

Question on Notice

No. 613

Asked on Wednesday, 18 April 2007

Mr MCARDLE asked the Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland (Mr Shine) -

QUESTION:

With reference to the referral by him to the Queensland Law Reform Commission (QLRC) in October 2006 to review the *Guardianship and Administration Act 2000* (Qld), which required the QLRC 'to provide a final report to the Attorney-General and Minister for Justice on the confidentiality provisions [Stage 1] by March 2007' and given that it is now mid-April 2007 and the report has still not been presented—

- (1) When will the Stage 1 final report be released to the public?
- (2) How does he explain this delay?
- (3) Will this delay set a precedent for the QLRC's reporting of Stage 2 and Stage 3 of this project, and all future reporting?

ANSWER:

- (1) In March 2007, I extended the deadline for the QLRC's final report on Stage 1 of the review from March 2007 to June 2007. The report will be completed in June 2007. I am advised the report will be released to the public after it has been tabled in the Legislative Assembly in accordance with the requirements of Section 16 of the *Law Reform Commission Act 1968* (Qld).
- (2) To ensure that Queensland continues to have world class guardianship legislation, it is critical to consult with the people who use or are affected by this legislation to find out their concerns about how the current guardianship system is operating in practice and how they consider it can be improved. This means that it is essential that the QLRC has adequate time to talk to adults with decision-making disabilities, parents and other family members caring for these adults, interest and advocacy groups, and various government departments and agencies.

To determine how to improve Queensland's guardianship legislation, the QLRC has engaged with all of these sections of the community. In August last year, the QLRC released a discussion paper to seek community input on the issue of confidentiality. The discussion paper was accompanied by a suite of companion documents to maximise community participation in the review.

The public response has been the largest the QLRC has ever received in a single round of consultation. It has received almost 250 submissions from 147 individuals and organisations. Many of these submissions have been taken in person or over the telephone. While this adds to the period of time taken for the consultation process, it is another important aspect of promoting community participation.

In addition, the QLRC held 10 public forums around the State – in Brisbane, Bundaberg, Cairns, the Gold Coast, Mackay, Mt Isa, Rockhampton, the Sunshine

Coast, Toowoomba and Townsville. The QLRC also conducted 15 focus group meetings with various stakeholders and interest groups. This has enabled the QLRC to hear, in person, the views of many hundreds of individuals.

The QLRC has conducted a wide-ranging and inclusive consultation process and has received a record response. I am pleased that so many Queenslanders have taken the opportunity to participate in this review and to contribute to the development of the best possible guardianship laws for Queensland. The recent extension for Stage 1 was granted to reflect the time taken in conducting such an extensive consultation process, and to enable the QLRC to give proper consideration to the many submissions it has received and to the numerous issues involved, many of which raise complex questions of law.

I am sure the opposition would applaud the Governments resourcing of the QLRC to undertake such an extensive program of consultation.