



Speech by  
**Mr DENVER  
BEANLAND**

**MEMBER FOR INDOOROOPILLY**

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Hansard 25 November 1999

**AUDIO VISUAL AND AUDIO LINKS AMENDMENT BILL**

**Mr BEANLAND** (Indooroopilly—LP) (3.27 p.m.): I rise to support the Audio Visual and Audio Links Amendment Bill. The Bill takes audiovisual and audio links a further step down the path that has been taken by the State for some time. On 2 November 1995, the current Minister for Justice introduced a Bill which lapsed with the change of Government. Back in April 1996, I reintroduced that Bill, which was debated and passed by this Parliament. We are now taking another step forward with this piece of legislation, which extends the coverage even further, as the Bill makes provision for evidence to be taken and submissions to be received by video link or telephone within Australia and from other States and Territories participating in the scheme. I am sure that that will make a considerable difference to evidence given in the courts.

There is often talk about making access to justice cheaper. However, those words do not mean much unless they are put into action. I believe there is a general commitment across the nation to that principle. Queensland is a large State and it is very difficult for people in many parts of Queensland to give evidence without going to a great deal of expense. This is a way of avoiding that. Also, it would be difficult for people in other States to give audiovisual evidence without our putting in place this type of legislation.

Provided justice is still done—and I believe justice can be done—it is a matter for the courts to ensure that no one party is treated unfairly in this process. I believe that the courts are ever vigilant in this area; they have to be because the matter will end up being in the Appeal Court if a judge happens to not be vigilant in this area. I think that, generally, the courts have been vigilant to ensure that that occurs. I am not aware—and the Minister can inform the House otherwise—that there have been any problems with this provision. I well recollect that, when I introduced the Bill back in April 1996, I gave a commitment on which we followed through to give a progress report to the Parliament after 6 or 12 months. I recollect that at that time the whole area was proceeding smoothly and there were no problems with matters coming before the court.

Of course, this Bill extends the provision further. I know that, at the end of the day, it is going to result in easier access to justice and a considerable reduction in costs and, as I say, there is general commitment to reduce the costs of access to justice. On top of that, importantly, it will allow children to give evidence involving sexual offences via the use of technology, which is one of the big areas in which we will be looking forward to some changes. The Queensland Law Reform Commission is currently conducting a review following a reference which I made to it on this subject back in April 1997. I did that then because I think there can be some improvements in the way we permit children to give evidence before the courts.

Of course, we read regularly about children being intimidated in the process of giving evidence when they have to be in the courtroom itself. This legislation might be a way of overcoming some of the intimidation that in many cases is felt by children. One of the reasons for that given to the Law Reform Commission is the sensitivity of the whole area—the fact that one has to be careful to ensure that, whilst they are being fair to the children involved, in the process they are also being fair to the accused. Therefore, it is a difficult area—a fine line has to be drawn. It was a good idea to take it out of the

political arena and give it to the Queensland Law Reform Commission, which has expertise in this area, to see whether or not we can improve the current processes for children giving evidence before the courts. I am looking forward to that report that will, I trust, finetune the current process. It will certainly be a significant report that will perhaps enable changes to be made in that particular area.

I just want to ask the Attorney-General and Minister for Justice a couple of questions in relation to this Bill. It may be that the answers were provided in another document that I have not seen. I am interested to know how the process is going as far as the extension of these services into the Queensland prisons and Queensland courts is concerned. I recollect that there was a process under way over a period to link up each of the prisons with the relevant court in the area—not just Magistrates Courts, but the District Courts, where many of these people appear.

I also raise the issue of youth detention centres. There is the centre at Oxley; there is the Sir Leslie Wilson centre; there is a youth centre being constructed at Wacol, which I am sure will incorporate these facilities; and there is also the Cleveland detention centre. I would just like some assurances from the Attorney-General that, as each of those centres is being upgraded, including the work being undertaken at the John Oxley centre, they will have facilities included whereby children in those youth detention centres can give evidence, if necessary, without having to be taken before the courts. Not only does that save money and a lot of time, but it also improves security no end in relation to those accused of some of the more violent offences. Security when prisoners are being transported is always of concern.

It is great having the legislation, but I do want to be assured that there is a program in place ensuring that the technology is rolled out across-the-board. That takes some time to do; it cannot be done overnight, but it has to be done. We as a Parliament have to ensure that the Government of the day is, in fact, doing that, that there is a program in place and that we know the expected completion date. They are the issues that I am concerned about: that we do complete the program and that all youth detention centres and prisons are covered, together with the local courts to which they relate. In the case of Woodford, it would be the Caboolture courts and so forth. The Magistrates Court at Caboolture would get most of the matters from the Woodford prison, and similarly those matters from the detention centre on the tablelands would go to the nearest Magistrates Court in that area.

This is certainly a significant area. We are talking about access to justice and reducing the cost of access to justice whilst, at the same time, ensuring that there are improvements in the manner of giving evidence by children. As I say, those improvements in relation to young people certainly must occur. The whole process must be improved so that children do not need to feel intimidated because they have to appear—unnecessarily, in some cases—before the courts.

I would also like some assurances from the Minister that there have been no problems in the past 18 months in relation to the use of this technology. I am not aware of any. I am not suggesting that there have been, but I would just like confirmation that no issues have been brought to his attention of which he has not advised the Parliament. That way we could all be fully informed of just how this change is progressing. I know that this Bill will make a considerable difference to the way in which justice is delivered in the State of Queensland.

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