




Speech By  
**Hon. Grace Grace**

**MEMBER FOR MCCONNEL**

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Record of Proceedings, 26 May 2022

### **EVIDENCE AND OTHER LEGISLATION AMENDMENT BILL**

 **Hon. G GRACE** (McConnel—ALP) (Minister for Education, Minister for Industrial Relations and Minister for Racing) (4.25 pm): I rise to support the bill. It is actually very moving to do this because I feel this bill does a number of things. The most important one, going through all the different elements of the bill, is that it is bringing these issues into a modern environment. It is recognising that we can do things differently. We can respect the rights and the manner in which families and loved ones can react in certain circumstances, and take that into account and put it into a piece of legislation that will deliver better outcomes for those who have been struck, often by very tragic circumstances.

The first key purpose of the bill is to establish a framework that allows protection against disclosure of the identity of journalists' confidential informants, known as shield laws. We are the only jurisdiction which does not have this, and it is good that we are once again moving into an area where this is the norm in other parts of the country. While the Commonwealth and all other states and territories do provide statutory protection, there is nothing in Queensland. This bill reverses that.

It is so important, which is why my constituents and I support it, to have a free, independent and effective press. The crucial role of an informed citizen is absolutely imperative for a strong democracy. We only need to look at the recent federal election campaign to understand the significance of a free press. It does not mean we are going to agree with everything that the press says. We are not going to say that we agree with everything that they write. I am sure there are many of us in this House, depending on which side of politics you are, who will agree with some and not agree with others, but we in this House will be standing for their right to say it. Whether we agree or not, it is up to us to call it out if we do not agree, and up to the people in an informed society to cast their democratic right as to whether or not they agree with some of the matters.

Obviously there was a change across the country and a lot of what was written can either be agreed to or not agreed to. It is a great democracy that we have here in this country. Needless to say, we should be very proud of the smooth transition from one government to the other.

While journalists generally do a great job attributing the sources of their information, there are times where we know there are matters of concern. They need to be protected to facilitate ongoing access to sensitive information if it is still coming, and the bill brings Queensland into line with other Australian jurisdictions. That means that a journalist or their employer, producer or editor is not compelled to answer a question or produce a document that would disclose the identity of a confidential informant or enable their identity to be ascertained unless ordered by a court.

Shield laws are complex. They are not easy. They must strike the right balance between a journalist's obligation to maintain the confidentiality of their source and the ability of the court to have access to all relevant information in the interests of justice. There may be some cases where the informant's identity may need to be disclosed, and these laws allow the shield to be removed if it is in the public interest. How each journalist and relevant person chooses to use the protection and how the court considers each claim will vary in accordance with the facts and circumstances of each particular situation. I believe that rightly should be the case.

In relation to videorecorded evidence we are moving to establish a legislative framework to support a pilot whereby this can be used as a victim's evidence-in-chief in domestic and family violence related criminal proceedings. That, I think, is a great step in the right direction because it is about supporting the most vulnerable in our communities. This method of videorecorded evidence seeks to reduce the trauma for those victims who have to keep repeating their stories and protect their privacy. Having witnessed the member for Macalister tell her story in this House and, Mr Deputy Speaker, to a certain extent hearing your own a short time ago, we do not want you to keep repeating the same. We need to move forward and hopefully this helps a lot of other people as well. There is a beauty about having these voices in the parliament. We are able to step forward and know what we need to do. We know about the unintended consequences that can sometimes come from giving evidence. This is a step in the right direction.

I note we are going to pilot this in the Ipswich and Southport Magistrates Courts for a period of 12 months. I look forward to seeing the outcomes of that. Any ongoing or expanded use of the provisions will be subject to consideration of the results of a proposed independent evaluation and any relevant recommendations of the Women's Safety and Justice Taskforce.

The last issue I want to talk about is the specific process for the viewing and examination of the body of a deceased person in a criminal proceeding, which was recommendation 2 of the Daniel Morcombe inquest findings. I join others in congratulating the Morcombes on the work they do. They deliver a fantastic education program for us in schools right throughout Queensland. Every time I see them they are going to one school one day and another school the next day. We will continue to have them speak about their experience. I want to not only thank them for their work but also other families.

I do not think I can put it into words any better than that of the member for Cooper who spoke about her personal experience in this area. As the 2009 Young Queenslander of the Year due to her tireless advocacy for victims of violent crime, she is a credit and she is an inspiration in this area. She has done great work in the area of One Punch Can Kill. She actually met with Dr Anthony Lynham and more or less brought him into the campaign. Together, they were able to change laws in advocating to reduce alcohol fuelled violence in Queensland.

Can I say how proud I am that in one of the largest safe night precincts in the state, Fortitude Valley, that type of violence is down 52 per cent. There is no doubt that the work that was done by the member for Cooper, Dr Anthony Lynham and others in this House—the previous attorney-general and the current Attorney-General and all of us who voted for those laws—has brought about a great outcome. The changes here are really about respecting the families and those tragic circumstances in which they find themselves and just making it easier for families to cope with tragedy, which is often very difficult. As we can tell from the stories we have heard in this House today, such circumstances can be extremely tragic and have lifelong impacts on one's ability to function. Whatever we can do—and I think this bill goes a long way—to minimise that trauma I think is a step in the right direction for this state.

Can I also say that the voices in relation to these changes have been heard loud and clear. If there is one glimmer of hope that comes from tragedies such as this it is when laws like this can be brought about to change the way we do things to make it easier, to respect victims and to provide for their needs at the time. That is the glimmer of hope we get from learning from those tragic circumstances.

I await the trials and the outcomes so we can make these things permanent. I think this bill does some really good work. I want to thank the previous speakers who have spoken in this House on this bill. It is very brave of them to come forward with their particular circumstances. We are very proud of each and every one of them and I thank them for sharing their experiences. On that note I commend the bill to the House.