




Speech By
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MEMBER FOR THURINGOWA

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JUSTICE LEGISLATION (COVID-19 EMERGENCY RESPONSE—PERMANENCY) AMENDMENT BILL

 **Mr HARPER** (Thuringowa—ALP) (2.53 pm): I rise to support the Justice Legislation (COVID-19 Emergency Response—Permanency) Amendment Bill 2021. As we all know, on 29 January 2020 a public health emergency was declared under section 319 of the Public Health Act 2005 in relation to the COVID-19 public health emergency. The COVID-19 public health emergency was declared for all of Queensland. The Queensland government has put in place a range of temporary measures in response to the COVID-19 pandemic with the chief aim of protecting the health, safety and welfare of persons affected by the COVID-19 emergency and to assist Queensland businesses and individuals suffering financial and operational stress caused by COVID-19.

I will take a moment to acknowledge the work of the State Development and Regional Industries Committee who made some really good recommendations—six in total—addressing a number of areas that had those temporary measures put in place to now become permanent. They heard from a range of stakeholders such as the Queensland Law Society, the department, Women’s Legal Service, QNMU and AMAQ. I will touch on some of the more interesting parts that I consider are very valuable to this bill. The current and former health committee considered a number of extension provisions for COVID-19 in that time.

As a result of COVID-19 and the advent of lockdowns and restrictions on meeting in person, individuals, businesses and government have been required to adapt—and adapt they did—and engage with digital technology to find new ways of working without being physically present. I will take a moment to talk about the takeaway liquor reforms. The bill proposes to amend the Liquor Act to permanently retain aspects of the current temporary arrangements, in particular to enable restauranteurs to sell a maximum of 1.5 litres, or two bottles, of takeaway wine with a takeaway meal sold during the ordinary trading hours for takeaway liquor up to 10 pm with approval. After a week in parliament when it is our time to go home, I often say to my wife, ‘I’ll cook tonight. What will it be? Indian, Thai or a meal from any of the great local restaurants we have in Thuringowa?’ Many of them applied for and were able to get the COVID adaptation grants and modify their business so they could sell takeaway meals and liquor. Not only can I cook, so to speak, by taking home a meal to the family; I can also get a nice drop along the way. I think that is a practical outcome of the liquor reforms.

The regulation introduces temporary measures to allow documents to be made, signed or witnessed electronically with simplified execution requirements. That has real and practical benefits. The bill permanently implements certain aspects of the temporary arrangements to allow individuals, businesses and government to continue to use digital technology to meet their needs. The purpose of the reforms is to modernise the way in which important legal documents are created in line with contemporary business practice and to improve accessibility. The bill embraces digital technology to provide new and alternative pathways for document execution in addition to the ordinary physical approach. This will allow individuals to choose their preferred method of document execution. That makes it easier for individuals to make and sign important legal documents.

On 22 April 2020 the Legislative Assembly passed the COVID-19 Emergency Response Act 2020 which, among other things, implemented amendments to establish a power to make emergency regulations for the residential tenancy and rooming accommodation sectors to address the impacts of the COVID-19 emergency and facilitate implementation of the national cabinet decision in relation to good faith leasing principles for relevant non-residential leases in Queensland. It also provided for the establishment of a temporary Queensland Small Business Commissioner, or QSBC, to deliver expanded advocacy functions for Queensland small business and administer mediation services in relation to small business tenancy disputes. These are important steps in dealing with the fallout of COVID-19, and I commend the Attorney-General for making some of these arrangements permanent in this bill.

To date, a number of regulations have been made pursuant to the COVID-19 Emergency Response Act. The objectives of the bill are to make legislative amendments to the Justice portfolio to make permanent particular parts of certain temporary measures introduced during COVID-19. I refer to the modified arrangement that allows nurse practitioners, in addition to doctors, to sign a certificate that forms part of an advance health directive, an AHD, stating that the person making the document appears to have capacity to make that important document.

This issue is not new to anyone on the health committee. We have made recommendations around, and certainly applauded nurse practitioners. One of the best moves of this Queensland government was to make available nurse practitioners to navigate many parts of the health system throughout Queensland. Whilst those opposite sacked nurses, we backed nurses by bringing in the nurse practitioner position. We have heard of the great work that they do around Queensland, particularly around end-of-life and palliative care. Certainly we applaud nurse practitioners for the role they play. I commend the committee for recommending that nurse practitioners can sign the certificate that forms part of an advance health directive. Of course nurses can assess people; they have been doing it for many years. Certainly they are professional and have the ability to assess capacity. Well done to everyone involved in the amendment relating to advance health directives.

The Domestic and Family Violence Protection Rules contain rules to provide for the practices and procedures of courts in relation to domestic violence proceedings. The bill amends the Domestic and Family Violence Protection Rules to provide greater flexibility and accessibility to parties by extending the option to file documents electronically to private parties in domestic violence proceedings with the approval of the principal registrar of the court. I note that the Queensland Law Society and the Women's Legal Service outlined their strong support for that measure in the bill.

To summarise, in responding to COVID-19 everything we have done has been in the best interests of Queenslanders and in support of small businesses as they adapted and found a way to continue to trade. We implemented a number of measures. We all got used to Zoom meetings. We found ways of making life easier through good practical solutions for things such as how we communicate and sign legal documents. These recommendations are to be applauded. Well done, Chair. You have done your job and now it is up to the House to make sure that we continue to navigate our way out of COVID-19 by focussing squarely on vaccinating people. That is our best defence against COVID-19. We have managed to navigate the past two years by putting in all of these temporary measures and now it is time to make them permanent. They are practical and they are safe.

I urge everyone in North Queensland to get vaccinated. The borders will open on 17 December. I do not want anyone in my community to get sick. We have a rivalry with Cairns.

Mr Power: Who is winning?

Mr HARPER: Cairns is just slightly in front, but our advocacy for the vaccine is strong. At least we have the Cowboys team. I know North Queenslanders will do the right thing. They have managed to do the right thing and adapt all the way through COVID-19 over the past two years. My last message is this: get vaccinated.