




Speech By
Cynthia Lui

MEMBER FOR COOK

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COMMUNITY BASED SENTENCES (INTERSTATE TRANSFER) BILL

 **Ms LUI** (Cook—ALP) (4.18 pm): I rise to speak in support of the Community Based Sentences (Interstate Transfer) Bill 2019. The bill was referred to the Legal Affairs and Community Safety Committee for examination. The committee's task was to consider the policy to be achieved by the legislation and the application of fundamental legislative principles. I would like to acknowledge the Minister for Police and Minister for Corrective Services, Mark Ryan; committee chair, Peter Russo, member for Toohey; committee members; secretariat; Hansard; and everyone who gave their submission to this inquiry.

The committee consulted a wide range of stakeholder groups to gain a broad insight into community safety associated with this bill. This government takes community safety seriously. This bill reflects the Palaszczuk government's commitment to uphold community safety not only in Queensland but also nationally. The relationship that Queensland has with other states is critical and will underpin interstate bipartisan support for state laws. During his first speech to this bill the minister highlighted that this bill will create a new standalone act in Queensland that will implement a Corrective Services Ministers' Conference agreement to establish a nationally consistent legislative scheme to facilitate interstate transfer of community based sentences.

The objective of this bill is to establish Queensland's participation in a national scheme for formal transfer and enforcement of community based sentences between Australian jurisdictions. At present the arrangement Queensland has with other jurisdictions is informal in nature and, as such, prevents the effective supervision of offenders on community based sentences when they travel or move interstate. This current informal arrangement lacks substance whereby breaches may be overlooked as the responsibility to manage the sentence resides with the originating jurisdiction. This bill is necessary because without any form of national participation it is clear that there are no powers to initiate breach action where an offender is not abiding by the conditions of their sentence. This bill not only strengthens the ties that Queensland has with other jurisdictions but also enforces laws that are consistent with supporting effective rehabilitation, reintegration and the effective supervision of offenders.

The model legislation underpinning the bill has been supported and endorsed by all Australian corrective services ministers and the former Standing Committee on Law and Justice, now known as the Council of Attorneys-General. National model legislation currently operates in relation to the interstate transfer of prisoners and those on parole and this bill extends the framework to community based sentences. By strengthening the laws around community based sentences interstate transfers means that there will be greater capacity to mitigate certain risks.

For instance, the bill provides the ability for adult offenders with a community based sentence to transfer the supervision and administration of their sentence to a new jurisdiction provided the requirements of the legislation are satisfied and once a sentence is registered in the interstate jurisdiction the offender will then be managed in the new jurisdiction as if a court of the new jurisdiction

had imposed the sentence. It also provides authority for ministers to enter into arrangements to facilitate the administration of community based sentences for offenders travelling to or residing in Queensland or an interstate jurisdiction and not subject to transfer and registration under the scheme.

The bill has been developed based on model legislation that all Australian jurisdictions agreed to implement, providing jurisdictions the flexibility to agree to or decline the transfer of an offender on a community based order if it is in the interests of community safety and in the public interest. In conclusion, I would like to emphasise that this bill is absolutely vital towards maintaining ongoing community safety and I commend this bill to the House.