


Community Safety and Legal Affairs Committee

Report No. 7

Corrective Services (Promoting Safety) and Other Legislation Amendment Bill 2024

Queensland Legislative Assembly	
Number: 5724TB16	
 21 MAY 2024	Tabled <input checked="" type="checkbox"/>
MP: Hon. N. Boyd	By Leave <input type="checkbox"/>
Queensland Legislative Assembly	

QUEENSLAND GOVERNMENT RESPONSE

INTRODUCTION

On 13 February 2024, the Honourable Nikki Boyd MP, Minister for Fire and Disaster Recovery and Minister for Corrective Services, introduced the Corrective Services (Promoting Safety) and Other Legislation Amendment Bill 2024 (the Bill) into the Queensland Parliament. The Bill was referred to the Community Safety and Legal Affairs Committee (the Committee), with the Committee tabling its report on 12 April 2024.

RESPONSE TO RECOMMENDATIONS:

Recommendation 1 –

The Committee recommends the Bill be passed.

Queensland Government response:

The Government notes this recommendation.

Recommendation 2 –

The Committee recommends the Queensland Government consider allowing for non-written parole applications from prisoners.

Queensland Government response:

The Government supports this recommendation in-principle and is committed to improving operational practices to provide more flexibility in relation to parole applications.

Queensland Corrective Services, in consultation with the Parole Board Queensland, will commence work to consider the feasibility of implementing this recommendation alongside ongoing work to simplify and streamline the parole application process for prisoners.

Recommendation 3 –

The majority of the Committee recommends the Queensland Government consider the merit of amending new section 340AA to:

1. provide for a public interest test in relation to decisions in order to determine whether the impact of disclosure outweighs the right to natural justice,
2. require that decision makers keep a record of reasons, even if they are not required to disclose these reasons to a prisoner, and
3. clarify that the section does not apply to statements of reason under the *Judicial Review Act 1991*.

Queensland Government response:

The Government supports this recommendation in-principle.

The Government will progress minor amendments to this provision during consideration in detail of the Bill. These amendments will clarify recordkeeping requirements and a decision maker's obligation, in deciding whether or not to withhold information, to weigh the considerations in subsection (1)(a) to (f) which favour non-disclosure with the considerations which favour disclosure,

such as the prisoner or offender's right to natural justice. This is consistent with a decision maker's responsibility to ensure a decision is compatible with the *Human Rights Act 2019*. To ensure the policy intent of section 340AA is maintained, the provision will apply to a statement of reasons which is provided in accordance with the *Judicial Review Act 1991*. This approach strengthens safeguards for prisoners and offenders while providing appropriate protections for victim information.

The Statement of Compatibility and Explanatory Notes accompanying the Bill will be updated as required.

Recommendation 4 –

The Committee recommends the Queensland Government conduct a Privacy Impact Assessment before implementing provisions relating to the use of body-worn cameras.

Queensland Government response:

The Government supports this recommendation.

Queensland Corrective Services will conduct a Privacy Impact Assessment for body-worn cameras prior to the new arrangements commencing.