




Speech By
Joan Pease

MEMBER FOR LYTTON

Record of Proceedings, 20 May 2020

JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Ms PEASE** (Lytton—ALP) (3.37 pm): I rise to make my contribution to the Justice and Other Legislation Amendment Bill 2019 currently before the House. This bill seeks to enact a wide and diverse range of much needed justice reforms by proposing miscellaneous amendments to over 30 criminal and civil law acts in the justice portfolio. These amendments seek to provide fairness, legislative clarity and improved administration of justice and operational efficiency in court and government processes.

Firstly, I draw attention to the bill's amendments to the Coroners Act 2003. The bill seeks to expand the operation of the act to include all inquests regardless of when the death, suspected death or disappearance occurred. This issue was identified by the State Coroner and highlighted in the 2018-19 Queensland Auditor-General's report *Delivering coronial services*. The bill's amendment to this act will close the gap in the powers available to a coroner regarding deaths reported prior to the commencement of the Coroners Act 2003. Under Queensland's modern coronial regime, a coroner is afforded the power to require a witness to provide potentially self-incriminating evidence at an inquest if the coroner is satisfied that it is in the public interest to do so. However, regarding deaths reported before the commencement of the act, a coroner is confined to the powers afforded by the now repealed Coroners Act 1958. As a result of this inequality and inconsistency, those cases remain unresolved, much to the detriment of the family and friends of the deceased who deserve closure.

Further, the amendments to the Criminal Code will improve the efficiency of the criminal justice system by simplifying and clarifying the operation of existing provisions. This bill makes amendments to section 359E to clarify that the circumstance of aggravation applies to unlawful stalking directed at a law enforcement officer when or because the officer is investigating the activities of a criminal organisation. This amendment would render the provision consistent with the aggravating circumstances in section 359, 'Threats'. This bill also seeks to enable an accused person's lawyer to make a written application under section 651 of the code to transmit charges for summary matters on behalf of the accused. This will effectively improve the efficiency of the criminal justice system by removing the outdated requirement that the application be signed in the form of a sworn declaration. This is consistent with the recommendations of the Queensland Sentencing Advisory Council in its report titled *Community based sentencing orders, imprisonment and parole options*.

In response to a decision of the Magistrates Court, this bill makes an amendment to the Peace and Good Behaviour Act 1982 to include criminal activity at restricted premises that is likely to pose a risk to the safety of a member of the public in the definition of a disorderly activity. The Palaszczuk Labor government is committed to promoting a safe and healthy environment to foster public welfare, and that is what this bill's amendments will do. I commend the work of the committee and thank it for its consideration of this bill. However, perhaps the chair, the member for Toohey, may need to do a little bit of hand holding for the member for Southern Downs, who voiced his confusion about the bill.

However, confusion is something that we know runs strong in the LNP—whether it be the Leader of the Opposition picking up and putting down shopping during the COVID pandemic; or supporting small actually means, member for Everton, buying something in the shop that you go to; or the candidate for Aspley, who clearly does not know which party she belongs to. Her four-page newsletter has more photos of our wonderful Premier on it than their own Leader of the Opposition. Thanks for the promotion!

Queensland's current justice system is facing more and more demand pressures and I am glad to conclude that this bill effectively improves the administration of justice by addressing aspects that are otherwise strenuous, inefficient and inconsistent with the fundamental principles of fairness and legislative clarity. I commend the bill to the House.