



Speech by

Hon. M. FOLEY

MEMBER FOR YERONGA

Hansard 25 November 1999

JUSTICE LEGISLATION BILLS

Hon. M. J. FOLEY (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (5.49 p.m.), in reply: I thank all honourable members for their contributions to the debate and I thank them for their expressions of support.

I will deal briefly with a couple of the issues raised by the honourable member for Warwick. With respect to the section dealing with child cruelty, the Bill increases the penalty from five years to seven years. That was considered necessary and desirable in order to maintain parity with penalties for other offences relating to children. With respect to the issue of non-publication orders, provision is made in the Bill for non-publication orders to be made by the court. That arises in circumstances where a person's undertaking of cooperation with law enforcement authorities is to be tendered by the judge. In those circumstances, the court is provided with the power to restrict publication of the fact that a sentence is being reduced under this section. That effectively validates the practice direction and is designed as a matter of commonsense to ensure that, for example, an offender who has had the benefit of that is not subject to victimisation when he or she goes back into the prison and that becomes known to the other inmates.

With respect to the concerns about the serving of subpoenas, the Government is happy to accept the amendments proposed by the member for Warwick. They effectively codify the common law. As I indicated in my response to the Scrutiny of Legislation Committee, the common law has those protections but there is no harm in spelling them out. So we will agree with that amendment. I thank all honourable members and commend the Bill to the House.
