




Speech By
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MEMBER FOR PUMICESTONE

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

 **Ms KING** (Pumicestone—ALP) (3.57 pm): I rise to provide some words on the Justice Legislation (COVID-19 Emergency Response—Permanency) Amendment Bill 2021. One of the key public policy aspirations that we should always have as a government as we move through our massive COVID-19 response—whether that is here in Queensland, whether it is nationwide or whether it is across the globe—is ensuring that any identified benefits or reforms that come out of those responses are not discarded once the initial threat passes or when we have an opportunity to incorporate them but are indeed incorporated into the permanent policy landscape and are built upon from there. If I was going to get poetic—which is not something I tend to do very often in these speeches—I would say that we need to be collecting the shells that have washed up on the shore following the COVID tsunami and conserving them. That is what this bill is about. Whether we are talking about improvements in policy responses in health, small business or legal practice, we need to bank the benefits and make sure that the effort and cost of our COVID response is not wasted.

Of course, we can only take that time to review and consolidate the policy gains we have made because our COVID-19 health and economic response has been so far so extraordinarily successful here in Queensland. That is not an accident. It is down to the firm and decisive leadership of our Premier, our former and current health ministers, our Treasurer and every member of our leadership team and every member of our government. It has at times, I am sad to say, been in spite of the contributions of those opposite. Unlike other states and other countries, at this moment in time cases are low, we have almost nobody in hospital or in ICU with COVID-19 and we can encourage our communities to get vaccinated before we know COVID cases will arrive into our communities following our reopening as we reunite families ahead of Christmas.

This bill looks at conserving those successful COVID-19 changes as permanent reforms in four areas—document signing, management and witnessing; domestic and family violence reforms; liquor reforms; and matters to do with leasing.

I turn now to those matters of document management, witnessing and execution. Reforms around document management change longstanding accepted practices in courts and commerce, regarding making, signing and witnessing of important legal and commercial documents, the making of oaths and the execution of deeds; although if you are old-school and someone who likes to keep things on paper, you can stick with that. Many of the legal processes we are currently required to follow, or prior to COVID, are deeply anachronistic. They emerge from the fug of 18th and 19th centuries Inns of Court in the UK when no other options existed. This was a time when a large proportion of people could not read or write and needed to sign by making their mark, and an army of low-paid copy clerks made up the engine room of the legal and commercial sectors.

These changes bring the status of paper documents into line with electronic documents. They simplify execution requirements and allow for electronic signing and signing of counterpart documents. These changes and reforms represent the modernisation of what is a fairly archaic aspect of legal

practice. I note the member for Bancroft's remarks about the use of parchment, vellum and the traditional requirements for signing and sealing of documents. More importantly, these changes increase Queenslanders' access to justice and all the more so when that access is at risk of being impeded, whether that is by ill health, advancing age—as in my electorate of Pumicestone—or geographic isolation. Preparing, signing and filing affidavits and documents under onerous pre-COVID requirements was time-consuming and costly, so these changes represent huge reductions in costs for everyday Queenslanders who may find themselves involved with legal process in any capacity from giving a stat dec following a traffic accident to conveyancing and beyond.

This legislation enables reform that will quickly spread across our state. The changes will have their most value in our regional and remote communities where attending a solicitor's office, finding a JP or even, for some Queenslanders, potentially a printer could be challenging or could require hours of travel.

I note that the bill will enable nurse practitioners to sign certificates of capacity assessment for the purposes of advance health directives. I agree with the remarks made by the member for Greenslopes about the importance of maximising scope of practice for healthcare workers right across our sector. Speaking from my former involvement in health policy, I know how maximising scope of practice is absolutely essential to ensure that the Queensland health system can meet the challenges of the future as our population ages, as people develop more complex healthcare needs and as our population grows, so I very much welcome those changes on that basis.

In terms of the domestic and family violence reforms included in this bill, we know that these changes will reduce the amount of physical contact required between a victim or person seeking protection and other parties. They will allow matters to be heard by video and audio, and they will provide for electronic filing where approved by a principal registrar.

I welcome that magistrates will retain a discretion to decide that complainant victims either may or may not give their evidence remotely, as it is magistrates who are most familiar with the individual facts of each matter before them and they, as a result, are in the best position to make that determination.

The reforms in the bill will help minimise re-traumatisation of victims by not requiring them in every case to give their evidence in the physical presence of their alleged perpetrator, yet this legislation balances that against the need in certain cases for evidence to be tested by it being given and heard in person. These are complex and difficult issues in a complex and difficult space. I want to acknowledge the work of CADA, the Centre Against Domestic Abuse, and its staff and dedicated workers in and around my electorate, specifically in Caboolture.

Broadly, and again in the frame of consolidating policy gains that have emerged from the pandemic, this bill recognises that if a person, most commonly a woman, is experiencing domestic and family violence, she is highly likely to also be experiencing coercive control. Given that, any opportunity to reduce the chance that alleged perpetrators have to control, influence and frighten their victims will be a positive change. Important to me is that these changes are supported by the Women's Legal Service.

Domestic and family violence is an enormous burden on people in our communities. Anything that we can do to reduce that burden and make their experience of the court process even a tiny bit easier at one of the most vulnerable times in their life is valuable. By incorporating these quite minor, in some respects, COVID-19 reforms permanently, that becomes part of our much broader work in the domestic and family violence sector and overall we are continuing to create and confirm for the future real change in that space.

I will speak very briefly about the liquor changes that will authorise the sale of up to 1.5 litres of takeaway wine for sale with a takeaway meal. We have heard from other members that the previously existing takeaway framework allowed for the sale of one opened and one unopened bottle of takeaway wine to people dining on premises, so these new changes are consistent with the existing framework. Takeaway beer, wine, cider and other premixed drinks have not initially been included, as the government wanted to take a cautious and conservative approach by mirroring the existing measures. However, I welcome that the government is watching closely and working with craft brewers to maximise their opportunities to reach into new sectors in the future. It will be good to see that work go forward. Our small businesses in the hospitality sector have suffered so much during COVID and, given the increased margin available to them via the sale of alcoholic beverages, compared to many of their food products, I know that they will welcome this opportunity to provide takeaway wine in a setting where the harm-minimisation is strongly incorporated into the legislation and also the potential harm of those sales is very low because they are being consumed as part of a meal in a takeaway setting.

Once more, we are working to imbed positive reforms for small businesses that have emerged from the very testing times of the COVID-19 pandemic, as we should. In the context of the enormous policy efforts and challenges of the COVID-19 crisis response, making permanent the best of those changes will bring real benefits and efficiencies to the lives of ordinary Queenslanders as we emerge from the health and economic challenges of COVID-19. Of course, there is a long way to go before we get to that point, but it speaks to the successful management of the pandemic so far that we are in a position right now to begin to consolidate even some of those reforms. I acknowledge the Attorney-General and the committee. I commend the bill to the House.