

## Liberal National Party response to Call to Parties Statement for the Queensland State Election 2020

In response to the micro-economic reforms identified by the QLS and its members, the LNP notes the following:

### 1. Queensland Titles Registry

The LNP has committed to no public asset sales, and as such, will maintain the public ownership of the Queensland Titles Registry to ensure the security of land ownership registration for all Queenslanders.

### 2. Review of the *Justices Act 1886*

The LNP has already committed to undertaking a comprehensive review of the *Justices Act 1886* with the view of modernising the criminal justice system. In doing so, the LNP will engage with a wide range of stakeholders, including the QLS and legal practitioners to guide reform in this area.

### 3. Response to the COVID-19 pandemic

A future LNP Government will review any measures adopted by the government in response to the COVID-19 pandemic and evaluate their effectiveness.

### 4. Electronic signatures

A future LNP Government will evaluate the effectiveness of the use of electronic signatures by corporations and individuals for signing documents. We are happy to discuss any proposed changes to the *Property Law Act 1974* requirements with the QLS.

On this point, we would like to emphasise that the LNP cares about streamlining processes where possible in order to make businesses and legal transactions as efficient as possible.

Less red tape is our priority, which is why the LNP has committed to a 20% red tape reduction target. Our red tape reduction target will make it easier to do business with government and in turn will allow businesses to get on with what they do best.

### 5. Seller disclosure framework

We note the 19 recommendations contained in the *Final report: Seller Disclosure in Queensland* prepared by the Commercial and Property Law Research Centre of the Queensland University of Technology. We are happy to discuss these further with the QLS.

### 6. Modernisation of Queensland's property law

It was an LNP Government that commenced the review into modernising Queensland's property law back in 2013 – over 7 years ago. The review was identified by the LNP Government as an important measure to deliver a more streamlined and common-sense approach to how Queenslanders buy, sell and manage property.

If elected, an LNP government will work with the QLS and other stakeholders to progress the review.

### 7. Electronic conveyancing platform

The LNP notes that the QLS is seeking the implementation of a system to enable subscribers to an electronic conveyancing platform to pay transfer duty directly to the Office of State Revenue when parties to a transaction elect to settle the transaction by way of an electronic conveyancing platform.

We acknowledge the desirable outcome this may have for many Queenslanders and would welcome the opportunity to discuss this proposal further with the QLS.

#### 8. Investigate the law relating to powers of attorney

If elected, the LNP will make a reference to the Queensland Law Reform Commission to investigate the law relating to powers of attorney generally, including enduring powers of attorney and general powers of attorney.

#### 9. Reform the duty position

The LNP will consult with stakeholders, including the QLS with the view of modernising the duty position in Queensland.

On this point, we would like to highlight that there will be no new taxes under a Deb Frecklington LNP Government. We care about business success and we want Queensland to be the state of opportunity once more.

#### 10. Reduce compliance obligations on charities and not-for-profits

As a supporter of reducing red tape, the LNP is favourable of the commitment to reduce compliance obligations on charities and not-for-profits by working with the Commonwealth to progress a nationally consistent approach to fund-raising regulation.

As highlighted above, less red tape is a priority for the LNP, which is why we have committed to a 20% red tape reduction target. As such, other opportunities to reduce not-for-profit regulation, modernise fundraising and generally encourage volunteerism in Queensland will be high priorities.

#### 11. Protection of charitable assets

If elected, the LNP will be proactive in protecting charitable assets when material mis-application of charitable assets is in question, and where appropriate, will work with the Australian Charities and Not-for-profits Commission in the preservation of charitable assets. In the interests of building public trust and confidence in charities, we will give further consideration to the idea of adopting a named function of 'State Commissioner of Charities' as proposed by the QLS.

#### 12. Review of Queensland Government contracts

The LNP would be happy to discuss the current standard Queensland Government contracts that are used when engaging community organisations to deliver services.

#### 13. Consultation draft of the *Trusts Act 1973*

We note the calls for an updated consultation draft of the *Trusts Act 1973* with the view of enacting modern legislative reform. As part of the consultation, we note that the QLS is seeking a commitment that the consultation draft will re-consider the reforms recommended by the Queensland Law Reform

Commission in its 2013 report, *A Review of the Trusts Act 1973* and to consider conferring standing to the Australian Charities and Not-for-profits Commission to make an application in State courts.

We will be happy to release an updated consultation draft and to ensure that the above-mentioned issues form part of the draft.

#### 14. Review of the Succession Act 1981

We would be happy to initiate an academic or subject matter expert review of the *Succession Act 1981* and to produce a discussion paper aimed at understanding how to best deliver a modern, accessible and efficient legislative framework.

#### Other QLS Priorities

In relation to your other specific priorities, we make the following general comments.

#### Responding to domestic and family violence in our community

The LNP is determined to keep Queenslanders safe and secure by preventing violence, supporting survivors and holding offenders to account, which is why in February this year, the LNP announced a range of important new measures to strengthen Queensland's domestic and family violence strategy.

These measures include:

- immediate review the current criminal justice framework to implement new laws such as coercive control;
- laws to empower police to issue domestic violence orders on the spot, providing a more immediate response to help families, while taking pressure off our overburdened police and courts;
- the roll-out of personal safety devices to people at high-risk;
- provide grants up to \$2000 for emergency accommodation assistance;
- extra funding to Women's Legal Service and an additional \$1 million in contestable funding to other frontline legal and support providers of domestic violence or sexual violence support.

We also recently introduced the Criminal Code (Choking in Domestic Settings) and Another Act Amendment Bill 2020, which aims to strengthen the non-lethal strangulation offence by providing for legislative definitions and classifying the offence as a serious violent offence.

We note the proposals put forward by the QLS which aim to reduce the prevalence of all forms of domestic and family violence and would welcome the opportunity to discuss these in more detail if elected.

#### Supporting older and vulnerable Queenslanders

We acknowledge your request for urgent attention to be given to the growing rate of elder abuse. Tragically, this form of abuse is becoming far too prevalent in society and we need to begin to think of how to best approach the issue.

If elected, we would welcome the opportunity to discuss the key recommendations detailed in the Australian Law Reform Commission's report, *'Elder Abuse – A National Legal Response'* including the

Commission in its 2013 report, *A Review of the Trusts Act 1973* and to consider conferring standing to the Australian Charities and Not-for-profits Commission to make an application in State courts.

We will be happy to release an updated consultation draft and to ensure that the above-mentioned issues form part of the draft.

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If elected, we would welcome the opportunity to discuss the key recommendations detailed in the Australian Law Reform Commission's report, *'Elder Abuse – A National Legal Response'* including the

*National Plan to Combat Elder Abuse* with the QLS in order to understand how a future LNP Government can best approach this issue and enhance the protection of vulnerable Queenslanders.

### Youth justice

We note that numerous indigenous children have continued to be detained in adult watch houses for a period of one week this year, which demonstrates Labor's continued human rights abuse. The LNP moved amendments during this term of Parliament to ensure children would spend no more than 72 hours in a watch house, a move supported by the Public Trustee and Amnesty International. Labor voted against these amendments.

This year, the LNP announced a comprehensive plan to address youth crime. As part of the plan, the LNP has committed to establishing a dedicated \$7 million justice reinvestment two-year trial, which will focus on promoting physical, cognitive, social and emotional health in children to reduce youth crime.

We have acknowledged a range of programs in Australia that have proven to be successful, including *BackTrack Youth Works*, which has sparked national attention and has delivered a 35% cut in juvenile crime. We note the high rate of indigenous youth in the justice system and therefore aim to draw on culturally appropriate practices such as elder mentoring to promote positive behaviours in indigenous youth.

While we appreciate the QLS' request to not include breach of bail as an offence and to maintain the principle of detention as a last resort, we remain committed to listening to the community's call for action and ensuring children are held accountable for their actions. We will consult with the QLS and other stakeholders in the formulation of laws relating to these matters.

### Judicial Commission

We understand the importance of preserving a strong and independent judiciary to ensure the public maintains confidence in the administration of justice.

As previously highlighted to the QLS in 2017, the LNP will appoint an expert panel of legal and academic experts to investigate options for the establishment of a Judicial Commission in Queensland.

### General Comments

- The LNP will engage with the heads of each Court jurisdiction to determine the need for additional judicial resource. We will always seriously consider any requests that are needed to improve the court's efficiency. It is acknowledged that technology will become even more important in the dispensation of justice in the years ahead and further consideration of how it can be harnessed is necessary.
- The LNP is committed to maintaining an affordable CTP scheme in Queensland. We have no plan to reduce access to common law rights of CTP claimants.
- The LNP is committed to providing assistance to vulnerable Queenslanders and ensuring that they have access to justice. An example of this is our \$600,000 commitment over 4 years towards Robina-based My Community Legal which will extend legal support and advice for vulnerable people on the southern Gold Coast.

## LNP priorities

The LNP has committed to a number of key law reforms this parliamentary term, and if elected, a future LNP government will progress the following matters:

- Implementing a range of important new measures to strengthen Queensland's domestic violence strategy, which includes doubling the penalty for the non-lethal strangulation offence, new laws to empower police to issue domestic violence orders on the spot and issuing GPS personal safety devices to those at high-risk of violence;
- Introducing new sentences for child killers, which would guarantee all convicted child killers spend at least 15 years behind bars for the manslaughter of a child and 25 years for the murder of a child;
- Introducing Carly's Law, as adopted by the Commonwealth and South Australia, to give police advanced powers to prosecute paedophiles who use the internet to groom children for sexual abuse;
- Restoring public confidence in the electoral system by reintroducing the optional preferential voting system;
- Introducing a comprehensive plan to crack down on youth crime to make young offenders more accountable for their actions. As part of the plan, we will also investment in early intervention programs to reduce reoffending rates and promote physical, cognitive, social and emotional health in children;
- Requesting the Queensland Law Reform Commission to review and propose new laws to empower police and protect the community against the escalation in knife violence;
- Protecting Queenslanders from violent and child sex offenders by introducing new laws that would require repeat offenders to wear a GPS tracker for life;
- Cracking down on organised crime by restoring the laws that made Queensland a safer place to live, work and raise a family;
- Introducing tough new gun laws to prevent high risk individuals, such as organised criminal gangs, terrorists and those with a history of violence, from acquiring, using or possessing a firearm;
- Standing up for animals by introducing a range of measures to combat criminal dog-fighting rings, increasing penalties for dog-baiting and leaving animals in hot cars as well as increasing RSPCA inspectorate powers;
- Cracking down on road rage by introducing two new offences of 'menacing driving' and 'predatory driving' which will see offenders lose their licence for at least 3 years and face possible jail time;
- Establishing a public sex offender register to allow parents to check the background of anyone who has regular unsupervised access to their children;
- Putting an end to dodgy funeral operators to protect Queensland families and the funeral industry by addressing regulatory gaps;
- Consider the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse to determine gaps in the Queensland response and potential areas of law reform;

- Requesting that the Queensland Law Reform Commission propose amendments in order to legislate shield laws to protect journalists from having to reveal confidential sources - with a reporting date of June 2021.

Please feel free to share this response directly with your members, or in any publication.

Yours sincerely,

A handwritten signature in black ink that reads "David Janetzki". The signature is written in a cursive style with a large, looping 'D' and 'J'.

**DAVID JANETZKI MP**  
**Shadow Attorney-General**  
**Shadow Minister for Justice**  
**Member for Toowoomba South**