




Speech By
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MEMBER FOR NOOSA

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

 **Ms BOLTON** (Noosa—Ind) (4.46 pm): Since COVID-19 entered our world nearly two years ago, we have had to deal with, decipher and debate so much. Its virulence, transmission, symptoms and magnitude—not only in its direct health impacts but also through the consequences of responses and directives—have disrupted lives; traumatised through loss of businesses, homes and jobs; and impacted mental health through uncertainty, conflict of information and misinformation. Isolation, fatigue and the sheer duration of the pandemic have been horrendous.

However, as can happen in the hardest of times, there are surprising positives including real-time innovations and revelations. Examples include telehealth, the collaboration between scientists and clinicians, the rise of parents engaging as educators through home schooling, the decrease in the need for physical attendance at meetings—reducing emissions at the same time—and community initiatives that have seen greater connectivity between and support for neighbours. During this time technology has ensured that patients continue to be treated, children continue to be taught, government and community services continue to be offered and many businesses continue to transact as well as expand when needing to pivot. It has also meant that, through technology, we have had to find new ways of working without being physically present.

The measures outlined in the Justice Legislation (COVID-19 Emergency Response—Permanency) Amendment Bill 2021 make temporary adaptations permanent through amending particular parts of legislation and regulation utilised during this time to allow individuals, businesses and government to continue to use digital technology to meet their needs. For example, the bill amends the Justice Legislation (COVID-19 Emergency Response—Documents and Oaths) Regulation 2020 to allow certain legal documents to be signed electronically or witnessed over audiovisual link that normally must be signed on paper in the physical presence of signatories and witnesses.

The bill also allows powers of attorney for businesses but not sole traders to be signed electronically. As well, electronic conveyancing will allow instruments and documents needed for property transactions to be digitally prepared, signed, settled and lodged. In addition, it permanently implements the arrangement under the DO regulation to allow nurse practitioners in addition to doctors to sign a certificate which forms part of an assisted health directive. A number of submitters outlined broad support for the document reforms, including the Queensland Law Society, that both the legal profession and community derive significant benefits from increased access to justice, certainty, reliability and cost savings.

During COVID-19, the Domestic and Family Violence Protection (COVID-19 Emergency Response) Regulation 2020 put in place arrangements to necessarily reduce physical contact between persons seeking protection under the DFVP Act or responding to an application for a domestic violence order. This is now a permanent provision limited to urgent situations for the purpose of seeking a temporary protection order where an applicant is unable to access a justice of the peace, commissioner for declarations or a solicitor and before the respondent is served the application.

The bill also amends the Liquor Act 1992 to provide a permanent ability for certain licensed restaurants to be authorised to sell a limited amount of wine for takeaway or delivery with a takeaway meal. This was an absolute bonus during the times we were locked down. Many submitters indicated support for the benefits as well as there being no evidence of alcohol related harm; however, some did not support the proposal, raising concerns about the lack of community need or justification for continuing arrangements on a permanent basis because of risks associated with the irresponsible supply of liquor and adverse intoxication outcomes. Within my community there have not been any concerns. Of course, a number of amendments have been foreshadowed during the course of the day. As we go along, I will support these.

In supporting this bill we need to be mindful of creeping authoritarianism, which is being strongly opposed in my community and elsewhere. Governments have a responsibility to enact limitations proportionate to a threat. We must make sure that we do not accept restrictions that pose a greater threat than are needed to keep us safe. I thank the committee, submitters, the minister, departmental representatives and attendees to the public hearing and public briefing for their work. I commend the bill to the House.