




Speech By
Daniel Purdie

MEMBER FOR NINDERRY

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JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Mr PURDIE** (Ninderry—LNP) (3.31 pm): I rise this afternoon to make a short contribution on the Justice and Other Legislation Amendment Bill 2019. These changes are intended to clarify wording and add and/or remove clauses across the scope of many different acts, including the Coroners Act, Criminal Code, Ombudsman Act, Peace and Good Behaviour Act, Drugs Misuse Act, Dangerous Prisoners (Sexual Offenders) Act, Criminal Law (Rehabilitation of Offenders) Act, and more. It amends 37 acts and regulatory instruments in total, most of which are administrative in nature, to improve clarity of criminal and civil legislation.

There is so much to speak to within this omnibus bill. I will stick to a couple of key amendments. In relation to the Queensland Civil and Administrative Tribunal Act, there is removal of a clause that requires the Attorney-General to advertise for senior member and ordinary member applications from appropriately qualified people. These new changes extend power to the Attorney-General to appoint such members after consultation with the president in which no advertised recruitment needs to take place. Potentially, this could lead to biased member recruitment or selection. As articulated by our shadow Attorney-General, the member for Toowoomba South, this just further clears the way for this government to continue making political appointments to promote Labor mates.

In relation to the Coroners Act, there will be provisions to permit the coroner discretionary power to stop an inquest without conclusion or making any findings. Amendments will also permit coroners to reopen inquests into deaths no matter when the death occurred. The current act will include power to the coroner to compel a witness at an inquest to divulge self-incriminating evidence for the purpose of finding out the cause of a death. In relation to the Dangerous Prisoners (Sexual Offenders) Act, this bill defines who is a prisoner and permits the Queensland Ombudsman to delegate the decision-making of a human rights complaint to an appropriately qualified officer.

In relation to the Criminal Code, an amendment to expand summary disposition of indictable offences relating to property raises some concerns by legal and community stakeholders who submitted to the Legal Affairs and Community Safety Committee earlier this year. At this point, I acknowledge all members of that committee for their careful deliberation of this bill. During committee examination of the bill, the Bar Association of Queensland specifically raised concerns about the burdening of an already under-resourced Magistrates Court system. Initially, this Labor government was to proceed with a watered-down summary disposition of indictable offences related to property, and I understand this clause is being removed. This raises a much larger issue in that, where there is a clear community expectation to be tougher on criminals, the Palaszczuk Labor government signed off on these soft-on-crime provisions, showing once again that it has the wrong priorities particularly when it comes to issues regarding community safety.

We have a judicial system which has significant capacity issues—not only for adult offenders but also for our youth offenders. As well, the submissions to the committee brought to light again that our legal aid system is under-resourced. This increases the risk of more unrepresented persons before the courts and creates unnecessary delays for everyone involved. Justice delayed is justice denied.

On this bill the committee received six submissions in total. These included the Queensland Ombudsman, the Queensland Human Rights Commission, Caxton Legal Centre, the Bar Association of Queensland, Queenslanders with Disability Network and the Queensland Law Society. These submitters were generally supportive of the bill, with the majority raising some concerns. In particular, the concerns related to Labor's original amendment to clause 51, an amendment to increase the prescribed value on personal property offences from \$30,000 to \$80,000, which would have moved cases involving property loss of up to \$80,000 from the District Court down to the Magistrates Court. As a result of these submissions, the removal of clause 51 and expression of favourable support from various stakeholders, the LNP will not oppose this bill.

It is important that we send a strong message to offenders. Victims of car theft in Townsville, on the Gold Coast and even on the Sunshine Coast will be relieved to see more criminals dealt with at the District Court level as opposed to the lower Magistrates Court—a District Court that is able to impose tougher penalties which meet people's expectations in a community where car theft is as rampant as assaults and robberies. There are many examples of communities facing higher crime rates.

When we read the headlines and letters to the editor, it is clear that the Labor government is soft on crime. It is our role as parliamentarians to create legislation which supports Queenslanders' expectations. This expectation is to be tougher on offenders and to ensure victims of crime are protected from further harm and supported so they can recover. Theft of property can cause significant financial hardship to victims; it is not just a stat on a crime report. Although the crime stats are very scary, they are not as scary as actually being a victim of crime, especially when the property stolen is a depreciating asset such as a car. People may still owe money on the car even after an insurance payout. Their work and personal life may be negatively disrupted until the car is returned or replaced. There is more to property crime than loss of an asset and a tangible dollar amount used to justify in which court jurisdiction the matter should be heard.

Once again we see this Labor government flip-flopping on crime. Only the LNP will ensure that justice policies continue to meet community expectations, that victims' rights are recognised and that people can feel safe and secure in their own homes and suburbs across Queensland.