




Speech By
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MEMBER FOR COOK

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

 **Ms LUI** (Cook—ALP) (4.20 pm): I rise to speak in support of the Justice Legislation (COVID-19 Emergency Response—Permanency) Amendment Bill. The objectives of the bill are to make amendments to legislation in the justice portfolio to make permanent particular parts of the following temporary measures introduced during the COVID-19 emergency: the Justice Legislation (COVID-19 Emergency Response—Documents and Oaths) Regulation 2020, referred to as the documents reforms, and the Domestic and Family Violence Protection (COVID-19 Emergency Response) Regulation 2020, referred to as the domestic and family violence reforms. The bill will also amend the Liquor Act to allow licensed restaurant operators to apply for a permanent condition of licence authorising the sale of 1.5 litres of wine with a takeaway meal up to 10 pm. The bill also extends the expiry of the retail shop leases and other commercial leases regulation 2020.

COVID gave us more than we bargained for with a suite of challenges—challenges that prompted some positive changes in the way we do things and everything that this bill represents. When the Queensland government declared a public health emergency early in 2020, a string of temporary measures was implemented to prevent the risk of COVID-19 spreading across the state—measures that rightly kept Queenslanders safe since the start of the pandemic. I acknowledge the lockdowns and restrictions which inevitably restricted our ability to interact in the way we normally would as the risk of COVID spreading throughout our community was too high. No doubt these measures tested all of us and, whether personally or professionally, we all had to adapt our behaviours slightly to find new ways of doing things. Adapting our behaviours to the new norm allowed us to work smarter so that we could manage the risks of COVID and still get on with business as usual.

Looking back over the past two years, meeting in person, individuals, businesses and government have been required to adapt and engage with digital technology to find new ways of working without being physically present. The Justice Legislation (COVID-19 Emergency Response—Documents and Oaths) Regulation 2020 certainly gave people greater capacity to carry out important business during these COVID times by enabling technology to be used to make important legal documents. Having gone through the process of buying a house at the start of COVID, the anxiety surrounding COVID and wanting to do the right thing by my community and the stress associated with meeting deadlines and expectations was overwhelming at the best of times. This option certainly allows greater flexibility to manage business efficiently with the back and forth of legal documents to meet specific time frames. What is most important about these reforms is that we are moving away from the old and modernising the way for how 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 which will allow individuals to choose their preferred method of document execution. The reforms will make it easier for individuals to make and sign important legal documents without the need to be physically present. According to the explanatory

notes, government consultation on the proposed documents reforms was undertaken with a wide range of legal, health and community stakeholders, including the Queensland Law Society, the Bar Association of Queensland, the Property Council of Australia, the Australian College of Nurse Practitioners and the Australian Medical Association of Queensland. I note that the legal stakeholders strongly supported the reforms to modernise the way certain documents were made, brought many efficiencies, reduced transaction costs and aligned with contemporary business practice.

These changes would most certainly go a long way and I can see many benefits for those who are severely disadvantaged—people with disability, our elderly, people where transport is an issue or ones who live in regional and remote settings where their capacity to be physically present to manage their affairs is limited. This legislative reform is welcomed and the beginning of a brand new chapter that will allow us to fully embrace technology to work for us against age-old traditions, making tangible, practical improvements to the making, signing and witnessing of documents easier for people to carry on with their daily business. Whether or not it is under the pressures of COVID, these new changes would remove the barriers and limitations that require a person to be physically present.

The same applies for the Domestic and Family Violence Protection Act that sits on the foundations of outdated practices which set out the legislative framework for providing civil protection from domestic and family violence through domestic violence orders and police protection notices. Applications for DVOs are made to a Magistrates Court and can be made by the aggrieved, a police officer or an authorised person or another person acting for an aggrieved. Ordinarily, private applicants—an applicant who is not a police officer—must verify an application for a DVO by way of a signed and witnessed statutory declaration before a lawyer, JP, Cdec or other persons authorised by the Oaths Act 1867. A private applicant may then file the application with the court by delivering the application personally, or by post, to the registry. A party to a proceeding under the DFVP Act may appear before a magistrate in person or be represented by a lawyer.

The DFV COVID regulation put in place modified arrangements to reduce physical contact between persons to support social distancing, self-quarantine and self-isolation requirements under the Queensland Chief Health Officer's public health directives. The bill amends the DFVP Act and DFVP Rules to increase the accessibility of the court for applicants in urgent situations by providing the option for private applications for protection orders and variations of DVOs to be verified between an applicant and a magistrate as an alternative to verifying the application by statutory declaration for the purpose of the court making a temporary protection order before the respondent is served the application. This has certainly been a long time coming for victims of domestic and family violence and these changes are absolutely necessary to alleviate the extra pressure and stress for victims applying for domestic violence orders.

The bill also amends the Liquor Act to provide a permanent ability for licensees holding a subsidiary on-premises licence to be authorised to sell a limited amount of wine for takeaway or delivery with a takeaway meal. The reforms differ from the current COVID-19 temporary takeaway liquor authorities. However, the changes resulting from stakeholder consultation will reduce the potential for harm and provide greater regulatory control. To reduce the financial burden and assist restaurant operators transition from the temporary arrangements, the bill proposes to waive the application fee for eligible licensees who apply for the permanent takeaway liquor condition on or before 30 June 2022. The fee waiver will only apply if the licensee was subject to a COVID-19 takeaway liquor authority under part 10A of the Liquor Act before commencement of the provisions.

This bill is a good and positive bill. It is absolutely needed. These issues were put in place as temporary measures to deal with the high risk of COVID in this state, but we have all seen that these measures worked effectively in keeping Queenslanders safe. I commend this government for doing such an absolutely fantastic job in working with communities right throughout the state. This is just another example of the types of measures that were positive and that kept Queenslanders' health and wellbeing safe whilst also looking after and addressing some of the limitations that COVID posed to many communities.

Given that the temporary measures were well received by businesses, stakeholders and the community, I commend the Attorney-General for her work in making these reforms permanent. I also acknowledge the work of the committee to bring this bill to the House. I commend the bill to the House.