

State Emergency Service Bill 2023

Statement of Compatibility

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 38 of the *Human Rights Act 2019*, I, Mark Ryan MP, Minister for Police and Corrective Services and Minister for Fire and Emergency Services, make this statement of compatibility with respect to the State Emergency Service Bill 2023 (the Bill).

In my opinion, the Bill is compatible with the human rights protected by the *Human Rights Act 2019* (HR Act). I base my opinion on the reasons outlined in this statement.

Overview of the Bill

Currently, the Queensland Fire and Emergency Services coordinate and manage various elements of Queensland's disaster response including the State Emergency Service and, through the administration of grants and service agreements, volunteer entities including the Australian Volunteer Coast Guard Association of Queensland (AVCGA) and Volunteer Marine Rescue Association of Queensland (VMRAQ).

The State Emergency Service (SES)

The SES provides assistance in circumstances ranging from non-life-threatening emergency situations during floods, storms or other similar events to supporting other emergency services agencies such as the Queensland Police Service (QPS) and the Fire and Rescue Service with road crash rescue, emergency traffic management, flood boat rescue and urban, rural and evacuation searches. The SES is a 'not-for-profit' organisation consisting of SES units established within local government areas. While the membership of the SES consists of State and local government employees, the SES relies heavily on the support it receives from the large cohort of its members who are volunteers.

Marine rescue services

In Queensland, marine rescue volunteers play a critical role in keeping the community safe on the water through general marine assistance and assisting with search and rescue operations. Marine rescue services are provided by two separate organisations namely the AVCGA and the VMRAQ.

A series of reviews culminating in the '*Independent review of Queensland Fire and Emergency Services*' (the Independent Review Report) have considered the efficiency of the delivery of emergency services in Queensland.

The Bill is a component of a suite of legislative reforms to Queensland's emergency services which will meet recommendations made in the Independent Review Report by amendments in

the Bill that will establish the SES in a standalone Act, the proposed *State Emergency Service Act 2023* (SES Act). Amendments proposed in other Bills will:

- establish a new statewide marine rescue service called Marine Rescue Queensland (MRQ); and
- align MRQ and the SES under the control of the QPS.

Human Rights Issues

Human rights relevant to the Bill (Part 2, Division 2 and 3 *Human Rights Act 2019* (HR Act))

In my opinion, the human rights that are relevant to the Bill are:

- Freedom of expression – section 21 (clauses 41 and 43);
- Property rights – section 24 (clauses 35 and 36);
- Privacy and reputation – section 25 (clause 42);
- Right to liberty and security of person – section 29 (clauses 38 to 44); and
- Fair hearing – section 31 (clause 21).

If human rights may be subject to limitation if the Bill is enacted – consideration of whether the limitations are reasonable and demonstrably justifiable (section 13 HR Act)

The new offence of ‘Unauthorised disclosure of confidential information’ in the proposed SES Act

The Bill will introduce a new offence provision of ‘Unauthorised use of confidential information’ which will apply to all SES members and to any individual engaged to perform functions under or relating to the administration of the proposed new SES Act. Additionally, the provision will apply to any person who acquires or has access to confidential information as authorised under an Act or through any person mentioned above.

The amendment will prohibit the use of confidential information unless one of the following statutory exemptions applies:

- to the extent the use is required or permitted under these Acts or another Act or to perform the person’s functions under these Acts or another Act;
- with the consent of the person to whom the information relates if the information would normally be made available to any member of the public on request;
- in compliance with lawful process requiring production of documents or giving of evidence before a court or tribunal; or
- if the use is otherwise required or permitted under another law.

The proposed amendment will impose a maximum penalty of 100 penalty units or imprisonment for two years.

This amendment will potentially engage the human right to liberty and security of person and will promote a person’s right to privacy by protecting an individual’s personal information.

(a) the nature of the right

Right to liberty and security of person - section 29 of the HR Act

Section 29 of the HR Act protects a person's right to liberty and security. This includes that a person must not be subjected to arbitrary arrest or detention and must not be deprived of their liberty except on grounds, and in accordance with procedures, established by law. It also outlines the procedures that should be followed following a person's arrest for a charge.

The right to liberty means that people must not be arrested and detained, unless provided for by law. Their arrest and detention must also not be arbitrary. This right applies to all forms of detention where people are deprived of their liberty, not just criminal justice processes. This can be relevant any time a person is not free to leave a place by their own choice.

Subsection 2 states that a person must not be subject to arbitrary arrest or detention. 'Arbitrary' might involve injustice, inappropriateness, unpredictability, or a lack of due legal process. Subsection 3 states that a person can only be detained or have their liberty denied in accordance with the law.

The proposal may be seen to engage this right as the proposed offence provision carries a maximum penalty for the offence that includes a term of imprisonment.

(b) the nature of the purpose of the limitation to be imposed by the Bill if enacted, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The new offence provision impose a maximum penalty of 100 penalty units or two years imprisonment. A person who offends against this section may be arrested and face serious penalties including a custodial sentence. However, this offence and the consequences that may result from the commission of this offence are not arbitrary in nature. The imposition of this offence is a deliberate measure to ensure that confidential information is protected.

The offence provision provides specific circumstances in which the use of confidential information will be permissible and further reduces any concerns about the impact of this amendment on human rights by:

- limiting the offence to a select cohort of persons—that is, either a person who would be authorised to have access to confidential information through being engaged to perform functions under the proposed SES Act or a person who has acquired or accessed the confidential information from the aforementioned person; and
- limiting the offence to confidential information which is clearly defined to mean personal information or other information of a confidential nature that is not publicly available.

The concerns about the impact of this amendment must be balanced against the benefit arising from its implementation. This amendment will promote an individual's right to privacy by deterring the inappropriate use of confidential information through the significant maximum penalty of the offence, which recognises the seriousness and potential harm that the misuse of

confidential information can cause. This harm occurs not only to those individuals to whom the information relates but may also extend to members of the broader community.

- (c) the relationship between the limitation to be imposed by the Bill if enacted, and its purpose, including whether the limitation helps to achieve the purpose

While it is impossible to quantify the deterrence effect of this amendment, it is known that the potential harm that the release of confidential information may cause is great. The SES may hold a wide range of personal and sensitive information about an extensive range of persons over time.

As such, a strong disincentive for the misuse of confidential information is in the public interest.

- (d) whether there are any less restrictive (on human rights) and reasonably available ways to achieve the purpose of the Bill

No other less restrictive, reasonably available alternatives have been identified.

- (e) the balance between the importance of the purpose of the Bill, which, if enacted, would impose a limitation on human rights and the importance of preserving the human rights, taking into account the nature and extent of the limitation

The limitation on the right to liberty is outweighed by the strong community expectation that confidential information is protected. In protecting such information, these amendments promote the right to privacy for individuals whose information is held by the SES.

It must also be acknowledged that this offence provision reflects an existing provision under the *Police Service Administration Act 1990* that applies to the QPS. The proposed amendments affecting the SES will ensure that confidential information across these organisations is treated consistently.

As such, on balance, it is considered that the advantages of the amendment outweigh the limitations placed on the right.

- (f) any other relevant factors

Not applicable.

Expanding the existing offence prohibiting a person from assaulting or obstructing an SES member performing a function of the SES to include authorised rescue officers

The Bill will expand the existing offence prohibiting a person from assaulting or obstructing an SES member performing a function of the SES to also include an authorised rescue officer. The offence has a maximum penalty of 100 penalty units or 6 months imprisonment.

The Commissioner may appoint the following persons as an authorised rescue officer:

- an SES member;
- a person who performs a function similar to an emergency-related function of the SES under a law of another State or country; or
- a member of a class of persons prescribed by a regulation.

Authorised rescue officers, when performing SES functions, may take the necessary reasonable steps to protect a person who is trapped or endangered in a place or to protect the officer or another person from danger, potential danger or assault. An authorised rescue officer who is exercising a power and who is not an SES member is subject to the directions of an SES member who is also an authorised rescue officer.

This amendment will potentially engage the human right to liberty and security of a person.

(a) the nature of the right

Right to liberty and security of person - section 29 of the HR Act

Section 29 of the HR Act protects a person's right to liberty and security. This includes that a person must not be subjected to arbitrary arrest or detention and must not be deprived of their liberty except on grounds, and in accordance with procedures, established by law. It also outlines procedures that should be followed following a person's arrest for a charge.

The right to liberty means that people must not be arrested and detained, unless provided for by law. Their arrest and detention must also not be arbitrary. This right applies to all forms of detention where people are deprived of their liberty, not just criminal justice processes. This can be relevant any time a person is not free to leave a place by their own choice.

Subsection 2 states that a person must not be subject to arbitrary arrest or detention. 'Arbitrary' might involve injustice, inappropriateness, unpredictability, or a lack of due legal process. Subsection 3 states that a person can only be detained or have their liberty denied in accordance with the law.

The proposal may be seen to engage this right as the proposed offence provision provides criminal sanctions that may result in a person's incarceration.

(b) the nature of the purpose of the limitation to be imposed by the Bill if enacted, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The proposed offence is not arbitrary in nature but is designed to deter offenders from behaviour that acts against the public interest. For example, emergency services personnel, including authorised rescue officers who are not SES members, should be protected by the law when performing duties which benefit the community.

- (c) the relationship between the limitation to be imposed by the Bill if enacted, and its purpose, including whether the limitation helps to achieve the purpose

While it is not possible to quantify the deterrence effect that these offences may cause, it is essential that emergency services personnel are protected and their safety is promoted. Consequently, creating strong disincentives for committing the proposed offence may be considered to be in the public interest.

- (d) whether there are any less restrictive (on human rights) and reasonably available ways to achieve the purpose of the Bill

No other less restrictive, reasonably available alternatives have been identified.

- (e) the balance between the importance of the purpose of the Bill, which, if enacted, would impose a limitation on human rights and the importance of preserving the human rights, taking into account the nature and extent of the limitation

The limitation of the right caused by the proposal is outweighed by the strong community expectation that our emergency services personnel and organisations will be protected from harm.

It must also be acknowledged that these offence provisions are consistent with similar offence provisions that protect other emergency services organisations and personnel. For example, similar protections apply to emergency services personnel performing a function or exercising a power under the *Fire and Emergency Services Act 1990* (FES Act).

As such, on balance, the benefits of imposing the proposed offences outweigh any limitations placed on an individual's right.

- (f) any other relevant factors

Not applicable.

The introduction of new offences prohibiting the impersonation of an authorised rescue officer

The Bill will expand the existing offence of impersonating an SES member to also include an authorised rescue officer. The maximum penalty for the offence will remain at 100 penalty units.

This amendment will potentially engage the human right to liberty and security of persons and the right to freedom of expression.

- (a) the nature of the right

Right to liberty and security of person - section 29 of the HR Act

Section 29 of the HR Act protects a person's right to liberty and security. This includes that a person must not be subjected to arbitrary arrest or detention and must not be deprived of their

liberty except on grounds, and in accordance with procedures, established by law. It also outlines the procedures that should be followed following a person's arrest for a charge.

The right to liberty means that people must not be arrested and detained, unless provided for by law. Their arrest and detention must also not be arbitrary. This right applies to all forms of detention where people are deprived of their liberty, not just criminal justice processes. This can be relevant any time a person is not free to leave a place by their own choice.

Subsection 2 states that a person must not be subject to arbitrary arrest or detention. 'Arbitrary' might involve injustice, inappropriateness, unpredictability, or a lack of due legal process. Subsection 3 states that a person can only be detained or have their liberty denied in accordance with the law.

The proposal may be seen to engage this right as the proposed offence provisions provide criminal sanctions that may result in a person's incarceration.

Right to freedom of expression – section 21 of the HR Act

Section 21 of the HR Act provides that every person has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds, whether orally, in writing, in print, by way of art or in another medium chosen by the person. The right has a broad scope, protecting almost all forms of expression, including verbal or through art or conduct. The expression must be able to convey some kind of meaning, whether or not it does actually convey an objectively clear meaning to a particular person,¹ and includes attempting to convey a meaning.²

The amendment proposes that it will be an offence to pretend to be an authorised rescue officer. This may impact a person's human rights by limiting their freedom of expression through dress, speech and conduct.

- (b) the nature of the purpose of the limitation to be imposed by the Bill if enacted, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The proposed offences are not arbitrary in nature but are designed to deter offenders from behaviour that is not in the public interest. For example, in relation to impersonating an authorised rescue officer, these personnel hold a unique position in our community as, unlike many other public officials, they may have the ability to exercise powers in circumstances where members of the public are under great stress such as when confronting an emergency. This new offence provision is justifiable to ensure that the public may trust in the authority of these personnel and not be misled into thinking that a person is an emergency services worker when this is not the case.

¹ *Magee v Delaney* (2012) 39 VR 50; [2012] VSC 407 [61]

² *R v Keegstra* [1990] 3 SCR 697

- (c) the relationship between the limitation to be imposed by the Bill if enacted, and its purpose, including whether the limitation helps to achieve the purpose

While it is impossible to quantify the deterrence effect that these offences may cause, it is essential that the reputations of emergency services organisations and personnel are protected.

As such, creating a strong disincentive for committing the proposed offences is in the public interest.

- (d) whether there are any less restrictive (on human rights) and reasonably available ways to achieve the purpose of the Bill

No other less restrictive, reasonably available alternatives have been identified.

- (e) the balance between the importance of the purpose of the Bill, which, if enacted, would impose a limitation on human rights and the importance of preserving the human rights, taking into account the nature and extent of the limitation

The limitation of the right caused by the proposal is outweighed by the strong community expectation that the reputation of emergency services personnel and organisations will be protected.

It must also be acknowledged that these offence provisions are consistent with similar offence provisions that protect other emergency services organisations. For example, under the *Police Service Administration Act 1990*, it is an offence to pretend to be a police officer or to use certain words that suggest an association with the police.

As such, on balance, the benefits of imposing the proposed offence outweighs any limitations placed on the rights of an individual.

Other offences relocated by the Bill

The Bill will relocate the following offence provisions from the FES Act to the new SES Act:

- using restricted expressions unique to SES (Maximum penalty: 40 penalty units);
- offences regulating the activation of a warning device or warning light fitted to an SES vehicle (Maximum penalty: 40 penalty units);
- offences prohibiting the failure to assist or to give reasonable help (Maximum penalty: 100 penalty units); and
- failure to or comply with a requisition (Maximum penalty: 50 penalty units or 6 months imprisonment).

Consideration of the human rights impact assessment for these offences is conducted acknowledging that these provisions were considered by Parliament in recent amendments made by the *Public Safety Business Agency Act 2014* (the amending Act). These amendments were drafted by the Office of the Queensland Parliamentary Counsel in accordance with the *Legislative Standards Act 1992* (the LSA).

The LSA provides that a function of the Office of the Queensland Parliamentary Counsel is to advise Ministers and government entities on the application of fundamental legislative principles. Fundamental legislative principles are the principles relating to legislation that underlie a parliamentary democracy based on the rule of law. The principles include requiring that legislation has sufficient regard to the rights and liberties of individuals.

Section 4 ‘Meaning of fundamental legislative principles’ of the LSA provide examples on whether legislation has sufficient regard to the rights and liberties of individuals. Examples include whether the legislation is consistent with the principles of natural justice or whether the legislation provides for the compulsory acquisition of property only with fair compensation. Explanatory material associated with these amendments indicates that the amending Act in this regard was not inconsistent with fundamental legislative principles and, as such, any impact on human rights by these amendments is considered justifiable.

Powers of an authorised rescue officer

Current provisions in the FES Act allow an authorised rescue officer to exercise a limited range of powers. When performing emergency-related functions of the SES an authorised rescue officer may take reasonable steps to protect:

- a person who is trapped or in danger in a place; or
- the officer or another person from danger, potential danger or assault; including by:
 - (a) entering a place using reasonable force;
 - (b) searching any part of a place;
 - (c) opening, using reasonable force, a container or other thing;
 - (d) removing any thing from a place;
 - (e) destroying or damaging premises, a vehicle, container or other thing;
 - (f) taking into or onto a place the equipment, persons or materials the authorised rescue officer reasonably requires to exercise a power under this section;
 - (g) directing a person to leave, or not to enter, an area in or near a place if the authorised rescue officer reasonably considers the direction is necessary to protect a person’s life or health;
 - (h) requiring a person at or near the place to give the authorised rescue officer reasonable help to exercise the officer’s powers under paragraphs (a) to (f).

An authorised rescue officer may enter a place without a warrant or the consent of the owner or occupier of the place. However, if the occupier is present at the place, before entering the place the authorised rescue officer must or reasonably attempt to:

- tell the occupier the purpose of the entry;
- seek the consent of the occupier to the entry; or
- tell the occupier the authorised rescue officer is permitted under this Act to enter the place without the occupier’s consent.

These obligations do not apply if the authorised rescue officer reasonably believes that to do so would endanger the aforementioned person.

The Bill empowers an authorised rescue officer to use the force reasonably necessary to perform or attempt to perform a function of the SES. This power does not extend to the use of force against an individual.

Human rights that are impacted through the exercise of this power are section 24 ‘Property rights’ of the HR Act.

(a) the nature of the right

Section 24(2) of the HR Act is a conditional right that applies to the arbitrary deprivation of property. This right does not provide a right to compensation for property.

(b) the nature of the purpose of the limitation to be imposed by the Bill if enacted, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The purpose of the power afforded to an authorised rescue officer is to protect life and property from harm. The power is not arbitrary but considered and limited in scope.

The power to enter a place is limited in that it can only occur in circumstances where there is a reasonable prospect that damage is going to occur to a person or property. Additionally, the time that may be spent on that place is limited to determining if that damage will occur and to providing any necessary assistance. A further safeguard requires, if practicable, the authorised rescue officer to obtain consent to enter a place.

This power of entry is consistent with the powers afforded to public officials such as inspectors or police officers under Acts such as the *Explosives Act 1999* and the *Police Powers and Responsibilities Act 2000* which authorises the entry to a place by a public official where there are concerns about the safety of persons and property at that place.

(c) the relationship between the limitation to be imposed by the Bill if enacted, and its purpose, including whether the limitation helps to achieve the purpose

The purpose of these amendments is to protect life and property. Allowing authorised rescue officers to use the force reasonably necessary to exercise their powers in relation to property is required to achieve this objective. It should also be noted that the Bill simply relocates existing provisions about the powers of an authorised rescue officer from the FES Act to the proposed SES Act.

(d) whether there are any less restrictive (on human rights) and reasonably available ways to achieve the purpose of the Bill

There is no reasonably available and less restrictive way to achieve the purpose identified.

- (e) the balance between the importance of the purpose of the amendment, which, if enacted, would impose a limitation on human rights and the importance of preserving the human rights, taking into account the nature and extent of the limitation

Protecting life and property is of paramount concern. Authorising an SES member to use force to deal with property or to enter a place is justified given the importance of ensuring the safety of persons and property. Concerns about the impact of the power upon a person's property rights are mitigated through the inherent limitations of this power and safeguards that have been put in place.

- (f) any other relevant factors

Not applicable

The suspension of an SES volunteer or SES member employed by local government

A significant issue for the SES is the maintenance of public confidence in its organisation. This confidence is promoted and preserved by ensuring that members of the SES adhere to proper standards of conduct. This requires the implementation of a comprehensive and effective discipline system. SES volunteers and SES members employed by local government are not subject to the *Public Sector Act 2022* and consequently are not subject to the disciplinary process outlined in that Act. Consequently, in response to an allegation of wrongdoing involving an SES volunteer or an SES member employed by local government, there are limited courses available to resolve the matter. Usually, the only alternatives that may be available are to take no action or to revoke these members' appointment.

The Bill will allow the Commissioner to suspend an SES volunteer or an SES member employed by local government where the Commissioner reasonably believes:

- the SES volunteer or SES member employed by local government would, if deemed an employee under the *Public Sector Act 2022*, be liable to be disciplined; or
- the proper and efficient management of the SES might be prejudiced if the volunteer is not suspended.

The power to suspend these SES personnel will benefit both the individual member and the SES as an organisation. The organisation benefits through the maintenance of its good reputation. The SES personnel benefits in that sufficient time may be allocated to ensure an allegation of wrongdoing may be appropriately investigated. If the allegation is baseless, the volunteer may continue with the organisation once the suspension is lifted.

The proposed power to suspend an SES volunteer or an SES member employed by local government will mirror existing provisions in the *Public Sector Act 2022* that outline discipline processes for public sector employees. The power to suspend these SES personnel from duty will be initiated by a written notice that must state when the suspension starts and ends. Before initiating the suspension, the Commissioner must consider all reasonable alternatives available to the SES volunteer or an SES member employed by local government, such as alternative duties, a change in the location where the SES member performs duties or another alternative agreement about how the SES member may continue to participate in the organisation.

The proposal will engage the human right to a fair hearing under the HR Act.

(a) the nature of the right

Fair hearing – section 31 of the HR Act

Section 31 of the HR Act affirms the right of all individuals to procedural fairness before a court or tribunal. It applies to both criminal and civil proceedings and guarantees that such matters must be heard and decided by a competent, impartial and independent court or tribunal.

While the proposed decision to suspend an SES volunteer or an SES member employed by local government would not constitute either a court or tribunal, in the Victorian decision of *Kracke v Mental Health Review Board* (2009) 29 VAR 1, the Victorian Civil and Administrative Tribunal decided that the right to a fair hearing was not confined to civil judicial proceedings, but also to administrative proceedings.

Regardless of whether this determination would apply to the decision to suspend an SES volunteer or an SES member employed by local government, the principles of supporting a fair hearing in an administrative context may still be thought to be in scope of the intent of the HR Act.

What constitutes a ‘fair’ hearing will depend on the facts of the case and will require the weighing of a number of public interest factors. Widely accepted aspects of a fair trial include, but are not limited to, the application of procedural fairness through an independent court, a public trial, the presumption of innocence, the defendant knowing the charge and the case against them, the allocation of time and facilities to prepare a defence and a trial without undue delay, and other factors.

(b) the nature of the purpose of the limitation to be imposed by the Bill if enacted, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The impact of the proposed power to suspend an SES volunteer or an SES member employed by local government will be that the SES volunteer or SES member employed by local government, during the suspension period, will not be able to participate in the organisation’s activities. However, this impact must be balanced against the benefit of a robust discipline system for organisations. One criticism that can be levelled in relation to disciplining these personnel is that the alternatives available to resolve a matter are limited to either taking no action or revoking the person’s status as an SES member. The proposed power to suspend would allow a matter to be properly investigated allowing any decision made to resolve the matter to be properly informed.

The proposed power to suspend is nuanced. It may only apply to a small cohort of individuals, namely SES volunteers or SES members employed by local government, and only in exceptional circumstances where these personnel would, if deemed an employee under the *Public Sector Act 2022*, be liable to discipline or where the proper and efficient management of the SES might be prejudiced if the volunteer was not suspended. Additionally, the power to

suspend is inherently restricted. Rather than having an indeterminate suspension period, the proposed power to suspend requires the Commissioner to nominate the duration of the suspension period. As a further mitigating feature, the Commissioner must first consider alternative arrangements for the SES volunteers or SES members employed by local government that would allow these persons to continue participating in the organisation.

- (c) the relationship between the limitation to be imposed by the Bill if enacted, and its purpose, including whether the limitation helps to achieve the purpose

The proposed power to suspend an SES volunteer or an SES member employed by local government would allow sufficient time for a matter to be appropriately investigated allowing an informed decision to resolve the matter to be made.

- (d) whether there are any less restrictive (on human rights) and reasonably available ways to achieve the purpose of the Bill

No other less restrictive, reasonably available alternatives have been identified.

- (e) the balance between the importance of the purpose of the Bill, which, if enacted, would impose a limitation on human rights and the importance of preserving the human rights, taking into account the nature and extent of the limitation

As mentioned above, the proposed power to suspend an SES volunteer or an SES member employed by local government balances the benefits of an appropriate discipline system against the impact caused by suspending these personnel from participating in their organisation.

Emergency service organisations provide critical services to Queenslanders. It is essential that these organisations are held in high regard as the community needs to trust these organisations and their members during times of crisis. This may only be achieved if these organisations have a discipline system that protects their reputation and the reputation of their members. In this context, the proposed power to suspend an SES volunteer or an SES member employed by local government is justifiable as it allows an allegation of wrongdoing to be properly investigated so that a properly informed decision can be made.

- (f) any other relevant factors

Not applicable.

Conclusion

In my opinion, the State Emergency Service Bill 2023 is compatible with human rights under the *Human Rights Act 2019* because it limits a human right only to the extent reasonable and demonstrably justifiable in a free and democratic society based on human dignity, equality and freedom.

MARK RYAN MP
MINISTER FOR POLICE AND CORRECTIVE SERVICES AND
MINISTER FOR FIRE AND EMERGENCY SERVICES

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