does Ergon Energy continue to pick up the pieces here? Does the Townsville City Council inherit this cost? We know this is costing not only the state but also the local government, small businesses and local businesses to the point where it is almost impossible to keep up.

We are very supportive of the bill's changes and the increased penalties. The council supports the bill's proposed increase in penalties for stealing to 14 years; wilful damage to 14 years; receiving tainted property—this is a very important one—to 20 years; and, specifically, the 25-year maximum penalty for metal theft or wilful damage that endangers others and occurs in the lead-up to a natural disaster, which speaks to the scenario I talked about earlier. Given Townsville's high exposure to weather events, this is a penalty increase that I think is necessary and an extra crime that is necessary. The creation of a standalone offence for attempted metal theft with a penalty of up to seven years imprisonment is strongly supported by me as mayor and the Townsville City Council.

There are two things that the bill does not speak to at the moment, and these recommendations have our support. The current bill does not seek to prohibit cash payments for scrap metal. Having more accountability for scrap metal purchases would add some rigour around who is and who is not purchasing scrap metal, including copper and the like. Although I am a huge fan of cash, in this situation having a paper trail between the merchant and the seller is, I think, important. The bill also currently does not prohibit the sale of scrap metal to unregistered businesses. Having registered businesses dealing in scrap metal may be a way of tightening the screws on this industry. I am happy to answer any questions, Chair.

CHAIR: Thank you, Mr Dametto, for appearing today and for your submission. In your submission, you provided the committee with a table of offences committed against the council in relation to copper metal theft. I draw your attention to the largest value one, which seems to be the airport incident. It looks to be the largest theft and involved irrigation lines. Can you outline to the committee what impact that has had beyond the financials in relation to the airport and its functions and what was required to fix that?

Mr Dametto: These thieves are becoming very resourceful. They are becoming very brazen. I would say that the invention of the battery powered grinder has created a situation where you can walk in, rip something off pretty quickly and start towing it out with a snatchem strap or other device and a four-wheel drive or side-by-side quad. They are not shy. They will hook up to a piece of live electrical infrastructure, as you all know, or they will hook up to a brass irrigation pipe and just start ripping the stuff out. The replacement cost of 120 metres was over $55,000, which is significant for council. It is also significant in downtime for the Townsville airport. It takes crews away from working on the business-as-usual maintenance so they can rectify this stuff. While we are chasing our tail and chasing the problems caused by these metal thieves, we are taking away crews from not only operations but also maintenance.

Mr de BRENNI: Mayor, you mentioned in your introductory remarks that the Shaw Road corridor is being handed back to Townsville at some stage. Would you say that operational street lighting on roads like that is a core safety function of the infrastructure?

Mr Dametto: I drive that road fairly often at night. As you come off the Ring Road, you take a sharp left-hander onto Shaw Road and there is no lighting at all. It is not the only section of local, state or federal controlled roads that is missing lighting right now. You can see it everywhere up and down the coast.

Like I said, these copper thieves are not shy coming in forward. They will hook up to live infrastructure. As a previous minister, you will know how dangerous that can be, but they do not seem to care. This creates an unsafe situation for everyone using those road intersections now. TMR as well as road engineers run off certain parameters when setting up infrastructure like this to make sure it is safe. It is a requirement—part of the design—to have this infrastructure up and running before the project can be handed over. To have kilometres and kilometres of blackened highway on state and locally controlled roads is very unsafe.

Mr de BRENNI: On that, we recognise that there are Australian standards for the construction of roads like these ones throughout the nation, including in Queensland. Do you think there needs to be a more targeted approach to ensuring theft of copper from this infrastructure is repaired more quickly, given the dangers you have outlined to the community and your constituents?

Mr Dametto: Any infrastructure that is deemed a safety requirement needs to be addressed as quickly as possible. My background is in mining and construction. I would see certain things tagged out if they are unsafe, but we cannot tag out a road because we have lost street lighting, even though it has created an unsafe scenario. I met someone from Transport and Main Roads who was working on replacing copper wire in these projects. The joke was, 'I would actually employ some of these guys because they can pull the copper quicker than we can put it back in.' It is incredible.

I think there needs to be more of an onus on the scrap metal merchants who are buying the copper because they are getting it from somewhere. We hear things like merchants are willing to pay two separate prices—a stripped copper price and a burnt copper price. Burnt copper is when they steal the copper wire out of the ground, or wherever they get it from, and roll it up. They usually do this in the bush. We have plenty of places around the Townsville City Council footprint where they have left a disaster. They roll it up into a coil, pour diesel petrol over it to burn the plastic sheath off, which leaves a disaster on the ground in environmental damage, and then they drag it off to the local copper merchant. Those copper merchants know exactly where that copper wire is coming from and they should be held responsible for taking that on board.

Mr de BRENNI: Mayor, I think the bill does that.

Mr Dametto: It does.

Mr de BRENNI: Did that TMR contact or has any other technician indicated to you that, in addition to a suite of harsher penalties, which are well supported by stakeholders, hardening of infrastructure at the site so things like lockable pits—

CHAIR: Member, in the interests of time, you have asked a couple of questions and this is going into a different realm. I will move to the member for Thuringowa, but we will come back to you. We are trying to give everyone time to ask a question. Member for Thuringowa?

Ms MARR: Mayor, in your submission, you pointed out that Townsville City Council incurred over $74,000 worth of costs in the past couple of years. Obviously, that goes back to the ratepayers and it is an unbudgeted amount of money that you have to try to find. Let's move away from the money side of it. During the disaster event, we had somebody stealing copper, which made it impossible to get phone calls or use the internet to keep on top of what was happening in the area. Can you speak of the burden on and heartache of people in a time of disaster when they are not able to get the information they require to be safe? I know the kind of person you are and you would have spoken to a lot of them personally. Can you give us a bit of feedback on that?

Mr Dametto: Having talked to residents in the northern suburbs of Townsville after there was a complete lack of information during the disaster situation, it was scary for them. It was like flying a plane without any gauges. It was a time when they were dependent on those updates, those text messages, that internet service that would show them the disaster management dashboard and give them the information coming through from the media outlets to give them the best information to best prepare for a cyclone. We were very fortunate that that cyclone kept travelling down the coast and did not cross the coast here in Townsville. I can only imagine how distressing and horrible and dangerous and even life-threating it could have been if that cyclone crossed exactly where it was supposed to two days earlier, which was at Crystal Creek Mutarnee. That would have meant that the southern side of the cyclone would have been battering down on that section of the northern suburbs of Townsville that was plummeted into darkness because of the stupidity of someone who destroyed that fibre-optic line. Those are the kinds of things that risk lives and could potentially cause a death in those situations.

Ms MARR: So you would support the harsher penalties in those circumstances, obviously, Mayor?

Mr Dametto: It is very rare that we see someone get a maximum penalty these days. I would love to see someone like that in jail for 25 years, especially if they caused an unsafe scenario where someone had lost their life.

Ms McMAHON: At last count, I think you have several state roads in your Townsville area—9, 13, 14, 16, 17, 72 and 93—plus the national road. Do you get a regular update on how many kilometres of those roads would be out? Does TMR brief you on the timeline for upgrading or repairing those roads?

Mr Dametto: Yes, we certainly do. We get an update on the condition of roads. We also get an update on when those copper theft reinstallations will be occurring. Everyone right now is under the pump when it comes to staffing and contractors to do work, but also getting a hold of materials. We understand that this is not just happening in the Townsville local government area; it is happening across the state and it is happening interstate as well.

Mr FIELD: We know that copper theft is rampant. Do you consider that targeting the resale and disposal of scrap metal is the most effective way to disrupt the behaviour in this system?

Mr Dametto: I agree that it is the best way to disrupt the sale of stolen copper or stolen metal. The fact is that it is worth nothing if you have nowhere to sell it. I remember speaking to someone from Moranbah before this even became a trend here on the coast. Over 10 years ago, there was a problem out in Moranbah where a lot of people were stealing copper, brass and those sorts of products from the mine sites and then trying to go to the local scrap metal merchant. Unless you were bringing your own scrap metal into western Queensland, the only place that copper was coming from was from the mine sites. Scrap metal merchants out there started to take a proactive approach, after working with the mines. They said, 'Anyone who comes in here and is not from the mine site, we will be ringing the police directly because we would assume that that copper was stolen.' That put almost a stop to the theft of copper in the Moranbah region way back then. If there is nowhere to sell your stolen copper or precious metals and therefore there is no value to it, I believe people will stop stealing it.

Mr de BRENNI: In addition to the point-of-sale deterrence and disruption, do you have any view around engineering solutions like hardening of the infrastructure to make it more difficult to steal in the first place?

Mr Dametto: Hard infrastructure always works well. It is an engineering solution. I would think that hooking up to a live electrical high-voltage cable is something most people would never contemplate doing, but these people do not care. They are not the smartest people on the planet and they are willing to go above and beyond hard infrastructure to get what they want

CHAIR: Thank you, Mayor. That brings an end to the time allocated for your evidence today. Thank you for appearing before the committee.

Mr Dametto: I really appreciate your time, Chair, Deputy Chair and committee.

JEFFRIES, Mr Matthew, Vice President, Arrow Energy

PITMAN, Mr Matthew, Principal Government Relations, Arrow Energy

CHAIR: I now welcome representatives from Arrow Energy. I invite you to make an opening statement to the committee before we go to questions.

Mr Jeffries: Arrow Energy is proudly backed by Shell and PetroChina, two of the world's largest energy producers. Together they have invested more than $11 billion into Queensland over the past 16 years. Our flagship Surat Gas Project supplies enough power for 1.6 million Australian homes and supports key infrastructure like our Braemar 2 Power Station and CleanCo's Swanbank E Power Station. Beyond essential energy, our contribution to Queensland last year was $650 million through wages, royalties and community investment.

However, alongside that contribution comes a growing challenge. We are seeing increasing levels of metal theft across our operations, especially in the Surat Basin, targeting copper wiring from well pads that produce essential energy for Australians. This is not just about theft; it is dangerous, disruptive and potentially deadly. What may appear to be low-voltage infrastructure can carry up to 1,000 volts. Interfering with these systems, often without understanding the risks, creates a real and credible threat of serious injury or worse. In some cases, it also introduces the risk of fire and damage to our infrastructure. It exposes our employees to unnecessary hazards when inspecting and maintaining this essential infrastructure. While we have been fortunate so far to avoid serious injury, the risk profile is far higher than the outcomes we have seen to date.

That is why Arrow Energy strongly welcomes the decisive action of the Crisafulli government to strengthen laws around metal theft. The new definition of 'valuable metal items', increasing penalties and introducing new offences for attempted theft and unlawful possession are all important steps in addressing this issue. This is about more than protecting assets; it is about protecting people, communities and critical energy supply.

I welcome any questions from the committee on Arrow's submission. I thank you for the opportunity to be here today.

CHAIR: In your submission and your presentation just then, you mentioned some of the dangers to perpetrators and workers. Can you go into more detail and give some examples, perhaps, regarding the dangers associated with this type of theft?

Mr Jeffries: Disturbingly, we are increasingly seeing operational well sites being targeted. Those sites are live infrastructure. They are live gas wells producing gas. Whilst the wiring and other electrical components are often concealed to protect them from minor damage and weather, they are accessible to people. They do have large voltages running through them—in excess of 1,000 volts often. If someone were to be electrified by that then it would be fatal.

It also poses a real risk for our employees who routinely monitor those sites. It is not often evident that the wells have been tampered with, especially where there is an attempted theft. Maybe the well is still operational but it has been interfered with. Often our workers are attending sites where locks to gates have been cut or panels and other things removed and the infrastructure has been interfered with. Those workers are not always electricians. They are specialist well operators with the appropriate skills and training, but they are not always equipped to repair those matters quickly.

CHAIR: Have you had to take any measures to ensure safety for your workers?

Mr Jeffries: We have. It is something that we monitor. Also with industry collaboration through the Safer Together network, we share our experiences with other operators. In the past scrap metal inquiry, our industry association provided some data. I do not have any updated figures but I think it is relevant for today. As of September 2023, over 500 well sites had been the subject of theft activity, around 20 sites a day were being targeted and there were about 60 a week at its peak. We see this very much coinciding with holiday periods or periods of difficult economic times when people are incentivised to maybe undertake this incredibly risky behaviour and remove the scrap metal.

Mr de BRENNI: It is clear that Arrow supports higher penalties for the theft of metal and dealing in stolen metal. Can you let us know whether or not Arrow has invested in additional strategies at your sites such as surveillance or other technological solutions such as infrastructure hardening to prevent offences at the point of theft?

Mr Jeffries: We have. I think all of those measures, importantly, do involve additional costs. Like any business, we are driven by making a fair return for our shareholders. If we add items to our profit-and-loss statement in the cost section, it does affect the bottom line unless we can make adjustments elsewhere. That is either increased prices that we have to charge end users, in this case essential

energy, or reducing other costs as well. We and other industry participants have installed CCTV cameras on sites to try to capture footage so that there are more successful prosecutions of these people. Often, in our experience, they are using stolen vehicles as well, which makes it very hard for police to investigate fully. I think it shows the premeditated nature of these crimes. They are not opportunistic and they are not violent; they are thought out. That is why I think increasing penalties would add a significant deterrent because I think these are things that are premeditated.

Mr de BRENNI: Indeed. As a follow-up question, part of the reforms here establish a transaction register that will be a useful tool in enforcement. In their submission, the Waste, Recycling Industry Association of Queensland points out that the materials that are often stolen from sites like Arrow's are mixed in with other scrap metal when they are going for sale. Do you have any awareness of how it would be possible to identify the origin of a particular element of scrap when it is mixed in with other scrap? How would it be possible for enforcement to determine if some copper cabling was from an Arrow site when it is bundled in with scrap from other sites?

Mr Jeffries: I saw the photos from the Waste, Recycling Industry Association submission. I concede it is difficult, when that metal is all intertwined, to distinguish which parts it comes from. Part of those strengthening measures around transaction records, better recordkeeping and more ID did come out of the previous scrap metal inquiry regime as well. I was not aware of anything in that inquiry that pointed to greater controls around actual serial numbers and other product identification for metal because I think it would be inherently difficult.

Ms MARR: Matthew, thank you for the very balanced view in your submission, talking about risks to your staff, the people who are doing the offence and the public. You made that a part of your submission and did not just talk of the costs. I note that you said that 500 wells had been targeted and 20 wells were targeted a day at a cost of $50 million, as you mention in your submission. Can you please outline any impacts this has had on your insurance premiums because, at the end of the day, any impact that you have goes back to everyday Australians as well?

Mr Jeffries: Our insurance cover is vast for all events. I think what often happens with these items of theft is they are below the deductible amount for our insurance so it is a cost that flows straight through to our bottom line. That $50 million figure was an industry figure and certainly the cost impact to us is far less. I think the important point with this though is that for every cable that is stolen the big cost for us is not the lost cable; it is the lost production from the gas well and it is then having to dispatch a specialist crew with the resources to fix the activity and to restore the site to a safe condition. For us that is the bigger cost. Often on our policy it is many millions of dollars before we would seek to make a claim under the policy.

Ms MARR: What you were talking about just then, is that included in the $50 million that you had in that submission?

Mr Jeffries: Yes.

Ms McMAHON: Your submission talks about 500 well sites targeted and up to 20 sites a day and the $50 million figure. That was in the lead-up to the inquiry last term. Do you have any figures since that time?

Mr Jeffries: Unfortunately we do not have any figures since that time. That was an industry figure and we have not sought to break out Arrow's component of it just for confidentiality and we do not want to incentivise people.

Ms McMAHON: I do note that your submission mentions that preventing theft at the point of occurrence can be challenging. Noting the sites that you have throughout Queensland and the remoteness of them, putting up cameras is not going to prevent it. You have said that these operations are well coordinated and that includes an interstate component of selling the scrap metal. Are you aware of any Arrow material that might have been found interstate in terms of being scrapped? We can really only deal with Queensland scrap metals. Are you aware of Arrow material being found through interstate scrap metal agents?

Mr Jeffries: We are not aware of that. Although we have a great working relationship with the Queensland Police Service and the regional offices in which our activities are based—we do obviously report these matters and share intelligence—we are not expressly aware of any circumstances where our metal has been found interstate. I think often it is very difficult for the police to investigate and also prosecute these people.

Mr FIELD: Do the amendments requiring identification and record keeping for the scrap metal transactions improve your confidence in the traceability of stolen material?

Mr Jeffries: Very much so. I think when we look at the bill, it is a multifaceted approach. We are looking at additional offences, increased penalties and then also more safeguards in terms of the point of divestment of these products where actually it is monetised for them—that is the benefit. I think those additional controls around additional ID and mandatory reporting obligations are very much welcomed and we note they were also identified in the previous inquiry into scrap metal.

Mr de BRENNI: The reforms establish certain tiers of severity of the theft. Would you say that the types of theft that you have indicated in your submission, given the impact on your workforce that the chair has previously asked you about, ought to be considered as resulting in circumstances that endanger the life or the health and safety of your workforce?

Mr Jeffries: Potentially. I think the main point of capture for us is probably around clause 38 and the new definition for 'valuable metal items', which includes electrical equipment, apparatus and also cables that are used for transmitting or generating electricity for relevant purposes such as mining or the exploration of natural resources. Based on our reading, we think we are captured in that circumstance. I think on those other provisions, it may be difficult for them to be triggered, but I would hate to be in a circumstance whereby one of our workers had been seriously injured or had a fatality as a result of people removing cables from well sites.

Mr de BRENNI: I want to interrogate that point a little further. Earlier today we were seeking from some other witnesses some clarity about the confidence of industry and citizens around which one of these categories the offence might fit into. Obviously the higher offence seeks to create a greater level of deterrence. Is it accurate to say then that you are not sure whether it would be triggered into the offence that applies for endangerment or do you think it is unlikely that the endangerment element would be triggered—unsure or not likely?

Mr Jeffries: I think on our reading of it definitely the penalties have doubled from 10 penalty units to 20 penalty units for the theft of valuable metal items and then the maximum penalty there is 10 years in special circumstances. Also the new offence of attempted theft is a maximum penalty of seven years, which we think is an increase. We think that is more tools for the police and also more options for the court in terms of sentencing. I am not sure that we would actually trigger that higher threshold at this point in time. I hope we never would, too.

Mr de BRENNI: Of course.

CHAIR: You mention in your submission costs related to shutdowns and repairs. Can you outline some examples for us of where that has occurred and also the greater impacts of a shutdown in the assets of Arrow Energy to the wider community perhaps?

Mr Jeffries: Absolutely. If metal cabling was removed through theft, it could mean that a gas well is offline for a week, two weeks, three weeks. We would have a lot of lost production during that time. Typically these wells produce between 0.7 terajoules of gas a day to one terajoule of gas a day. This gas does go to our Braemer 2 Power Station, which we operate during times of peak demand. It can supply enough energy for 200,000 Queensland homes. Other parts of the gas go to CleanCo's Swanbank E Power Station, which again is another large gas-fired power station that is used for peaking. Above all else, it does diminish our ability to maximise the investment that we have made in our other infrastructure because we do plan this out in such a way that it is optimised. It means that when we lose that production we can never make it back from our facilities because they are then constrained by other processing bottlenecks and other things as well. There is quite a large cost to us in terms of disruption and lost production.

Mr de BRENNI: You mention in your submission that in 2023 the parliament conducted an inquiry into this matter. Could you summarise for us Arrow's engagement with government since 2023 about dealing with this issue—government agencies in particular?

Mr Jeffries: We have certainly raised it at a local level with the Queensland Police Service. I think we participated in the previous scrap metal inquiry and we were comfortable with the recommendations. I think it is pleasing to see quite a number of the recommendations have been picked up. I think from our perspective we have alerted the government to a problem that we are being faced with from a business continuity perspective, a business operation perspective and a safety perspective. We trust the government will come up with the appropriate policy solution to that and we think that this is definitely, if it achieves its stated purpose, a major step forward for us in resolving this issue.

Mr FIELD: Do you believe that the introduction of a specific possession offence will assist enforcement agencies in responding more effectively to this type of offending?

Mr Jeffries: I think it is a really valuable tool for police to be able to ask people why they have come into the possession of the material and why they have a reason to hold that. I think the reverse onus of proof is also a positive step. I think people should have to explain where they have got this material from, given the risks that the theft poses not only to themselves but also to the communities and our workers and then the disruption costs on the wider economy as well.

CHAIR: In terms of offences against your company, have there been many successful prosecutions in that space?

Mr Jeffries: Not that we are aware of. I think it is a difficult one in terms of when these offenders do engage in this conduct in a premeditated way. They steal vehicles and they conceal their identities, so it is very hard, I think, for police to properly investigate and then for prosecutions to be successful.

CHAIR: Thank you for appearing before the committee today. That brings to an end the time allocated for your evidence. Thank you for your attendance. No questions were taken on notice.

McWILLIAMS, Ms Gina, Senior Legal Counsel, NewsCorp, appearing on behalf of Australia's Right to Know coalition of media organisations (via videoconference)

CHAIR: I invite you to make an opening statement?

Ms McWilliams: Good afternoon, committee. You will note from our submission that we are concerned with a very concise part of the bill. In particular, you will be very pleased to hear that I have nothing to say about scrap metal in any way, shape or form. The submission really speaks for itself, I think, because it is such a concise issue that we are raising. Other than to thank you for the opportunity to speak here today, I will turn it over to you and to ask any questions you may have.

CHAIR: This morning I put to the department the following question: do the amendments in any way restrict or limit access to court or police data that is currently made available to media? The answer was: no, it does not. With that answer, can you outline what your concerns are?

Ms McWilliams: My concern is that what is sought to be achieved here is to improve media access to information that is provided by the courts and the QPS but, instead of doing that in a clean way, the additional information that would be available from the QPS is very minimal and does not address the underlying concern, which is the change that occurred to the Police Service Administration Act last year, I believe. It would still leave unaddressed the position in relation to the vast majority of police material. Because of the way the bill has been drafted, it leaves unclear what journalists can and cannot do with information that is provided both by the QPS and by the courts under this new regime, and in circumstances where at least in relation to the disclosure of names there will be a new offence that applies if the use of a name is engaged in in a way that is contrary to the regime. It is the introduction of a new offence in circumstances where we cannot be certain whether or not we are going to be committing the offence by the conduct of a journalist in reporting the news.

CHAIR: Just to be clear, the question was whether the amendments in any way restrict or limit access to court or police data that is currently made available. Noting your comments about it being improved, do you accept the department's answer in relation to that, that it does not in any way restrict or limit access to court or police data that is currently made available to media? Would you agree with that?

Ms McWilliams: Yes, I would agree with that.

Ms McMAHON: It was put to us by the department that this was simply legislating current processes. Do you agree with that, obviously in line with the 2025 changes?

Ms McWilliams: No, I do not. The reason for that is that journalists do not solely limit their inquiries of the QPS to things that they have released a press release about. Obviously they are asking a far greater range of questions about operational matters occurring in Queensland. No-one has really been able to explain to me why the amendment was focused so directly on only ever applying to circumstances where the commissioner had authorised the release of a press release first. Unfortunately I cannot explain to you in any greater detail why it has landed with that focus, but because it is so focused it means that it is not really a significant improvement in being able to obtain information from the police at all.

Ms McMAHON: Can I get a further example of what you mean? Particularly in your submission you made reference to exposing QPS officers, staff, publishers and journalists to further liability. Can you give us an example of the type of information a journalist might want to know or be able to access and how that exposes a QPS officer or a journalist to further liability? How does that actually work out?

Ms McWilliams: The problem is not necessarily arising from this bill; it is from the amendment that was made to section 10.1 of the Police Service Administration Act—I believe it was last year or the year before. It was certainly under the previous government, not the current government. What was previously in that section was what we would regard as a fairly standard public service restraint on a police officer using information that was obtained in the course of employment from doing anything with it other than what was required to do their job. As the submission says, we see that type of provision across Australia in public service related legislation.

The change that was made to that particular section did three things. Firstly, it changed the focus from information merely being confidential to confidential information including all personal information. I do not know how much time the committee has spent delving into the wonders of the Privacy Act, but that is something I have spent quite a lot of time on in recent times. Personal information is anything from which you can obtain someone's identity. As I am sure you would appreciate, that is the bread and butter of both QPS and journalists alike. They spend their day dealing with people's personal information which, due to the change, is now caught up as being confidential information. That was the first major change.

The second major change was that instead of a provision that simply says a QPS officer cannot disclose confidential information, it extended that to the offence covering third parties who, whether directly or indirectly, obtained information from a QPS officer who had disclosed it in contravention of the section. The QPS have been very good about trying to remedy that problem since the change was made. As they may have informed you, shortly after it occurred they did a review of how they make disclosures to journalists and they circulated an email indicating a process by which journalists apply to receive information from the QPS that is authorised by the commissioner to be disclosed. The problem is that if you have to do that every time you need information about even the most run-of-the-mill case then that takes time. I am sure it must be taking up resources at the QPS's end when there could be a simpler system imposed to allow that information to be passed on to journalists.

To answer your question, the types of information that journalists would be seeking from QPS would be absolutely anything at all to do with any kind of case that is occurring in Queensland but, because of that previous change to the policing legislation, it has made it more difficult for police officers to actually convey that information without engaging in this new authorisation process.

Ms MARR: Further to that, in your submission you discuss needing authorisation from the QPS Commissioner to publish information. Do you accept that this current bill does not legislate stopping publication where information is disclosed by other means, for instance, in an open court? Media can still publish details as currently as it does?

Ms McWilliams: I absolutely dispute that. There is nothing in the drafting whatsoever that actually says that any of the restraints fall away once the material is disclosed in open court or once the material is otherwise generally made publicly accessible. The problem with the drafting is the selection of the phrase—I believe it is—'lawfully accessible to the public', which does not have a definition. I have actually had this conversation with one of my colleagues who is a signatory to the letter. She raised the same point. My response to her was: what does 'lawfully accessible to the public' mean then? Was it intended to mean that once it was disclosed in open court it would be fine? Was it intended to mean that once it was all over the internet then the cat was out of the bag and it could not be brought back in again? Is that fine? I think it is the lack of defining terminology that has, in that respect, caused an issue with drafting.

Ms MARR: If the information is obtained in open court, the bill does not limit that publication. Earlier we had the department here and they said it had been a longstanding practice, but this legislation is providing it to continue to the existing practice. We will have to agree to disagree that nothing changes there if you get it in an open court. You are saying it is the wording and that is something we can look at, but we have been advised that that does not change publication.

Ms McWilliams: Could I put a pin in that and say that that is exactly the problem? If we take a look at drafting and we say we think they mean this—and I absolutely accept that it was the intention that once something was disclosed in open court then it was meant to be able to be published—if the drafting does not say that then that leaves my clients and all of the other media entities that are part of Australia's Right to Know scratching our heads and unsure about whether or not we are doing something we are allowed to do. If we are already unsure then doesn't that indicate a problem with the legislation before it has even commenced?

Ms MARR: Do you have the confidence that the current legislation gives you that right?

Ms McWilliams: No, I do not.

CHAIR: To clarify 'lawfully accessible information', on the two examples you provided, clearly if it is before an open court then that is lawfully disclosed. If it is on the internet then, I agree, it would be questionable. Is that not clear?

Ms McWilliams: No.

Mr de BRENNI: Ms McWilliams, I want to put a proposition to you and then ask a question off the back of it. I think the coalition has indicated that it thinks transparency in lawmaking is important, that the rights of citizens and key stakeholders to be properly consulted and informed about proposed laws is important—

CHAIR: Member, point of order. When you say 'coalition', what are you referring to there?

Mr de BRENNI: Well, the witness—

CHAIR: Sorry, I am with you. I was just clarifying. My apologies, member. Go on.

Mr de BRENNI: That is correct, Ms McWilliams? You are from the Right To Know coalition?

Ms McWilliams: ARTK, that is the coalition.

CHAIR: That was my mistake, member. I apologise.

Mr de BRENNI: That is okay. I was referring to the rights of citizens and stakeholders to be properly informed about proposed laws. Can you shed any light on why it has been reported today in the media that the coalition's view is that the bill was rushed? Can you shed any insight into why these laws have arrived without consultation with relevant stakeholders?

Ms McWilliams: Sure. The first that the media was aware specifically that the changes we are talking about—not the broader bill—were on the table was, I believe, 24 hours before the bill was actually tabled in parliament. In the past, in dealings we have had with Queensland, for example, in relation to amendments that were made in relation to the sexual offences legislation—which, as you would know, recently moved from a standalone act into the Evidence Act—we had significantly more notice. We were able to produce more considered responses to issues raised in relation to those issues. We did not get everything we wanted—I will absolutely be honest about that—but we certainly felt heard throughout the process because of the extra time that was allowed to actually participate.

I appreciate that what has occurred here is that there have been changes included in an omnibus bill which is largely not about the issues that my clients have raised and that may have caused perhaps an oversight that maybe these are things that should be raised with us beforehand. As I said, we had, I believe, 24 hours notice before it was tabled. It might have been slightly longer than that but it was certainly within a two-day period. In our past experience of dealing with the government in Queensland, we have had more notice than that.

Mr FIELD: Do your concerns go to the workability of the provisions in practice rather than the concept of providing a statutory framework for disclosure to accredited media?

Ms McWilliams: I would say that that is correct, yes. I believe that our submission included some suggestions. It would be fairly simple to amend what is being proposed, to take it from something that we do not think is workable to something that would be workable so, yes.

Mr de BRENNI: Ms McWilliams, in respect of the limited time that you had to form a view about this before it was made public, what impact has that had on the organisations in terms of being able to provide instructions to you in terms of how you participate in this inquiry process, given that the government has said that they are really relying on this committee process to sort this out? I think it was described today in the media as a mess that needed to be sorted out. What impact has that had on your ability to seek advice and instructions?

Ms McWilliams: You find me in the very unique and beneficial position of being an in-house lawyer at one of the media institutions that is part of the ARTK coalition. I have the added benefit of being part of a team of seven lawyers. I basically dropped everything and did nothing else for about 48 hours. I did sleep! I was able to spend time looking at the legislation, looking at the source of the issue, which I do not think was really canvassed particularly at length but which we were already aware of, and spend the time necessary to consider the issues that it raised and also to consider drafting alternatives that would remedy the issues that it raised.

If you were dealing with a media entity that did not have the benefit of in-house lawyers, they would really suffer from the short notice that was provided because they would have to instruct external counsel and they would have to pay for that. My salary obviously is absorbed by the fact that I am part of an in-house team. I hope we have responded as thoroughly as we can. Would I have liked more time to consult with perhaps other team members and make sure I had not missed anything? Absolutely, because we always worry about that and providing you with as much information as we can. Yes, that was the experience on this particular occasion.

CHAIR: Going back to expectations and the intent of the bill, the explanatory notes say the objective of the amendments is to facilitate existing practices in which information is disclosed. Noting your answer to my previous question, do you accept that this does not change any other legislation that is already applicable to how media get or publish information; it is purely where a statement is put out by police?

Ms McWilliams: Yes, I would agree with that because there is no legislation currently governing the practice by which the courts disclose their court lists. There never has been in relation to that.

CHAIR: There is nothing that I can find in the explanatory notes—point to it if there is—about improving or expanding access for media to this information. It was purely, as I said before, to facilitate existing practices. Do you agree that the bill does that simply? I understand your expectations or your desire to have perhaps increased access, but the intent of the bill is to facilitate what is already going on. Would you agree with that?

Ms McWilliams: I would agree that that is the intent of the bill. I think the way that it has been drafted means that it does not meet that intention because of the fact that it has introduced the risk that information we receive cannot be used, which was previously not the case. Since there is, for example, no current governing legislation over the way the courts choose to disclose court lists, that is a matter entirely up to them, so there is no offence if we use information that we have obtained from the court in a way that is contrary to how they disclose it.

CHAIR: Thanks, Ms McWilliams. That brings to an end the time allocated for your evidence today. We appreciate you appearing via video link and giving evidence before the committee.

Ms McWilliams: Thank you very much for your time. I really appreciate it.

GIBSON, Mr Peter, State President, Queensland Branch, Australian Lawyers Alliance

CHAIR: I now welcome the representative from the Australian Lawyers Alliance. I invite you to make an opening statement for the committee.

Mr Gibson: Thank you, Chair and committee. We are also here talking about a very small part of the bill, which is the change of the District Court's jurisdiction from $750,000 to $1.5 million. At the outset, that is a significant increase. We see two risks moving forward with the bill as drafted by not having some accompanying changes.

The first is that our association is an association of lawyers, academics and advocates for those who are injured or consumers who need advocacy. We have many hundreds of members in Queensland representing many thousands of injured Queenslanders across the state. One of the consequences of this change would be that injured people who are in the category of having a matter that falls between $750,000 and $1.5 million in value will be required to pay more of their legal costs out of their pocket. These are not insignificant claims; these are claims for people who might not be able to work and who are trying to put food on the table for their families. Every dollar really matters to them.

I acknowledge that the bill, and the explanatory memoranda as listed, was drafted in a way that would allow more access to justice across Queensland by allowing people to start claims in their various local courts which might have other capacity. The problem with that is that, in the industry in which we operate where there are insurers involved, a good majority of cases resolve before the matter ever goes to trial. Most cases resolve before a matter goes to trial and most cases will resolve before they are actually litigated in a courtroom. That means that all of those people who resolve their cases with an insurance company through the pre-court processes that have been set up are recovering less of their legal costs than the minority of people who might get to file their claim and pursue their claim through their local court. That is the core issue: they get poorer cost recovery in that space.

One other point on the cost piece is that, as lawyers, the work that we have to do for that cohort of people does not change. A person comes into a law practice who needs help and that help is provided. The work that is done does not change because of the jurisdiction that the matter is filed in. I just wanted to make that point as well.

The second concern we have is that if there is a whole range of matters—and I do not have any data on this. I did have the benefit of looking at the most recent District Court annual report before coming here today. It was not available at the time of writing our submission. That will require a whole range of more cases that will be filed in the District Court, which would put pressure on a court that is 'one of the largest courts in the country', as it was referred to by His Honour the Chief Justice in the most recent annual report, dated 20 March this year. We have concerns that putting more work into the District Court will also create some delay in that space.

They are effectively the two concerns we have with raising the monetary jurisdiction of the District Court without having any safeguards to mitigate against those risks. That is my opening statement.

CHAIR: Thank you very much, Mr Gibson. I note your comments in relation to the cost recovery and the monetary limit increase for the District Court. I would like to quote from the Department of Justice's response to your submission. They state—

> The relevant amendments will commence on 1 January 2027 to ensure that implementation activities for the District Court can be carried out before commencement.
>
> ...
>
> 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.

Do you accept that the 1 January 2027 commencement date is enough lead-in time to address the costs framework and issues you have raised with the UCPR Rules Committee and Chief Justice?

Mr Gibson: I think that should be enough time. That gives nine months. Yes, that should be enough time to deal with those considerations.

CHAIR: Do you further accept that your recommendation to amend Practice Direction 22 of 2018 to address cost issues is a matter for the Chief Justice to address following legislative change, noting that the QLS has said that this is not strictly a matter for the legislature, which I assume is why it is not included in the bill before the parliament?

Mr Gibson: It is a matter that needs to be considered. I agree that the amendment of any practice direction is under the jurisdiction of the court to make that consideration. However, it would be remiss of us to not to point out that this is not an insignificant increase of the jurisdiction of the District Court. It is doubling the jurisdiction of the District Court with nothing else in the bill to give provision for any of these concerns that we have expressed.

CHAIR: You are not suggesting the parliament should amend a practice direction of the courts?

Mr Gibson: I am not suggesting that, no.

Ms McMAHON: I want to go to the issue of the workload for the District Court. Earlier, I asked the department about what the impact would be on the District Court. They indicated that on some rough modelling they did there would be 440 cases per year that would now be able to be heard in the District Court, but they also said that those extra 440 cases would have to be met within current budgeting. Could you give us an idea of what impact that is going to have on matters to be heard in the District Court, not only in terms of wait times but also in terms of the workload for the District Court if there are no additional resources?

Mr Gibson: It is not data that we have had the benefit of considering before this committee meeting obviously, but that is about a 10 per cent increase in claims in the District Court. If that is of this type of case too, these are the cases that we find are often managed on a supervised case management list because of the complexity of the cases that fall within this area. Usually they might take up more than the average resources that a court might require to expend on a matter. I would have grave concerns that there are no additional resources when there is a 10 per cent increase of cases coming into the District Court that are probably more complex and require more of the court's resources.

Ms MARR: Given the District Court sits in more regional locations—31 compared to the Supreme Court, which is only 10 across the state—wouldn't you support the increase in the District Court's monetary limit to allow more people to have better geographical access to courts in Queensland?

Mr Gibson: We would support it with the right safeguards. The point that I made earlier—and maybe I did not articulate it well—is that the cost recovery does not just impact matters that are actually litigated in a court or filed in court. The cost recovery applies to all matters that a person may bring. In Queensland, across our personal injuries matters across the jurisdictions in workers compensation, CTP and public liability claims, there are pre-court procedures that must take place, and a majority of matters will resolve before they are even filed in a court. We are not talking about just the 4,000 civil cases that get lodged in the courts. We are talking about many thousands of cases that are lodged separately with insurers that these cost implications will now impact as well. For all those thousands of people, I think they would probably prefer to have the better cost recovery than just being able to file something in their local court because they might not even get to the position where they have to file something in their local court. Is that clear?

Ms MARR: Yes.

Mr de BRENNI: I refer to your submission where you talk about the impact on personal injury claimants and say that the bill 'undermines the purpose of civil compensation schemes and penalises injured plaintiffs'. Could you advise the committee if many of those injured plaintiffs to be penalised could include people injured in their workplace?

Mr Gibson: It certainly would include people who are injured in their workplace. In Queensland there are about 2,500 common law claims for workers compensation made every year, according to the Office of Industrial Relations data. The majority of those—and what I mean by 'majority' is somewhere between 60 per cent and 80 per cent—will actually resolve before being filed in court. There is a portion of those matters that will have cost recovery that might be impacted by these rules as well.

Mr de BRENNI: Mr Gibson, is it correct to say that some of those might become economically unviable to pursue under these provisions, effectively leaving those plaintiffs without access to justice?

Mr Gibson: These claims are very complex, so it is possible that some of them become economically unviable. I will be clear: we are dealing with matters where you are able to calculate a loss between $750,000 and $1.5 million. Generally those claims are going to be economically viable to maintain. Where it really puts pressure on injured workers or injured motorists in Queensland is where they might have an offer from an insurance company to settle and the economics of proceeding, to

going along to get the compensation that they deserve, do not add up and then they might have to under settle their case because the economics mean that it is not worth proceeding on it. It is not just the matters that we would not proceed with but also the ones where there might be difficulty in getting the right settlement amount for them.

CHAIR: That is assuming there is no change to the scale of costs.

Mr Gibson: Correct.

Mr FIELD: The last amendment to the District Court monetary limit was 15 years ago. However, the scale of costs was recently updated on 1 July 2024 to align with the scale of costs for the Federal Court based on movements in the Consumer Price Index and the Wage Price Index since 1 July 2023. Are you suggesting these updates are now already out of date?

Mr Gibson: I do not think the updates went far enough to begin with. With the architecture of the cost recovery scheme, I think it is fairly accepted that an individual will not recover all of their costs. That is borne out by the fact that there can be different cost orders. You can get a standard cost order where you recover standard costs, which is what we are generally talking about today, or there could be an indemnity cost order where a court effectively punishes the other party for not settling a case or not doing something. The fact that you can get an indemnity cost order that recovers more of your costs rather than the standard amount is the architecture of the scheme. The scheme is not that, if you win, you get your legal costs and it is all happy days—you get 100 per cent of what your damages are. That is not how the scheme is. I do not think the system has kept up with the costs that are involved in providing legal services in Queensland.

Ms McMAHON: Going back to what we were talking about before, I think you indicated it would represent a 10 per cent increase annually in the work of the District Court. I want to clarify that you anticipate that there will be a 10 per cent increase in the workload of the District Court but that is to be met within current budgeting guidelines. There will not be a proportionate 10 per cent increase. That 10 per cent increase is quite likely to be far more complex than, say, a 10 per cent increase in normal workload. While in actual cut-and-dried figures it might be 10 per cent, in terms of the actual workload and the complexity of that workload it would probably represent more than 10 per cent in the workload of the District Court in a single year.

Mr Gibson: I agree with that proposition. The 10 per cent increase in workload I have calculated based on the information you provided with the 400 cases and the most recent annual report, which said there were about 3,900-odd civil claims lodged. Being they are more complex cases, they might be 10 per cent in number but the resources will be greater in percentage. It could be something like a 20 per cent increase for the resources of the District Court.

Ms McMAHON: My experience was mostly with Magistrates Court matters. It took so long for something to get to a District Court that it was normally dealt with before it went to a District Court. Could you advise what the current general waiting times are to get a matter heard in the District Court and how long it is going to take matters to be resolved in the District Court with this increased case load?

Mr Gibson: It is a complicated question in a sense that we are dealing with these complex matters that might be case managed. Often there can be a lot of disputes between parties which add to the work of the District Court or add to the work of the Supreme Court. It would be difficult for me to put a number on the length of the delay. I would have thought it would cause more delays in getting a matter listed for trial, for example, which can take months at the moment. It would push that out more if the resources were not there to hear matters.

Ms McMAHON: I know we have spoken about civil matters, compensation and those kinds of things, but in terms of the District Court also dealing with criminal matters—we are talking about people who are on remand awaiting trial—will that workload mean that it will take longer to have those matters dealt with by the District Court?

Mr Gibson: I probably would not comment on criminal matters.

CHAIR: That is probably outside the witness's expertise.

Mr Gibson: Yes.

CHAIR: We have had a fair bit of speculation around figures, increased workloads and percentages. In terms of those resources and implications, are you aware that the Supreme Court and the District Court share the same registry and court services? Would you accept that there would be minimal issues in terms of the behind-the-scenes infrastructure if matters are transferred from the Supreme Court to the District Court?

Mr Gibson: I understand that and accept that there could be some efficiencies, and there might be some areas that are not impacted.

CHAIR: The Department of Justice also noted in their response that they are 'progressing work to facilitate electronic filing (eLodgment) capabilities for all court users across Supreme, District and Land Court civil jurisdictions' and 'It is anticipated that eLodgment will be extended to the District Court by September 2026.' Do you welcome this development? Do you think it will assist with these changes?

Mr Gibson: Our membership would certainly welcome that development. We think that any modernisation of the system—including having digital lodgements, digital signing of documents and the like—is really important because that is an access-to-justice issue, especially in regional areas of Queensland. It is much easier nowadays if you have the technical capabilities to lodge, sign and get matters moving. That is very welcomed by the alliance.

CHAIR: When we talk about resources, that will assist with timelines, lodgements and workloads.

Mr Gibson: I believe that would. I cannot say for sure but, yes, that would make sense.

CHAIR: We have one minute left. If members to my left do not have any questions, we will leave it there. Thank you, Mr Gibson, for your appearance before the committee today and the evidence you have provided us.

Mr Gibson: Thank you, Chair.

TAYLOR, Ms Betty AM, Founder, Red Rose Foundation

CHAIR: Welcome. Good afternoon. I invite you to introduce yourself to the committee and tell us the capacity in which you are appearing today.

Ms Taylor: Good afternoon. Thank you for the invitation. My name is Betty Taylor, and I am a board member of the Red Rose Foundation. I was instrumental in the establishment of the Red Rose Foundation and the Queensland Domestic and Family Violence Death Review Board.

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

Ms Taylor: I am a last-minute stand-in. Lucy Lord is the CEO. She has gone on a well-earned holiday, so I am here in her place. It has been almost 10 years since the death review board was established. The reports from the board are all on the Coroner's website. If you read them, you can see over time that there has been a severe reduction in how the board conducts its business. The board used to have very robust case discussions. It is now more involved in collecting data. It is a critical part of our domestic violence responses, but the deaths of predominantly women and children are not decreasing. If anything, they are increasing across Australia. The death review board serves to identify systemic gaps in policy, legislation and systems responses. Taking this seriously and doing thorough case reviews is going to help us.

In its current format, families are outside of that process, and we have continually had families asking us how they can get a voice into the death reviews. We are now using the language of 'hidden homicides' where the deaths of women are being written off as suicides, accidents or missing persons, and we know they are not. We are advocating strongly to expand under the Coroner's Act what the domestic violence death review board is able to do. If a person has been before the Magistrates Court for a protection order, breaches of orders et cetera and their partner mysteriously dies, that has to be looked at. There are way too many. We think the known homicides are high, but we are concerned about the hidden homicides as well.

In terms of the question around coroners being able to chair that board, we would probably like to see it expanded to judicial officers who have the expertise to do that. It is not a coronial inquest. It is not about discovering how a person died; it is about why. Where did the systems let somebody down? I continually use these two words: predictable and preventable. I do not believe any of the homicides that we have against a backdrop of domestic violence are out of the blue. Often the media reports in a sensational way that there has been the death of a woman and children. People all remember Hannah Clarke and her children. There have been so many since then. The reporting of, or the failure to report accurately, the deaths in our First Nations communities is appalling.

We think a lot more can be done. I know the government puts a lot of money into domestic violence responses, but if you do not know where to put the money it is a systems failure. I sat on that board for seven years and there was a litany of systems failures. We do not sit there to appropriate blame against people in any occupation, but the flaws are there. It can be a lack of communication across agencies from police to emergency departments to mental health. We have to do better, but we cannot do better unless there is a robust commitment to enhancing that death review process.

CHAIR: I note your submission and your evidence today and the important work that the Red Rose Foundation does in advocating for victim-survivors. A lot of your submission and your evidence is outside the scope of what this bill intends to do, but it is important for the committee to understand the wider scope of things.

In your submission, you welcome the proposed amendments to widen eligibility for the Domestic and Family Violence Death Review Board chairperson role to allow an appropriately qualified coroner to be appointed as chairperson. In noting the Red Rose Foundation's long history of advocacy and support of domestic violence survivors, what benefit do you see this proposed amendment bringing to survivors?

Ms Taylor: We are advocating to have someone chair the meeting who is a judicial officer who could be outside of the Coroner's office. It could be someone out of the Magistrates Court. We need to bring people into that role who really understand what we are talking about with domestic violence deaths. None of them come out of the blue. It may or may not need a coroner. It could still be people in the Coroner's office who support that role—people who can bring about a robust examination of those deaths.

CHAIR: An appropriately qualified coroner could be that person?

Ms Taylor: Yes, absolutely.

Ms McMAHON: Good afternoon, Betty. Thank you very much for coming in.

Ms Taylor: Hi, Melissa.

Ms McMAHON: For the benefit of committee members, Betty and I worked together in the DV field when we were setting up those the death review board before I got elected.

Ms Taylor: Absolutely, yes.

Ms McMAHON: We were just talking about having an appropriately qualified judicial officer. There has been a lot of work done on different judicial levels to upskill our judicial officers. Who would you consider to be an appropriately qualified judicial officer? What would their background look like to you?

Ms Taylor: They would need to have a really sound understanding of domestic violence. I talk a lot about the high-risk indicators that precede a death. If we map them, they are there well before a homicide. We had started to map them through the death reviews. We have to know them to help a victim at the earliest point they reach out. We cannot wait until the deaths. I think we looked at 20 deaths in one year, and out of those 20 there were over 500 contacts with the service system—over 500. Whoever chairs that board needs to be working with the staff in the Coroner's office and also with the board. Often the board only gets what comes to them, but we have to make sure they are getting the full picture.

Ms McMAHON: Going back to what you said in your opening remarks about the role of the board—I will try to not put words into your mouth—and how it has kind of lost its way in terms of its relevance, its reviews and its robustness, I think is how you referred to it, how do we get back the momentum that the review board used to have other than by appointing a board chair who is relevantly qualified? It seems a bit like shuffling chairs on the *Titanic* if it is not doing what it used to do, or should be doing, to provide advice to government on those systemic failures.

Ms Taylor: I am not on the board now—I will put that out there—and I do not want to make any accusations about how it is working. You just need to go and read the reports. There is a lot of data, and data can tell you about numbers but not systems failures. We know that the families are the ones who knew so much, and that may come out at an inquest and it may not. Where is their voice to be heard in these death reviews?

Ms MARR: Thank you, Ms Taylor, for being here today. I note that you are the founding member of the Red Rose Foundation. Thank you for your seven years on the board as well. It is a long seven years to be on such a board. You have touched on this a bit in the last two questions, but I want to note that from your frontline experience and seven years on the board, what do you see as the main effect, whether it be for review outcomes or for victims and their families, of allowing a more appropriately qualified coroner to be appointed as a chairperson on the board?

Ms Taylor: I know that some of the things we were saying in our submission are outside the role of this committee, but to me it is all intertwined. If we do not start to look at the whole board and who chairs it and what they are doing there, it is an opportunity missed. We know that through having that lens—and they have to be multi-system—they have to be a coroner or a chair that can actually know where to go to get the information.

Ms MARR: What do you think the main effect or outcome is that you are after with this board that we are not achieving currently?

Ms Taylor: I think where it probably needs to go is that always we need to get robust recommendations. Then the next step is that they go to government and get acted on. In doing that, too, we have to really look at marginalised people and families. Families do not have a voice into that process. They will only have that voice if there is an inquest, and there is not an inquest for every death. Every homicide does not involve an inquest, so families are often struggling: 'I knew this. I knew this. I knew this.'

Ms MARR: 'Robust recommendations'—I like that, thank you.

Ms McMAHON: Looking at the voices of families and those with lived experience being embedded into the board, can you speak to that and in particular the need for First Nations people to be properly represented? You mentioned that in your submission.

Ms Taylor: For sure. What was the first bit, Melissa?

Ms McMAHON: People with lived experience—the family's role.

Ms Taylor: Obviously the families are not going to be party to every review, but when it is one of their bereaved, we need to hear them. We need to hear what they are saying, because so many of them have struggled for years trying to get the voices of their loved ones heard, and they know so much. We are working with a couple of families at the moment, predominantly parents, who knew. They said, 'We knew this is where this was going to go, but no-one would take us seriously.' They are looking to be heard, and that will include First Nations communities.

A couple of years ago, before I got off the board, there was an over-representation of one of our Indigenous communities in Far North Queensland, and there was a reluctance by people in the department to actually name that community in case we shamed them. My argument was, if we do not name them, we cannot help them—we cannot get the resources they need and we cannot get better supports in there. They did not even have a women's shelter. I think we have to be honest about the level of violence that some of the women and children are experiencing and make sure our resources are adequate for them.

Ms McMAHON: In terms of representation and the board, do you see potentially to have that cultural or lived experience on the board when it comes to First Nations people, given we know the data set on the likelihood of being a victim of domestic and family violence as a First Nations person?

Ms Taylor: Absolutely. The board needs First Nation representation from those remote communities, not people speaking on their behalf. We need to hear from them directly.

Mr FIELD: Do you consider the governance changes to the Domestic and Family Violence Death Review Advisory Board strengthens its ability to perform its functions?

Ms Taylor: Yes, I do. I think the board plays a critical role that it sits outside of an inquest or a homicide trial. They are looking at who was guilty or not guilty. This is looking at what are the systems gaps, and there are so many of them. If we can start to plug some of those gaps, at the end of the day we might start to save some lives. At the Red Rose Foundation, that is what we are concerned about. We work with women who have survived attempted homicides and are left in a shocking way. We were predominantly the organisation that put strangulation out there into law, but now we are finding women who are strangled are left with brain injury. It is those that die but also those who survive, and that comes out through the death reviews really clearly.

Ms McMAHON: Your submission, as the Chair acknowledged, was feedback on the bill, but it also made additional recommendations to strengthen the review board. I know you and the Red Rose Foundation are quite persistent in terms of lobbying to get, whether it was strangulation or anything like that, before the right people. Can you advise whether you have received any feedback from government on the recommendations that you have made in your submission?

Ms Taylor: Not specifically on this and these recommendations, but we have met with the Attorney-General around these same issues. We had a positive meeting with her about the way forward in ensuring that the Domestic and Family Violence Death Review Advisory Board was robust and was doing the work that it was constituted under the Coroners Act to do. She was also very receptive to finding ways to include the voice of families.

Ms McMAHON: I assume you will let us know if it is not the robust system that you need it to be or that victims need it to be?

Ms Taylor: Yes. We have been going this long, Melissa. We do not give up easily. It is so important. One of the things, for instance, where we were successful was for the board to start looking at suicide when there was a backdrop of domestic violence. It is just not a suicide that came out of the blue. This is off the track but it is just for your information, very briefly. There is a homicide trial coming up this year and—

CHAIR: Is this a matter before a court? You cannot mention evidence in relation to a matter that is before a court currently. Is that where you are going?

Ms Taylor: Yes. I was not going to name names. I was just going to say if this had been dealt with earlier—

CHAIR: You have to be very cautious of that. Perhaps you could give a hypothetical example that might go to your answer. If there is a specific matter before the court that could be identified by your evidence, we need to avoid that.

Ms Taylor: I will not even talk about what that homicide is. I am just saying that other people had died in and around that person and, if we had acted sooner, that may have been preventable.

CHAIR: In relation to your recommendations about the board make-up and the strengthening of the membership of the board, the department provided a response to that, noting—

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.

Does this satisfy your recommendation or do you suggest including other provisions in that framework for inclusion?

Ms Taylor: As I keep saying, there is the voice of family. Although they may not have a permanent place on the board, they certainly have insights that would be important to listen to.

CHAIR: How might that look then? You have mentioned that a few times. I am interested in how that might look in terms of family input to the board.

Ms Taylor: Going back to 2002—yes, I am that old—I did a Churchill Fellowship in the US and Canada. They had death review boards that then had the capabilities of doing discrete interviews with family members. If the death review of person A was coming up, they could meet with the family and relatives and record that, and that would influence it. It did not mean they became a permanent member of the board, but it was a mechanism for that voice to be heard. The other point I would make is that having one First Nation person on that board is pretty inadequate, given they are way over—

CHAIR: Sorry, I missed that. The one?

Ms Taylor: Having one First Nation person on the board is inadequate, given their over-representation in not only domestic violence per se but also in homicides.

CHAIR: Thank you very much, Ms Taylor. That concludes the time allocated for your evidence today. We really appreciate you attending and giving evidence before the committee. We also appreciate the wonderful work you do for victim-survivors. Thank you.

MURPHY, Mr Patrick, Government Relations Manager, Queensland Branch, National Electrical and Communications Association

CHAIR: I now welcome the representative from the National Electrical and Communications Association. Good afternoon. I invite you to make an opening statement to the committee before we move to questions.

Mr Murphy: Good afternoon, Chair and members of the committee. I would like to acknowledge the traditional owners of the land on which we meet today and pay my respects to elders past, present and emerging. Thank you for the opportunity to appear. NECA Queensland represents the licensed electrical contractors—mostly small and medium businesses—who build, maintain and restore electrical systems that underpin Queensland's economy.

We are here today for a very practical reason. When copper is stolen in Queensland, it is generally our members who are called to deal with the consequences. They are the ones who we say arrive first and make the site safe. They are the ones who restore power, communication and essential services and, more often than not, they are also the ones who bear the burden of the cost, the delays and the risk. In reference to this bill, it is something that our members have been asking for for some time. Copper theft is not a minor property offence, and what this bill is doing is recognising it is a serious safety, infrastructure and economic issue. We strongly support the recognition that we have been given.

The amendments, in particular part 8 of the Criminal Code and part 25 of the Second-hand Dealers and Pawnbrokers Act, are not theoretical. They are something our members deal with operationally every day.

In respect of the perspective of the electrical contractor, the reality is that, once the damage has occurred, it is long before there is an actual copper sale on a market. The damage has occurred well before there is a sale that takes place. The cost of the repair and restoration is usually borne by the contractor. The risk is at the site, at the construction site in particular, and there are often unsafe and unpredictable conditions. Our members are working in environments where the systems have become compromised, where wiring has been removed, earthing is uncertain and electrical hazards are real. They have to then manage the delays, the rework and the unproductive labour, the impacts of which are not necessarily visible in the bill or the amendments to the bill.

We strongly support the bill, but we would like to make it clear that our members are dealing with the impact of these issues every day in real time across Queensland. Without any stronger controls to address not just the offence but the conditions that enable it, the burden will still remain on the contractors. If we go back to the parliamentary inquiry in 2023 into scrap metal theft, it was made very clear that it is not just about focusing on the theft itself. We are focusing on the scrap metal market that enables it. While this bill implements some really important elements of that work, particularly around the offences and identification or verification, unless we can go harder or stronger on that resale market we feel the incentive to steal copper will persist, unfortunately.

Today, just to update the committee, in 2026, in the market we are dealing with, copper prices have never been higher. The resale incentives are getting stronger. We have an infrastructure pipeline in Queensland that is growing and our contractors are under pressure from inflation, labour shortages and now we have a fuel crisis and rising costs as a result. In parallel to this, the government had the Queensland Productivity Commission report into the construction sector. We also saw how productivity is declining on our construction sites. Since 2018 it reported a nine per cent decline. We have demand increasing due to increased public funding and we have productivity declining. The construction industry system is under a lot of strain.

We want to point out that, while the QPC report did not capture the impact on construction sites of copper theft, on the ground this theft directly contributes to productivity losses. Those losses are in project delays, labour inefficiencies, safety risks and unallocated contract costs. In a sense, copper theft is a real-world example of the productivity challenges that the QPC identified. The point I would like to make from NECA's point of view and our members' point of view is that, while the QPC never named copper theft or addressed theft-related crimes that impact our construction sites, the amendments in this bill provide government with a policy framework and a mechanism now to address some construction site risks and the level of theft. In particular, clause 40 and new sections 400 and 401 will strengthen site-based theft.

From a policy perspective, this bill does a number of things very well. It strengthens the offence, it increases penalties and it improves traceability at the point of sale of the illegal copper through identification and transactional recording. We support all of these reforms. From NECA's perspective

there are just a couple of little gaps and I want to point them out. One is that the economic driver remains. The bill recognises the threat, but in regulating transactions after they enter the market and not before they enter the market the incentive is still there. Second, the controls are transactional based. They are not preventative. They occur at the point of sale—reporting and investigation—but the damage is happening a lot earlier: at the point of attempted theft and at the site. Enforcement remains a little bit fragmented. We have the police force enforcing criminal law and we now have the regulator to oversee compliance. We need to integrate those two systems.

Finally, I would just like to say that the burden still sits with our contractors. The bill does not address cost recovery, risk allocation or productivity impacts. Yet our contractors are the ones who still will be responding first, repairing the damage and absorbing the disruptions. We would like to finish by repeating that Queensland electrical contractors are not just observing the issues. We support these reforms and respectfully encourage the committee, if you can, to consider further measures that more effectively disrupt the illegal sale in the scrap metal market and, if possible, reduce the burden of those who currently carry it. Thank you, and I welcome any questions.

CHAIR: Early in your evidence you said the damage happens well before the sale.

Mr Murphy: Correct, yes.

CHAIR: Can you unpack what you mean by that and what you base that on?

Mr Murphy: When I was talking about a 'sale', I was talking about the sale of the copper, the metal itself—the valuable metal. On a construction site—take any construction site in Queensland: I will use construction sites as an example—on a Saturday night when a callout comes that a trip monitor has recognised there is someone lurking around their construction site, by the time they can get there or get response there, metal has been stripped from the building—metal that was part of an energised construction site. If they are clever and smart, they will know the right wires to cut. If they are not, they do suffer injuries. However, the metal is gone and it then goes into the supply chain, if you want to call it, and eventually ends up at the scrap metal dealer who is willing to take it.

CHAIR: When you talked about the time delay between that, what do you base that on? Is that anecdotal?

Mr Murphy: I do not have any evidence because there is no traceability. It is very difficult to know the origin and where that material ends up. I do not have any evidence.

Mr de BRENNI: You mentioned a gap in what the parliament is being asked to consider in that they are not preventative measures. You recognise the strong elements around the trade of stolen metal. In terms of interpreting what you are telling us, would it be correct for us to assume that you are asking the parliament to consider perhaps legislating some sort of engineering solutions like vandal-resistant or theft-resistant cable systems or secured and lockable kits or restricted access designs? What sort of preventative measures are you contemplating to close that gap that your organisation has highlighted?

Mr Murphy: Unfortunately, as we create solutions, the thieves or the offenders create new problems. These amendments are very welcome. There is no question about that. We want to see them implemented. We want to see some really positive outcomes coming from it. What we were trying to also ask for, if it is possible, and to look for, is additional preventative measures that can actually assist at the construction site. We do believe that clause 40 is a positive move towards that—that is, proposed new sections 400 and 401. However, the ability to stop clever individuals on sites is becoming more and more costly. We are now seeing proposals from security companies that are looking at how they can protect larger locations more effectively because of the cost of the material that is exposed during that period of construction where it is live but it is not locked.

Mr de BRENNI: Have your members seen theft from a site, replacement and then theft again—repeat offending on the same site?

Mr Murphy: Yes. By chance, in one of those examples there was a police car nearby. It came onsite and caught the offenders. The damage had been done. They had stripped the walls. What I would say is that they were attempting a robbery. It was the second time on the site. I have no idea of the outcome of those offenders and what happened to them, but at least they were marched off the site.

Ms MARR: In your submission you said, 'The Bill appropriately reframes metal theft as a serious public safety and infrastructure offence, rather than a minor property crime.' One of the reasons we have proposed the amendments as we have is that we believe the same thing. Do you agree that tough penalties must be considered to deter the crime itself? What is the sentiment of your members in relation to these changes and tougher penalties?

Mr Murphy: It is absolutely welcomed. There has been a really positive response. Someone suggested a minimum of 25 years, not a maximum. I do not like to make a glib statement, but a lot of tradies or electricians have enjoyed very good Christmas parties on the sale of their copper. It is part of the culture. For them to be supporting tougher penalties means that they are seeing a direct impact to their businesses from these threats on the cost of fixing it and on the cost of securing their sites. Yes, we are certainly welcoming the reforms.

Ms MARR: Do you see them as a deterrent?

Mr Murphy: It is a market-driven crime, if that makes sense. We are at record copper prices. If copper prices were at the bottom, maybe they would be looking at something different. There are measures to be made with using aluminium and other metals, but copper is their prime target.

Mr de BRENNI: Do you have any evidence to suggest that those committing these offences of theft from construction sites or public infrastructure have an understanding of the penalties that currently apply to the offences that they are committing?

Mr Murphy: I do not know the mind of the offender. I do not know how we communicate the new penalties to them. I personally believe that our organisation, as well as organisations like Master Builders, will be out there to communicate this, to let people know. I think it is an important step to not just have the reforms there but to circulate the information on the reforms.

Mr de BRENNI: Are you aware if there has been any targeted enforcement activity, for example, by the Office of Fair Trading or by Queensland police on these sites in the last 18 months?

Mr Murphy: I believe there were some coded programs, but I do not know the details and have not looked into the details. If we go back to 2023, there was a very thorough inquiry with a lot of data provided. I have not tried to refresh.

Mr FIELD: I agree with you that a lot of sparkies do have good Christmas parties with all of the offcuts of copper. My eldest boy was sparky and all their scrap metal would go back to the office and they would keep it for their Christmas parties. I was in the building industry for 50 years. We had instances where the electrician would run the mains through, the building is all locked up, vandals would come through and take all the copper, cash it in for a couple of hundred bucks but they would do tens of thousands of dollars worth of damage. It costs to replace all of that and, yes, the cost is borne by the contractor to reinstall it or by insurance. With these amendments, do you think that recording the information about people who are cashing in all of this scrap metal will be beneficial in enforcing this? Then they would know who was cashing in the scrap metal all the time. If you have the odd sparky who is going to go there once a year to cash in for his Christmas party, they know he is a sparky. However, if somebody rocks up with a hundred kilos of copper regularly, the information of those sorts of people should be recorded.

Mr Murphy: Yes. You are engaging the regulator in the process and giving them increased or expanded authority to look for compliance. I think all of that is great. Obviously, from our point of view, what is a genuine sparky going to do? I actually believe if it means they cannot sell it I think they would just say, 'Fine.' They are prepared to give that up to see some sort of change happen on the sites because the cost to them, as you said, gets worse and worse.

CHAIR: The time allocated for your evidence today is at an end. We appreciate you attending before the committee today. That brings the proceedings to an end. There have been no questions taken on notice. I declare the committee hearing closed.

The committee adjourned at 1.45 pm.