




Speech By  
**Hon. Mark Ryan**

**MEMBER FOR MORAYFIELD**

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Record of Proceedings, 17 November 2021

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

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Corrective Services and Minister for Fire and Emergency Services) (3.28 pm): I rise to support the bill. Many things have changed during the pandemic. We have had to modify many of the ways we go about our daily lives to support community safety and each other. We have all been resourceful in finding new ways of doing things. For instance, at times we needed to reduce the need for face-to-face contact to keep the community safe. As a result of that, we found new ways to do things—better ways. This bill is really important for embedding permanently those better ways to do things. For example, certain legal and commercial processes were amended so that electronic signatures or electronic communications could replace a physical signature or physical attendance. This bill will make permanent some of those changes.

The reforms will enhance access to justice, reduce transaction costs and increase the efficiency of conducting private and commercial transactions. For instance, regarding the document reforms, as a result of the COVID-19 emergency and the advent of lockdowns and restrictions on meeting in person, individuals, businesses and governments have been required to adapt and engage with digital technology to find new ways of working without being physically present. The Documents and Oaths Regulation introduced temporary measures to allow certain documents to be signed electronically or witnessed over audiovisual link. 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 practices 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.

Another important factor the pandemic has brought into sharp relief is the critical role our police play in supporting community safety. Police have been on the borders at airports and at hotel quarantine protecting the community and our economy. When it comes to some of the reforms contained in this bill, particularly in relation to domestic violence matters which may be able to be dealt with in certain instances by audiovisual link, that will have an impact on not only the experience that that individual has in the criminal justice system but also the role that our police play in supporting those people. It is an important way for us to use technology to have better outcomes for the community, for individuals and for community safety.

I note a couple of the other amendments contained in this bill, particularly around document creation and witnessing and how those can also be done by electronic means, by using counterparts, by using electronic signatures. I also note that it continues the reform around e-conveyancing. E-conveyancing was not around when I was practising law. It was always a tense moment, when you

would turn up at a settlement as a young lawyer being tested by your partner with a tricky matter, when it came to how you might resolve that tricky matter at settlement. Through my conversations with more recently admitted lawyers, the stress and intensity of the tricky matters established by partners have been mitigated to some extent by the advent of e-conveyancing and having everything ready to go sometimes many days before the settlement time. I note that, in particular, this bill continues the progression around using technology in respect of property matters by embedding electronic signing of mortgage documents which can be lodged through e-conveyancing, and that makes a lot of sense.

Also, from a legal point of view, embedding practices around counterparts and electronic signatures and electronic witnessing of documents will be well received not only for individuals who may lead busy lives and find it difficult to meet at the same time and at the same place, particularly in respect of high-volume businesses and transactions that might be conducted, but also from an efficiency point of view, allowing legal practitioners to do things in a more effective, structured way. That will be very well received as well and of course moves with the times.

Law firms and commercial businesses have for many years been adapting around different ways to execute documents—signing documents by counterparts and exchanging documents by email—but to embed a process in law around electronic witnessing and electronic signatures is an important step and of course with appropriate safeguards. The best safeguard is always having two different sides to a transaction because both sides of a transaction will always want to make sure the other side is doing the right thing, so it is very important.

I also wanted to comment briefly on the commercial lease emergency response aspect that has been embedded. As many in our community will recognise, because the vaccination rates have gone up, we are now in a much better position around avoiding future lockdowns and other future restrictions on businesses. To have this aspect in law for a further period of time does allow the government to be agile should a power like this be required. I know that a lot of tenants, particularly those in major shopping centres, look to guidance around these mechanisms. These mechanisms were very helpful in recent times regarding previous lockdowns and allowing commercial tenants and landlords to have a framework for negotiating responses in respect of the impact that COVID restrictions have had on business and the ability of those businesses to trade.

Because we are talking about our government response to COVID, I do need to pay tribute to the workers and volunteers within the portfolio areas that I look after—the police and emergency service workers and volunteers who have done such a great job keeping the community safe, keeping businesses supported and safe as well and of course being at those businesses and entertainment venues and providing communication and compassion around COVID restrictions. We see the Queensland Police Service being on the borders, at businesses and in hotels keeping us all safe.

I want to reinforce the importance of everyone working together. This bill embeds a lot of framework around working together—different parties to a transaction working together, the authorities working with business working together, tenants and landlords working together. One of the key principles which has supported Queensland's response to COVID-19 has been everyone working together and support for our police and emergency service workers and volunteers from the community and, likewise, the support of police and emergency service workers and volunteers for the community that they represent.

A lot has been said about the final amendment contained in this bill which is about takeaway liquor. I know that that has supported a number of hospitality businesses during the pandemic. Some would argue that this bill in every respect establishes new and better ways to do things. By the sounds of things, there is a lot of support for the new and better way of supporting the liquor amendments that are contained in this bill more permanently.

I take this opportunity to thank the committee for its work and to acknowledge the work of the departments responsible for the bill. I know there was a lot of consultation with relevant stakeholders in the development of this bill. Working along with those stakeholders and across government, I think we have landed in a very good position. I commend the bill to the House and I encourage all members to support it.