




Speech By
Jimmy Sullivan

MEMBER FOR STAFFORD

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JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Mr SULLIVAN** (Stafford—ALP) (6.05 pm): I rise to support the Justice and Other Legislation Amendment Bill 2023. This bill might not be one that is splashed across the front page of the newspapers tomorrow or lead the nightly news bulletin, but it is important because it touches on crucial institutions in our democracy—our courts and tribunals, the important third tranche in our system of government with our separation of powers; the legal system more broadly, the profession, individual practices and advocates and community legal centres; interaction between the law, criminal prosecutions and the Fourth Estate in the media; and the conduct and rules around conducting elections, which are obviously fundamental to our very system of democracy. All these reforms are perhaps technical or legalistic in nature, but they make very important changes. In the clear message this bill sends and in the policy settings as well as the very practical daily operation of legal practitioners, advocates and the court system more broadly, it creates real changes on the ground.

This all takes a lot of hard work. To deliver these reforms an extraordinary amount of work has been carried out behind the scenes. Anyone who knows me and my background will know that I very much appreciate the work that goes on behind the scenes to deliver a bill like this. You could say that I value intelligent hardworking public servants so much that I ended up marrying one. Jokes aside—that was not a joke, Carolyn, sorry—

Mr Russo: Forever in *Hansard*.

Mr SULLIVAN: Oh Lord! The depth of the work involved in getting to where we are can be seen quite openly in the consultation conducted. Obviously it did not involve just the legal stakeholders, the Bar Association, Law Society, heads of jurisdiction, relevant statutory bodies and office holders who are in the public sector but sit independently such as the Office of the Director of Public Prosecutions, Legal Aid Queensland and similar bodies; it also involved the admissions board, the Appeal Costs Board, the JP associations, the Australasian Cemeteries and Crematoria Association, the Queensland branch of the AMA, Rural Doctors Association, Victims of Crime Queensland and other CLCs—the list goes on. I think the breadth and depth of work that has gone on to get us where we are today is evident in the quality of the bill we are debating and the importance of the changes that hopefully will go through this week.

One of the key changes is that the bill removes the restrictions which had prohibited the publication of the identity of an adult offender charged with an offence of a sexual nature as prescribed in the code. This implements a recommendation from the *Hear her voice* report in relation to media guidelines.

As the Attorney-General has outlined, this is well ahead of schedule. I welcome the amendments flagged by the Attorney-General that, in fact, the proclamation of these reforms will be delivered far earlier than initially anticipated. I thank the Attorney-General, her department and her team for the work in getting that done. It is now set for 3 October, so well done.

I recognise the subtlety and complexity of drafting in this bill. The bill recognises the ability to grant non-publication in very specific circumstances. The court is able to make that decision against that criteria in the public interest, such as for the safety of the victim. Importantly, it is not based on an outdated suggestion of reputational damage to an alleged offender. That caveat will be an important tool for courts to have going forward. As the Attorney set out, this bill will be accompanied by guidelines for the responsible reporting of such cases by our media outlets. This is an important element to ensure we can provide both more transparency for the public and greater support for victims as well as ensure the core elements of our criminal justice system and the balance of probabilities.

The changes to better recognise the life and identity of an unborn child killed through criminal activity represent practical and emotional reforms to support families in several ways. It is powerful to be able to add the name of the child to the indictment. It is really important that families are able to present victim impact statements in relation to the loss of a child. The bill will provide aggravating circumstances for associated offences in terms of real outcomes in the criminal justice system. In all of the turmoil that the family is going through, the myriad changes to Victim Assist Queensland to provide for things as simple as support for funerals in those tragic circumstances will make a really big difference. I thank the Attorney-General for progressing these changes.

In the short time I have left to me I will touch on a couple of other changes. It is worth touching on the electoral reforms—things such as expanding the definition of ‘special postal voter’ to include electors who are patients in a hospital that is not a polling place and electors who are ill or infirm and unable to travel. Hospitals are often a standalone booth on the day. The Prince Charles Hospital has for decades been a standalone booth but more recently has been removed. Unlike people who may want to go to pre-poll or organise a postal vote in advance, if someone or their child has a fall and they have to go to emergency, that is not planned. If you suddenly become ill and have to go to hospital, that is not planned. It is important that we provide as much support and empowerment as possible to make sure those people have their say. I was offended by the suggestion from the member for Scenic Rim that somehow, in a derogatory sense, we are implementing a Labor agenda. Helping sick people to vote is well and truly what this Labor government stands for, and to suggest otherwise is just offensive.

There are some clarifying and modernising amendments for our JPs and commissioners for declarations. I take this chance to thank the JPs and Cdecs in our community—those who do night shift, those who do professional development and those who sit down at Stafford City Shopping Centre on a weekly basis to help people. They are not just professional in what they do; they also deal with people at very stressful times of their lives. I thank them for their work.

Last but not least, there are some technical changes that support our legal firms. This includes the small but important changes not only to the fee structure but also to the requirements to store documents and the ability to destroy them responsibly. We know that the more documents we have, the more it creates a burden for law firms. I know that the Law Society and individual firms have been really engaged throughout this process. I think where we have landed is really sensible and I hope provides practicality. There are other technical changes to the Cremations Act—simple things like recognising other jurisdictions and the orders of coroners. These are small and technical changes but really important when we are talking about things like findings from a coroner. It makes a big difference to those individual cases.

I thank the Attorney-General and her ministerial team, her department, the drafters and the committee led by Mr Russo. I thank the submitters—not just those who participated in the committee process but also those who have been engaged in these issues for a long time and who negotiated and participated in good faith in what was complicated, technical and important law reform—for their part in getting us to where we are today. I commend the bill to the House.