




Speech By
Kim Richards

MEMBER FOR REDLANDS

Record of Proceedings, 13 September 2023

JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Ms RICHARDS** (Redlands—ALP) (12.45 pm): I rise to support the Justice and Other Legislation Amendment Bill 2023. The bill seeks to clarify, strengthen and modernise legislation concerning the administration of justice. There are amendments to over 30 acts, as we have heard; four regulations; and the repealing of the Court Funds Act.

The bill contains specific amendments to: the Appeal Costs Fund Act 1973 which seek to modernise Appeal Costs Fund and improve its current fee and administrative arrangements; the Civil Proceedings Act 2011 which seek to clarify the operation of a provision of the Civil Proceedings Act with respect to payment of interest on a money order debt; to replace the Court Funds Act 1973 with a new and modernised legislative framework; the Cremations Act 2003 to recognise interstate cremation permits issued by coroners in other jurisdictions under the Cremations Act; the Criminal Law (Sexual Offences) Act 1978—and I will touch on that in more detail; the Criminal Code to clarify the scope of the offence of assisting in the performance of a termination of pregnancy—and I will touch on that further; the District Court of Queensland Act 1967 and the Magistrates Courts Act 1921 to allow the courts to make preliminary disclosure orders; the Electoral Act 1992, as we have just heard from the member for Maroochydore and the importance of that; the Human Rights Act 2019; the Justices of the Peace and Commissioners for Declarations Act 1991—and we heard from the member for Mount Ommaney on this. What a great job our justices of the peace do. I had the opportunity last week to present 40 years of service to one of our JPs on Macleay Island. Our JPs do an absolutely fantastic job. I will touch a little more on that further.

The bill also seeks to amend: the Oaths Act 1867—and obviously that is an important piece of legislation for our justices of the peace; the Legal Profession Act 2007; the Queensland Civil and Administrative Tribunal Act 2009; the Supreme Court of Queensland Act 1991; and the Trust Accounts Act 1973. There is a fair bit in there. The committee consulted widely on all of those pieces of legislation.

In terms of publishing the identity of defendants in sexual proceedings, the bill will remove restrictions in the Criminal Law (Sexual Offences) Act which prohibit identification of an adult defendant charged with a prescribed sexual offence prior to finalisation of committal proceedings. We know this will create a much more open and transparent process. I think we are the only state outside of the Northern Territory that does not have that in place. Importantly, as the Attorney-General noted, the media guidelines are ahead of schedule, looking to be completed by October this year. This is an important piece of legislation that will provide much more transparency to sexual offenders.

Stakeholder views were noted. DVConnect, Women's Legal Service Queensland, Legal Aid and the QLS raised some concerns. The department responded by noting that the amendments do not interfere with other protections around the identification of a complainant of a sexual offence. Concerns were also raised in regard to the three-day time frame. I think that is a pretty sensible approach—that a three-day time frame is needed to get clarity and certainty quickly when it relates to the non-publication of a person's details.

Like many others here who spoke about the death of an unborn child being an aggravating factor, I want to thank Sarah and Peter for their contribution to this legislation, their written participation and Sarah's participation in the public hearing. I cannot imagine their loss. Out our way we similarly had the loss of Matt, Kate and baby Miles. This is a really important piece of legislation. The bill proposes to better recognise the deaths of unborn children that have occurred due to criminal conduct. In reading Sarah and Peter's submission it is hard to imagine the loss of their baby Sophie and that the driver of that vehicle lost his license for five months and received a \$950 fine. That is just unimaginable. Thank you very much for your contribution to this piece of legislation. It is extremely important. I do not think there is much that can give you comfort, but hopefully that goes some way to providing justice for people in the future.

In terms of assisting the termination of pregnancy, I think that is an important piece of this legislation to ensure that anybody providing assistance, whether it be a friend, family member or an organisation that is providing welfare assistance, is not in a position where they might be subject to charges under the Criminal Code, so it is very important to have that included in there as well.

I will return to justices of the peace again, because, as I said, they do a terrific job in our community. This bill will provide even greater support to them and strengthen the process of becoming a justice of the peace and what that looks like in delivering the amazing services they do. I think everybody sees the JPs in their local shopping centres who serve people in our communities very well. They were on call throughout COVID. They did a fantastic job in continuing to provide that invaluable service. To all of our justices of the peace out there, whether you have done five, 10 or 40 years, thank you for the service that you provide. We are very fortunate to have volunteers in our community. If anybody has had a go at doing the justice of the peace course—I see the member for Ipswich nodding—you know what a process they go through to become a justice of the peace or a commissioner for declarations, so thank you for all that you do. I commend this bill to the House.