




Speech By  
**James Lister**

**MEMBER FOR SOUTHERN DOWNS**

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Record of Proceedings, 20 May 2020

**JUSTICE AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr LISTER** (Southern Downs—LNP) (2.35 pm): I rise to make a contribution on the Justice and Other Legislation Amendment Bill 2019. I am on the committee and I acknowledge my fellow members—members for Toohey, Macalister and Mansfield, and my former colleague on the committee, the member for Lockyer, and the member for Mirani. I thank the committee staff for their work on this particular bill.

As my honourable friend the member for Toowoomba South said, the LNP will be supporting this bill. Had the government not come forward with the advice that they will be amending the bill to change certain aspects of it, we would have been opposing those aspects. I will get to those in a moment.

I say at the beginning that this is yet another omnibus bill. We are seeing so many of these. I feel that it is a discourtesy to this House that we see so many bills which are composed of a ragbag of elements that make it difficult for members to come to a good understanding of what is proposed and, more importantly, for the community members who wish to make submissions and participate in the committee process. Not for the first time, and I would imagine not for the last time, the Queensland Law Society picked up on this and complained that there was not sufficient time for them to make a detailed assessment of the bill. They said, 'There may have been unintended consequences arising from the amendments. Further, if we have not recommended on an aspect of the bill, it does not indicate our support for the amendment. In the time available, we make the following comments.' I have spoken to Bill Potts and the current president, Luke Murphy, about these things. It seems to me for a bill which can wait for as long as it has to be debated there could have been more time for the community to make submissions.

Having said that, I turn to the matter of the coroner's reforms. I echo what the shadow Attorney-General said before regarding the plight of Anthony John Jones' family who are seeking to have justice in their case. It is a good thing that the coroner now will have the power to terminate an inquest and restart it under the new act. That is a great thing. On the balance of public interest, I also believe it is favourable that witnesses can be compelled to give testimony against themselves. I note that the community expects that people will be treated fairly. There is always the worry that even though such evidence given under compulsion will not be admissible in a trial, it is possible that juries will have heard that evidence. It is something we need to be cautious about. However, on the balance of public interest I support that.

Regarding the Coroners Court, the shadow Attorney-General mentioned the alarming increase in the number of cases which are now taking over two years to be dealt with, from 11 per cent to 17 per cent under the current government. I echo what he said regarding the importance of properly resourcing the Coroner. Tinkering with the law to make things easier for him is a great thing. It is also important to make sure that the Coroner is resourced adequately to be able to provide coronial services to Queenslanders who desperately need those services and for whom it is very important indeed.

I turn now to the expansion of summary disposition for property offences from \$30,000 to \$80,000. I am very pleased that the government has foreshadowed that it will be amending that part of the bill because the effect would have been to push a lot of offenders out of the superior court system into a Magistrates Court where there is less scope for sentencing. A concern raised by the Bar Association was that accused in those cases may find it very difficult to obtain legal aid funding because normally that is only for matters heard in district courts and above. I can understand their concern. I will leave it to others to wring their hands over the plight of offenders. My biggest concern was that we would have seen yet another go-soft-on-crime move by this government. I am delighted that they took note of the statement of reservation my colleague the member for Lockyer and I put in the report.

I will give members some examples of the practical effects of that. If we look at the punishment for stealing under section 398, the maximum penalty in a superior court would be 14 years imprisonment but only three years in the Magistrates Court. The maximum penalty for the unlawful use or possession of motor vehicles, aircraft or vessels is seven years in a superior court or three years in the Magistrates Court. That sort of pattern persists through fraud, burglary, unlawful entry of a vehicle, falsification of records and so on.

As somebody who fancies himself as being very connected with his community, I can say that the community, by and large, is sick and tired of wringing hands about the rights of offenders and going soft on crime. This would have been a virtuoso example of Labor's intention to go soft on crime. This would have let a lot of scallywags off the hook, and that is not the direction we should be taking. I am very pleased that for places like Goondiwindi and Townsville and other areas around the state where these sorts of offences are quite significant and are a major blow to law-abiding citizens in those communities, that particular proposal will be taken away.

I will now turn to QCAT appointments. I completely concur with what my honourable friend the member for Toowoomba South said about the propensity of this Labor government to make inappropriate appointments of mates and friends of the Labor movement. Even in my short time in this House, there have been no depths too low in terms of appointing Labor mates, however scrofulous or however much of a self-serving scrimshanker they may be, and there is no disqualifying criteria if one is one of their mates. It does concern me whenever we move to put into law—

**Government members** interjected.

**Mr LISTER:** I am sorry, the truth hurts. It does concern me that it will be enshrined in law that competitive appointment processes involving advertising positions for important roles like that of a QCAT commissioner are undesirable. It also shows me that this government is becoming increasingly bold in their moves to monopolise power in this state and have everything their own way. I think that is very concerning.

The LNP supports this bill because it does have some good elements, particularly concerning the Coroner. I urge the government to desist in putting through so many omnibus bills. It does the people of Queensland no favours when legislation is mixed together in a ragbag and unable to be digested and when there is not enough time for members of the public and interest groups to make a proper assessment and a submission to committee. That is all I have to say on the matter.