



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

 **Ms BUSH** (Cooper—ALP) (11.53 am): I rise to make a contribution to the Justice Legislation (COVID-19 Emergency Response—Permanency) Amendment Bill. Biologists have researched the theory of evolutionary stasis, which is that, in contrast to the theory that evolution occurs slowly and incrementally, evolution is actually a lot more abrupt and transformative, and haven't we as a society evolved and adapted so much in the last 19 to 20 months. Since the COVID-19 public health emergency was declared the Palaszczuk government has responded and put in place a range of temporary measures to support Queenslanders as individuals and communities but also to support our business sector. The purpose of the bill is to now make permanent and build upon particular parts of those temporary measures introduced during the COVID-19 global emergency.

No-one can dispute how we faced an overnight need to transition a lot of how we lived, loved and worked into a digital platform. Indeed, my mum is a great example of this. When iPads first became a thing I tried to get her onto an iPad so that we could have more face-to-face time, but she was not particularly interested. Then I gave birth to my first beautiful daughter, Albie, and I encouraged her again to hop onto an iPad so that we could share some of those moments with her. Again she was not interested. But the moment her church started moving their services online during COVID she was straight out there, which says a lot about her connection to the church and maybe her views toward me also—I am not sure. We have all had to rapidly get across that digital platform, and I am really confident that many in our community who maybe were a bit digitally hesitant have embraced that.

As these temporary measures have been so well received by businesses, stakeholders and the community, the government now proposes, through this bill, to make many of them permanent. The bill makes tangible, practical improvements to the making, signing and witnessing of documents that affect people and industry every day. Not only does the bill enable the use of electronic signatures; it also provides that the signature of a person and witness do not need to be on the same singular original document in some circumstances. What this means is that parties no longer have to be physically together to sign these documents or post original documents back and forth, which can be logistically difficult not only for those who work remotely but simply for those of us who have competing demands on our time.

The bill allows for electronic signing and witnessing via video link for important documents such as affidavits, statutory declarations, general powers of attorney for businesses, deeds and particular mortgages. Specifically, the bill allows affidavits, statutory declarations and some oaths to be taken over video link by a cohort of special witnesses such as: Australian legal practitioners; government legal officers who witness documents in the course of their work; certain justices of the peace or commissioners for declarations approved by the director-general of the Department of Justice and Attorney-General; or a notary public, a justice of the peace or commissioner for declarations employed by a law practice. All of these reforms will improve access to justice, reduce costs for the delivery of legal services, reduce transaction costs, increase efficiency and boost economic productivity.

Through these reforms, Queenslanders will be able to make these documents from their home or workplace with the support services in place they may need to get these documents completed and will no longer have to travel to sign documents in person before a witness. They also contain a number of important safeguards to give greater protection against the risks that we know can occur with the expanded use of technology and with the changes to witnessing requirements. These safeguards have been developed following extensive consultation with a range of stakeholders.

Importantly, the bill also modernises and streamlines domestic and family violence proceedings through amendments to the Domestic and Family Violence Protection Act 2012 and the Domestic and Family Violence Protection Rules 2014 to permanently retain the option to use the temporary measures provided under the Domestic and Family Violence Protection (COVID-19 Emergency Response) Regulation 2020 in particular circumstances. The permanent measures adopted allow for domestic and family violence matters to be heard via video or audio link, the operation of alternative verification processes for temporary protection orders and electronic filing where approved by the principal registrar.

As others have said, these reforms are very much wanted by the domestic and family violence sector. All of us ought to know by now the barriers that people experiencing violence face in reporting the crimes against them, not to mention throughout the prosecution process. Again, this will modernise and streamline access to justice by providing victims with greater flexibility to participate in domestic and family violence proceedings, including by giving magistrates the discretion to conduct all or part of the proceedings via audiovisual link or audio link. Allowing vulnerable Queenslanders to make documents or give evidence under oath from their home or other location where they can have support and use technology will further support victims in what is an acutely stressful time. These measures help ensure that vulnerable applicants can seek protection from domestic and family violence without unnecessary delay.

The bill amends the Liquor Act 1992 to permanently retain aspects of the temporary COVID-19 takeaway liquor authorities for licensed restaurants. I am going to give a shout-out to the work of Johnny Gambaro. When COVID restrictions were put in place, he immediately showed industry leadership in pivoting his service delivery model. He established the Gambaro 2 Go contactless model of delivery, which was wildly successful. I recently attended the Hostplus restaurant and catering awards celebrating Queensland's hospitality sector, and it was so great to see their optimism for the future.

Notwithstanding COVID, we need to recognise consumer preferences are changing and the ability to sell takeaway liquor with takeaway food has assisted restaurants and cafes in what has been an extremely tough time for the hospitality sector. Ensuring businesses can increase their revenue by selling takeaway wine with their meals has supported them to keep their doors open and keep Queenslanders in jobs. We need to recognise though that the delivery of packaged alcohol directly into homes does have the potential to increase the risk of alcohol related harm. To mitigate this, the government has consulted widely with stakeholders representing the liquor and hospitality industry, as well as community organisations, health research organisations, small businesses and relevant government agencies to strike a balance between commercial interests and alcohol harm minimisation.

This balance is to be achieved by amendments that enable restaurant licensees operating under a subsidiary on-premises licence to apply to the Commissioner for Liquor and Gaming for a variation of licence that permanently authorises the sale of takeaway liquor for their business. This proposed new licence condition will only be available to existing or proposed restaurant businesses which must operate as on-premises dining facilities and not just as takeaway only facilities.

The licence condition limits the sale of takeaway liquor to a maximum volume sold with a takeaway meal between prescribed hours. Amendments further provide that licensees will need to establish appropriate systems and procedures for the responsible service of takeaway alcohol to be granted approval. An example of this would be developing systems that require identification to be shown if you want to purchase alcohol online. This prevents the sale of alcohol to minors. Approvals may be subject to conditions the Commissioner for Liquor and Gaming determines necessary to ensure the responsible service of takeaway alcohol. As per existing Liquor Act provisions, the licence condition can be amended or revoked if the licensee fails to comply. Contravention of a condition is also an offence under the Liquor Act.

This bill seizes on learnings made across a range of justice-associated domains. It leverages our opportunity to embrace technology, innovate, increase efficiencies and improve access to justice. I commend the bill to the House.