

# Justice and Other Legislation Amendment Bill 2026

**Submission No:** 008

**Submission By:** Gladstone Region Autistic & Neurodivergent Network Inc.

**Publication:** Making the submission and your name public

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# Submission - Justice and Other Legislation Amendment Bill 2026 (Qld)

**Submission to:** Justice, Integrity and Community Safety Committee (Queensland Parliament)

**Bill:** *Justice and Other Legislation Amendment Bill 2026 (Qld)*

**From:** Gladstone Region Autistic & Neurodivergent Network Inc.

**Date:** 19 March 2026

## Contact details:

- Email: [info@grann.com.au](mailto:info@grann.com.au)
- Phone: [REDACTED]
- Postal address: [REDACTED]

## Executive summary

This Bill should not be progressed in its current form.

**Why:** It expands powers that can harm people quickly (disclosure, enforcement, identity collection, secrecy) faster than it hard-codes the things that prevent and correct harm (review, auditability, correction, and downstream repair).

This submission is written in plain English. Abbreviations are expanded the first time they appear.

## *Core architecture critique*

1. **This is an omnibus Bill. Bundling 29 Bills together is structurally coercive** (Explanatory Notes, overview). It collapses unrelated limbs into one vote, dilutes scrutiny, and forces false trade-offs. Even if Parliament will not split it, the Committee can still do the work properly by making **separate findings and separate recommendations per limb**.
2. **Human rights analysis must be limb-by-limb, not rhetorical.** The Statement of Compatibility concedes multiple protected-rights limitations (including privacy, reputation, liberty, presumption of innocence, and equality). Each limitation must

be tested against section 13 of the *Human Rights Act 2019* (Qld) (the proportionality test), with evidence, less restrictive alternatives, and enforceable safeguards.

3. **The Bill repeatedly builds one-way valves: harm fast, correction slow or optional.** If Parliament makes enforcement, disclosure, identity collection, or information exclusion easier, it must hard-code equally enforceable correction and remedy.

### *Key high-risk limbs (plain English)*

1. **Reverse onus (Criminal Code new section 401) is a net-widening machine.** Government concedes the presumption of innocence is limited and admits an alternative exists (an offence without reverse onus), but prefers reverse onus as “most effective” for prosecution. That is a deliberate choice to shift error costs onto the accused.
2. **The accredited media disclosure package is a naming machine without mandatory un-naming.** Registrar disclosure + police media-release triggers create scalable reputational harm unless mandatory correction and withdrawal duties exist (to the same recipients, in strict timeframes), with auditable logs and an enforceable confirmation pathway.
3. **Right to Information (RTI) + privacy + records (the accountability infrastructure cluster) weaken contestability.** Expanded “vexatious applicant” levers and categorical exclusions, privacy carve-outs, and governance-level accountability shifts reduce the public’s ability to audit state power.
4. **Civil enforcement hardening increases downstream coercion.** Enforcement mechanics can become housing and survival instability amplifiers unless hardship and fast correction are hard-coded.
5. **The “efficiency” limbs still need auditability.** Delegation and routing reforms will not be measurable (and therefore not contestable) unless Parliament requires baseline metrics, post-implementation review, and annual reporting.

**Primary recommendation:** Split the Bill into separate Bills.

**Minimum acceptable outcome if not split:** limb-by-limb scrutiny with separate findings and recommendations per limb, plus statutory safeguards and a reporting schedule per limb (so expansion of power is matched by enforceable correction and auditability).

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### What I want the Committee to recommend

- **Split the Bill into separate Bills.** If Government refuses, require **limb-separated hearings, evidence tables, findings, recommendations, and human rights analysis.**

- **Require an integrity schedule per limb:** wherever a limb expands a coercive, disclosure, identity-capture, or secrecy power, the Bill must include matching, enforceable **auditability + correction + review** safeguards.
- **Insert mandatory “correction + propagation” duties** wherever an identification/disclosure pathway is created. If an error is corrected, the correction must be pushed to all original recipients, within strict timeframes, with access logs.
- **Remove or minimise reverse-onus architecture.** If Government insists, insert anti-net-widening guardrails and mandatory public reporting that detects coercive-plea pressure and wrongful outcomes early.
- **Insert statutory data-governance minimums** for any expanded identity/address collection: purpose limits, access logging, maximum retention and mandatory destruction, and a practical correction right (with downstream propagation).
- **Require independent post-implementation review** (12–24 months) and **annual public reporting** for each high-rights-impact limb (volumes, outcomes, review rates, timeframes, and disproportionality indicators where recorded).

### 30-second Bill map (how to read this submission)

This submission treats the Bill as **12 functional limbs** (distinct machinery packages), because that is how the reforms will operate in practice.

The Committee can adopt these 12 limbs as **headings in its report**, with **separate findings and recommendations per limb**, even if the Bill is not split.

### Scope note (why I focus on selected limbs)

I do not address every amendment in the Bill. I focus on the limbs that:

- **limit protected rights** (including privacy, reputation, liberty, and the presumption of innocence), or
- **expand coercive, disclosure, identity-capture, or enforcement powers**, or
- **reduce auditability and contestability** (including by expanding secrecy or narrowing access to records and review).

### Cross-limb integrity package

If Parliament makes enforcement, disclosure, identity capture, or secrecy levers easier, it must hard-code equally enforceable **correction, review, and auditability**.

To keep scrutiny operational (not rhetorical), I apply three integrity tests to every rights-limiting limb:

- **Auditable:** use and outcomes must be measurable and publicly reportable.
- **Correctable:** errors must be fixable quickly through accessible review.

- **Symmetric:** the ease of enforcement or disclosure must be matched by equally enforceable correction rights.

### Minimum safeguard package (apply across limbs):

1. **Written reasons** whenever a power is used against a person (minimum content standards).
2. **Notice to the affected person** when disclosure or identity capture occurs, unless a court orders otherwise.
3. **Fast, accessible review** with strict statutory timeframes and a duty to give reasons.
4. **Mandatory correction and withdrawal** duties triggered by defined events (withdrawal of charges, no-bill, acquittal, mistaken identity, proven error).
5. **Disclosure and decision registers** (who, what, when, recipient) with access logging.
6. **Retention limits and mandatory destruction** of captured personal information, with misuse penalties.
7. **Disability-accessible process standards** (plain-English notices, alternative channels, supported elections and requests).
8. **Annual public reporting** (volumes, outcomes, review rates, timeframes, disproportionality indicators where recorded).
9. **Independent post-implementation review** (12–24 months) tabled in Parliament.
10. **Sunset clauses** for high-risk powers unless Parliament affirmatively renews them after evaluation.

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## Grounds of challenge

These grounds describe the same mechanisms in different legal language.

1. **Improper bundling and scrutiny dilution:** One Bill combines multiple distinct regimes, structurally reducing limb-by-limb assessment.
2. **Human rights incompatibility (section 13 proportionality not discharged):** Rights limitations are conceded but not justified with limb-by-limb necessity, evidence, less restrictive alternatives, and enforceable safeguards.
3. **Disproportionate impact and indirect discrimination:** Escalation and exclusion pathways predictably impact vulnerable cohorts unequally (including disability, poverty, and housing insecurity).
4. **Review and correction gaps (procedural fairness):** Weak or inaccessible review creates a one-way valve: easy enforcement and disclosure, hard correction.
5. **Unreasonableness and disproportionality:** Rights-limiting expansions are not supported by sufficiently granular evidence or demonstrated consideration of less restrictive alternatives.

6. **Privacy interference (insufficient safeguards):** Identity capture and disclosure plumbing expands circulation of sensitive data without hardwired limits (purpose, recipients, retention and deletion, audit, correction).
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## About me

I am a Queensland resident and a person with disability.

I am making this submission because discretion-heavy, compliance-heavy systems routinely misidentify risk and misallocate blame, particularly for vulnerable cohorts.

In practice, systems do not harm people through slogans. They harm people through default settings:

- proof burdens
  - notice and election mechanics
  - eligibility gates
  - deadlines
  - identity collection settings
  - disclosure triggers
  - enforcement escalation triggers
  - weak or inaccessible review rights
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## Bill limbs used in this submission

This limb map matches how the machinery works in the real world (default pathways), not just how Parts are numbered.

*Limb map (with legislation included)*

1. **Limb 1 — Media disclosure + alleged offender identification pipeline (the “naming machine”).**
  - *Police Service Administration Act 1990* (Qld) (Part 21)
  - *Magistrates Courts Act 1921* (Qld) (Part 17)
  - *District Court of Queensland Act 1967* (Qld) (Part 9)
  - *Supreme Court of Queensland Act 1991* (Qld) (Part 27)
2. **Limb 2 — Metal theft criminalisation + penalty escalation (reverse onus focus).**
  - *Criminal Code* (Qld) (Part 8)
  - *Penalties and Sentences Act 1992* (Qld) (Part 19)

3. **Limb 3 — Scrap metal traceability + compulsory identity and address collection (compliance gate).**
    - *Second-hand Dealers and Pawnbrokers Act 2003* (Qld) (Part 25)
  4. **Limb 4 — Right to Information (RTI) suppression and secrecy expansion (accountability choke-point).**
    - *Right to Information Act 2009* (Qld) (Part 24)
  5. **Limb 5 — Privacy carve-outs (rights removal by exclusion category).**
    - *Information Privacy Act 2009* (Qld) (Part 12)
  6. **Limb 6 — Records governance accountability shift (missing-record risk).**
    - *Public Records Act 2023* (Qld) (Part 23)
  7. **Limb 7 — Civil enforcement hardening + court rules force-multiplier.**
    - *Civil Proceedings Act 2011* (Qld) (Part 6)
    - *Supreme Court of Queensland Act 1991* (Qld) (Part 27)
    - *Uniform Civil Procedure Rules 1999* (Qld) (Part 28)
  8. **Limb 8 — Coroners Act: reportable deaths + routing + delegation (“efficiency”).**
    - *Coroners Act 2003* (Qld) (Part 7)
  9. **Limb 9 — Stock offence penalty increases (fines → State Penalties Enforcement Registry (SPER) risk).**
    - *Criminal Code* (Qld) (Part 8)
  10. **Limb 10 — Oversight “quiet levers” (low-visibility channels + ratchets).**
    - *Integrity Act 2009* (Qld) (Part 13)
    - *Ombudsman Act 2001* (Qld) (Part 18)
  11. **Limb 11 — Retrospective validation provisions (rule-of-law and remedy risk).**
    - *Charitable and Non-Profit Gaming Act 1999* (Qld) (Part 4)
    - *Evidence Act 1977* (Qld) (Part 10)
    - *Security Providers Act 1993* (Qld) (Part 26)
  12. **Limb 12 — Technical / low-rights-impact cleanups (quarantine).**
    - Multiple Acts (Parts 2, 3, 5, 11, 14–16, 20, 22, 29)
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## Limb-by-limb analysis (submission-ready)

### Limb 1 — Media disclosure + alleged offender identification pipeline ("naming" without "un-naming")

#### *Core risk*

This limb hard-wires a state-facilitated identity disclosure feed (courts + Queensland Police Service (QPS)) but does not hard-wire an equally enforceable correction and status-update feed.

That creates predictable reputational harm as a one-way valve: disclosure is scalable, correction is manual.

### *Scope (Parts / legislation)*

- *Police Service Administration Act 1990* (Qld) (Part 21)
- *Magistrates Courts Act 1921* (Qld) (Part 17)
- *District Court of Queensland Act 1967* (Qld) (Part 9)
- *Supreme Court of Queensland Act 1991* (Qld) (Part 27)

### *Operative switch (what changes)*

- Court registrars may disclose “alleged offender information” to an “accredited media entity”.
- QPS must disclose “alleged offender information” on request once a QPS media release states an adult has been charged.
- Safeguards focus on use limits, offences, and immunities, not correction and propagation.

### *Mechanism (cause → effect)*

Because access is request-driven and repeatable, identification becomes low-friction.

Without a mandatory, event-triggered update duty (withdrawal, no-bill, acquittal, mistaken identity), inaccurate or stale status persists.

### *Committee questions (must be answered with evidence)*

1. Recipient class control: who defines “accredited media entity”, how is version control managed, and what review and appeal rights exist?
2. Trigger control: what criteria govern the QPS media-release trigger, and what review exists for premature or wrong releases?
3. Correction architecture: who must issue updates, within what time, to which exact recipients, and what logging and audit proves propagation?
4. Bulk harvesting controls: what prevents automation and cross-linking (including via QPS reference numbers)?

### *Minimum amendments*

- Mandatory correction and status-update duty to all original recipients (withdrawal, no-bill, acquittal, mistaken identity, material error) within strict timeframes.
  - Disclosure and correction register with access logging and time-to-correction reporting.
  - Notice to affected person at disclosure (unless court-ordered otherwise) plus an urgent non-disclosure and correction pathway.
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## Limb 2 — Metal theft: reverse-onus possession offence (net-widening)

### *Core risk*

A possession offence triggered by “reasonable suspicion” combined with reverse onus shifts error costs onto the accused and widens the net onto people least able to prove provenance.

### *Scope (Parts / legislation)*

- *Criminal Code* (Qld) (Part 8; inserting new section 401)
- *Penalties and Sentences Act 1992* (Qld) (Part 19) (flow-through for attempt offence)

### *Operative switch (what changes)*

- New section 401: possession of prescribed metal item reasonably suspected stolen, with a reverse-onus defence.

### *Mechanism (cause → effect)*

The State can meet a low operational threshold (possession + suspicion). The person must then prove they should not be convicted.

In practice, documentary provenance becomes a proxy for innocence.

### *Committee questions*

1. Necessity: what evidence shows existing offences are insufficient without reverse onus, and why was the conceded less restrictive alternative rejected under section 13 of the *Human Rights Act 2019* (Qld)?
2. Boundaries: what objective indicia constrain “reasonable suspicion” to prevent profiling-by-convenience?
3. Anti-net-widening: what telemetry will be published (charges, withdrawals, plea/trial splits, remand, time-to-withdrawal) and what pathway prevents “plead guilty because you can’t prove provenance” outcomes?

### *Minimum amendments*

- Remove reverse onus (at most, impose evidential burden only).
  - Codify objective suspicion indicia beyond “reasonable suspicion”.
  - Hard-code an early withdrawal and diversion pathway where lawful acquisition is plausible but documentation is absent.
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## Limb 3 — Scrap metal traceability: compulsory identity and address collection (compliance gate)

### *Core risk*

Making lawful transactions conditional on verified identity and residential address creates exclusion at the edge (domestic and family violence (DFV), homelessness, housing instability) and builds a high-risk dataset without hard-coded governance.

### *Scope (Parts / legislation)*

- *Second-hand Dealers and Pawnbrokers Act 2003 (Qld) (Part 25)*

### *Operative switch*

- Scrap metal pulled into regulated transactions.
- Seller data expands to name, date of birth, and residential address with verification.

### *Mechanism (cause → effect)*

Exclusion does not remove the underlying need to sell scrap. It shifts people into informal channels and increases police contact.

Combined with Limb 2, this risks a compliance-gate → possession-offence funnel.

### *Committee questions*

1. Access: what is the statutory “no fixed address” and DFV-safe pathway, and is it non-discretionary?
2. Data governance: what statutory purpose limits, retention and destruction duty, access logging, and correction and propagation rights apply?
3. Interaction risk: what specific measures prevent the Limb 2 funnel effect?

### *Minimum amendments*

- Non-discretionary “no fixed address” and DFV-safe alternative.
  - Statutory purpose limits + maximum retention + mandatory destruction + misuse penalties.
  - Access logging and a practical correction right with a downstream propagation duty.
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## Limb 4 — RTI: vexatious levers + Schedule 1 exclusions (accountability choke-point)

### *Core risk*

Expanding vexatious machinery and categorical exclusions increases the State's capacity to suppress scrutiny while reducing contestability.

This has predictable disproportionate impact on people who rely on records to challenge state power.

### *Scope (Parts / legislation)*

- *Right to Information Act 2009 (Qld) (Part 24)*

### *Operative switch*

- Wider history treated as relevant to vexatiousness.
- Transitional capture.
- Expanded Schedule 1 exclusions (including cyber security scheme material).

### *Mechanism (cause → effect)*

Persistence (often caused by agency delay and refusal, and disability barriers) can be reframed as applicant misconduct.

Exclusions remove categories from the scheme entirely (stronger than exemptions).

### *Committee questions*

1. Quantified problem: what is the evidence base for the expansion (volumes, costs, harms)?
2. Safeguards: must the decision-maker consider agency-conduct causation and disability and access barriers before restricting?
3. Oversight: what independent audit and annual reporting applies to excluded-document use and outcomes?

### *Minimum amendments*

- Agency-conduct causation safeguard + disability-accessible assistance duties.
- Least-restrictive restriction requirement (time-limited, scope-limited) with reasons and review.
- Independent audit + annual reporting, with sunset discipline for high-risk exclusions.

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## Limb 5 — Privacy: exclusion-by-category (accuracy and correction become optional)

### *Core risk*

This limb expands “excluded entity document” categories. That is where privacy law stops.

If personal information is moved into an excluded class, the State can keep using it while correction rights become weaker or impractical.

### *Scope (Parts / legislation)*

- *Information Privacy Act 2009* (Qld) (Part 12)

### *Operative switch*

- Expansion of excluded entity document categories.

### *Mechanism (cause → effect)*

Exclusion changes the error-cost allocation. Inaccurate data can circulate inside government systems with fewer enforceable obligations to correct it, and without a propagation duty.

The result is a one-way valve: collection and use is easy, correction is slow or discretionary.

### *Committee questions*

1. Exact carve-out: word-for-word, what new entity/document classes are excluded, and are they defined by entity, purpose, or scheme participation?
2. Accuracy reality: what enforceable correction right remains for excluded-class information, and is there a duty to notify downstream recipients/systems?
3. Governance: what purpose limits, retention and destruction duties, access logging, and independent audit and reporting apply to excluded-class use?

### *Minimum amendments*

- Preserve an enforceable accuracy correction right (reasons + review) even for excluded classes.
- Propagation duty: corrected information must be pushed to downstream systems and recipients.
- Mandatory reporting: excluded-class use volumes and categories, correction outcomes, and access logging and audit compliance.

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## Limb 6 — Public records: governance accountability diluted (missing record = remedy loss)

### *Core risk*

This limb removes a governance-level accountability hook for recordkeeping.

In accountability systems, “no record located” is not a clerical problem. It is a remedy-killer.

### *Scope (Parts / legislation)*

- *Public Records Act 2023 (Qld) (Part 23)*

### *Operative switch*

- “Chief executive” definition amended to remove the chairperson-of-governing-body as the responsible officer for non-individual public authorities.

### *Mechanism (cause → effect)*

When accountability is shifted downwards, incentives to create and retain records of high-risk decisions weaken at the top.

In disputes, the State can rely on absence of documentation. The person affected cannot prove what happened or why.

That is a one-way valve: power is exercised fast, traceability is optional.

### *Committee questions*

1. Necessity: what concrete problem is being solved by removing chair accountability, and what evidence shows it will not increase missing-record outcomes?
2. Hard standards: what mandatory record-creation rules apply to high-risk decisions (disclosure, enforcement, exclusion, review), and who is personally accountable for compliance?
3. Remedy protection: what is the statutory reconstruction + notification duty when a required record cannot be located, with strict timeframes?

### *Minimum amendments*

- Preserve a non-delegable governance duty for recordkeeping compliance.

- Reconstruction + notification duty when records are missing (steps + timeframes + reasons).
  - Independent audit + annual reporting on missing-record incidents, root causes, and remediation.
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## Limb 7 — Civil enforcement hardening + court rules force-multiplier

### *Core risk*

In enforcement systems, speed is power.

If escalation becomes easier than correction, the system becomes a one-way valve toward property deprivation and housing instability.

### *Scope (Parts / legislation)*

- *Civil Proceedings Act 2011* (Qld)
- *Supreme Court of Queensland Act 1991* (Qld)
- *Uniform Civil Procedure Rules 1999* (Qld)

### *Operative switch*

- Enforcement warrants can include charging orders.
- Removal of a limiting rule risks processes expanding beyond the Supreme Court unless another limit exists.

### *Mechanism (cause → effect)*

Enforcement tools move closer to high-volume and self-represented settings.

Once property is encumbered, harm can be immediate and hard to unwind.

Without a fast pause-and-correct path, wrong-party and wrong-property and hardship errors become irreversible.

### *Committee questions*

1. Notice/accessibility: what plain-English notice standards and minimum response windows apply before escalation?
2. Hardship: what mandatory hardship and essential-property safeguards exist (with reasons)?
3. Correction: what immediate pause mechanism exists for credible wrong-party and wrong-property claims, with strict decision timeframes?

### *Minimum amendments*

- Plain-English, disability-accessible notice standards + minimum response windows.
  - Immediate pause-and-correct mechanism for credible error/hardship.
  - Mandatory reporting on volumes and wrong-party/wrong-property/hardship outcomes.
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## Limb 8 — Coroners Act: routing + delegation (“efficiency” that can reduce scrutiny)

### *Core risk*

Routing and delegation reforms can reduce scrutiny unless decision paths are auditable and independently reviewable.

This matters most for deaths in custody and police-operation categories.

### *Scope (Parts / legislation)*

- *Coroners Act 2003* (Qld) (Part 7)

### *Operative switch*

- New definitions.
- Gatekeeping/routing for sensitive categories.
- Expanded delegation to registrars and deputy registrars.

### *Mechanism (cause → effect)*

If delegation scope and routing criteria are not transparent and audited, “efficiency” becomes invisibility.

Referral signalling without symmetric outcome updates can create reputational inference without correction.

### *Committee questions*

1. Independence: what are the criteria and safeguards for selecting “approved coroners” for the most accountability-sensitive categories?
2. Delegation scope: what decision-types will be delegated, and what review right do families have against delegate decisions?

3. Auditability: what baseline metrics and annual reporting will be published (delegation rates, category handling, inquest rates, time-to-resolution, referral counts and outcomes)?

#### *Minimum amendments*

- Publish delegation scope/criteria + mandatory review pathway on request.
  - Routing independence safeguards for custody/police-operation deaths.
  - Outcome-update duty for referrals (or status updates) plus a statutory disclaimer that referral ≠ finding.
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## Limb 9 — Stock penalty increases (fine → SPER escalation)

### *Core risk*

Raising minimum fines shifts error costs onto people least able to pay and increases exposure to SPER enforcement (licence suspension, seizure, garnishee, and ultimately fine-default imprisonment).

### *Scope (Parts / legislation)*

- *Criminal Code* (Qld) (Part 8)

### *Operative switch*

- Minimum penalty units increase.

### *Mechanism (cause → effect)*

Higher minimums increase default rates. Default triggers SPER enforcement. Escalation can become coercive faster than hardship review.

A penalty increase can become a poverty amplifier.

### *Committee questions*

1. Deterrence vs debt: what evidence shows higher minimums reduce offending (not just increase default and SPER escalation)?
2. Safeguards: what non-discretionary hardship pathways exist, with strict decision timeframes, before enforcement escalates?
3. Telemetry: will Government publish default/enforcement/imprisonment rates and disproportionality indicators?

## *Minimum amendments*

- Automatic pause on enforcement escalation once hardship is requested.
  - Disability-accessible hardship pathway with strict timeframes and reasons.
  - Mandatory reporting: defaults, enforcement actions, and fine-default imprisonment.
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## Limb 10 — Oversight “quiet levers”: oral channels + transfers + public statements

### *Core risk*

This limb expands low-visibility oversight pathways where accountability commonly fails: oral dealings, cross-body transfers, and post-investigation public statements.

The Bill relies on internal recordkeeping, but does not hard-wire verification by affected people, auditable transfer logs, or symmetric correction.

### *Scope (Parts / legislation)*

- *Integrity Act 2009* (Qld) (Part 13)
- *Ombudsman Act 2001* (Qld) (Part 18)

### *Operative switch*

- Integrity Commissioner: written or oral requests and oral advice expressly permitted, with written record requirements.
- Ombudsman: expanded transfer to the National Student Ombudsman (NSO) and a limited power to make statements after an investigation where identifying information is already public.

### *Mechanism (cause → effect)*

Oral channels create a “record after the fact” risk: the decision-maker controls what is written down.

Transfers diffuse accountability unless every transfer is logged, minimised, and notified.

“Public domain” statement triggers can ratchet: once information is public (including by leak), official amplification becomes easier than correction.

### *Committee questions*

1. Oral integrity dealings: is there a same-day record duty, minimum content standard, and an access/correction right for the person affected?
2. Transfers: is consent/notice required, is data minimisation mandatory, and is every transfer logged for audit?
3. Public statements: what statutory balancing test applies, and what is the correction duty if a statement is wrong or misleading?

### *Minimum amendments*

- Same-day written record + minimum content standard + access/correction right.
  - Mandatory transfer log + data minimisation + notice/consent rules.
  - Statutory correction duty for public statements/records with equivalent visibility.
  - Annual reporting (aggregate): oral volumes, transfers, corrections, and audit results.
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## **Limb 11 — Retrospective validation (rule-of-law and remedy risk)**

### *Core risk*

Retrospective validation cures government defects after the fact and can extinguish remedies unless scope and consequences are plainly mapped.

### *Scope (Parts / legislation)*

- *Charitable and Non-Profit Gaming Act 1999* (Qld) (Part 4)
- Other Parts where retrospective effect applies must be treated with the same discipline.

### *Operative switch*

- Past permissions/approvals validated back to 27 May 2016 (per Explanatory Notes).

### *Mechanism (cause → effect)*

Validation removes a ground of challenge and can narrow or extinguish remedies.

Parliament cannot audit who loses what without a defect/consequence map.

### *Committee questions*

1. Defect map: what defect is cured, which decisions are validated, and what consequences/remedies are displaced?
2. Affected class: who is affected, and how would they know?
3. Narrowness: why is this the narrowest possible scope and period?

### *Minimum amendments*

- Validation schedule (defect cured, period, affected class, remedies displaced).
  - Preserve substitute remedies/compensation where validation causes loss.
  - Post-commencement statement to Parliament confirming operation and impacts.
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## Limb 12 — Technical / low-rights-impact cleanups (quarantine)

### *Core risk*

In an omnibus Bill, technical Parts create pressure to pass the package and dilute scrutiny of unrelated rights-limiting limbs.

### *Minimum amendments*

- Quarantine in the Committee report: separate findings and recommendations so technical Parts cannot justify passing unrelated high-risk limbs.
  - Publish a short schedule in the report describing each technical Part's practical effect.
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## Questions the Committee must answer in its report

1. Why is this Bill bundled, and what scrutiny loss does Government accept as the cost of bundling?
2. For each rights-limiting limb, what is the necessity case, and what less restrictive alternatives were rejected?
3. If reverse onus proceeds, what net-widening safeguards and mandatory reporting will detect error early?
4. If the naming machine proceeds, what mandatory un-naming machinery prevents a one-way valve?
5. If identity capture proceeds, what statutory purpose limits, retention/deletion duties, access logging, and correction rights apply?

6. What baseline and post-implementation metrics will be published, limb-by-limb, to prove the Bill did not reduce scrutiny or increase error and hardship outcomes?
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## Closing

Queensland can pursue enforcement goals without building one-way valves.

If Parliament makes disclosure, enforcement, or identity collection easier, it must make correction mandatory, fast, and logged.

**Primary recommendation:** Split this Bill. If it is not split, impose limb-by-limb safeguard and reporting schedules.

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Accessed: 18 Mar 2026 (Brisbane time)

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