

QLS Request	Palaszczuk Labor Government response
<u>Micro economic reforms</u>	
1.	Maintaining public ownership of Queensland Government assets is a fundamental value of the Palaszczuk Labor Government. The Palaszczuk Labor Government will protect the Queensland Titles Registry by placing it within the Future Fund. The Future Fund provides legislated protection against privatisation of strategic assets, and importantly removes any financial incentive for a future Government to privatise this and other assets.
2.	A re-elected Palaszczuk Labor Government will undertake a comprehensive review of the <i>Justices Act 1886</i> and the <i>Criminal Practice Rules 1999</i> which will involve consultation with a wide-range of key stakeholders, the judiciary and legal practitioners. This review will commence within the first 6 months of being re-elected with legislation brought to the Parliament in the next term of Government.
3-4.	A re-elected Palaszczuk Labor Government will work with stakeholders to examine which and if any measures introduced during the COVID-19 pandemic may be made permanent.
5.	<p>A re-elected Palaszczuk Labor Government will establish a new Strata Legislation working group, to be chaired by the Commissioner for Liquor, Gaming and Regulation and consisting of key stakeholder representatives, including the QLS.</p> <p>The working group will also consider other strata issues, including whether a statutory duty of care owed to bodies corporate by building professionals should be legislated for, dispute resolution, enforcement of caretaking duties, management rights, bullying and harassment of committee members, residential amenity, by-laws and other matters arising out of the QUT property law review, including seller disclosure.</p>
6.	<p>The Palaszczuk Labor Government recently commenced targeted stakeholder consultation with key industry and professional and academic stakeholders in developing an exposure draft of a new Property Law Bill based on QUT's final recommendations. Consultation will be undertaken progressively during the drafting process based on a series of working drafts. The Honourable Yvette D'Ath MP, Attorney-General and Minister for Justice wrote to the QLS on 15 September 2020 inviting the QLS to participate in the review. The Palaszczuk Labor Government looks forward to the QLS' valuable input.</p> <p>A re-elected Palaszczuk Labor Government will continue with the progressive review and will continue to work with key stakeholders to modernise and replace the <i>Property Law Act 1974</i> in the next term of Government.</p>
7.	The Palaszczuk Labor Government will continue to explore options that will deliver improved and cost-effective processes, whilst ensuring the integrity of the system is maintained. Whilst we are aware that electronic conveyancing can offer additional convenience, the Palaszczuk Labor Government needs to be reassured that competition in the market and protections around cyber-security are not compromised.
8.	Queensland already has a high degree of safeguards in place with respect to enduring documents such as Advance Health Directives and Enduring Powers of Attorney (EPAs). It is already a requirement in Queensland for powers of attorney, including EPAs, to be registered with the Land Titles Office whenever an attorney undertakes land transactions under the authority of the power of attorney.

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	<p data-bbox="331 180 2083 328">Additionally, in 2019 the Palaszczuk Labor Government enacted reforms to Queensland’s guardianship legislation. The amendments provide a focus on contemporary practice and human rights for adults with impaired capacity; enhance safeguards for adults with impaired capacity in the guardianship system; and to improve the efficiency of Queensland’s guardianship system or improve the clarity of Queensland’s guardianship legislation.</p> <p data-bbox="331 376 703 405">These changes will result in:</p> <ul data-bbox="383 453 1339 600" style="list-style-type: none">• improvements to the efficiency of Queensland’s guardianship system;• stronger safeguards for adults with impaired capacity;• stronger protections against elder financial abuse and exploitation and• a more modern human rights focus to guardianship in Queensland. <p data-bbox="331 647 725 676">The changes will also include:</p> <ul data-bbox="383 724 2083 871" style="list-style-type: none">• a statutory exemption for ademption (where property is gifted in a person’s will but is sold before their death by their attorney or administrator) to ensure that the person’s wishes are fulfilled despite the sale or any other dealing with that property after the person loses capacity and• an expansion of the jurisdiction of QCAT to allow the appointment of administrators for missing persons. <p data-bbox="331 919 2083 986">The changes implement a number of recommendations from the Queensland Law Reform Commission's report, <i>A Review of Queensland’s Guardianship Laws</i>.</p> <p data-bbox="331 1034 2083 1101">New enduring power of attorney and advance health directive forms will be made under the <i>Powers of Attorney Act 1998</i> to replace existing versions of these forms that have been in place for more than 16 years.</p> <p data-bbox="331 1149 591 1177">The new forms will:</p> <ul data-bbox="383 1225 1473 1292" style="list-style-type: none">• reflect legislative changes under the Amendment Act and• be simpler and more user friendly, following a review by a range of stakeholders. <p data-bbox="331 1340 1263 1369">New explanatory guides will inform users how to complete these forms.</p> <p data-bbox="331 1417 2083 1484">The Palaszczuk Labor Government’s reforms will also include new guidelines to help people who undertake assessments of an adult’s capacity under Queensland’s guardianship laws.</p>

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9.	<p data-bbox="331 138 2085 209">Under the Agreement on the Reform of Commonwealth-State Financial Relations (known as the GST agreement), states and territories were required to abolish a range of taxes and charges as an offset against their GST allocation.</p> <ul data-bbox="331 256 1787 405" style="list-style-type: none"> • Bed taxes (this tax did not exist in Queensland) • Financial institutions duty (this tax did not exist in Queensland) • Stamp duty on quoted marketable securities (abolished by the Queensland Government on 1 July 2001) and • Debits tax (abolished by the Queensland Government on 1 July 2005). <p data-bbox="331 453 1397 483">Although not obliged to, previous Queensland Labor Governments also abolished:</p> <ul data-bbox="331 531 1227 756" style="list-style-type: none"> • Credit card duty (from August 2004) • Lease duty (from January 2006) • Credit business duty (from January 2006) • Hire duty (from January 2007) • Duty on unquoted marketable securities (from January 2007) and • Mortgage (home loan) duty (from 1 July 2008). <p data-bbox="331 804 1447 834">The GST agreement did not require the abolition of duty on non-land business assets.</p> <p data-bbox="331 882 2085 952">Successive Queensland Governments have maintained the position that it will consider abolition of this duty when Budget circumstances allow. This continues to be the policy position of the Palaszczuk Labor Government.</p> <p data-bbox="331 1000 2085 1185">The Palaszczuk Labor Government has recently announced a transfer duty exemption for the transfer of business assets between related parties occurring as part of small business restructures (e.g. sole trader, partnership or discretionary trust to a new / dormant company) in which there is no beneficial change of ownership of the assets. In addition to other requirements, the exemption applies to businesses with an annual turnover of up to \$5 million, where the dutiable value of the assets transferred does not exceed \$10 million. At this stage, consideration is not being given to any further duty relief to facilitate business restructures.</p> <p data-bbox="331 1233 2085 1452">A transfer duty concession is available under the <i>Duties Act 2001</i> for certain dutiable transactions between specified family members that relate to dutiable property used to carry on particular family businesses of primary production. The concession is available for transfers of business property (including from a family company, provided the person directing the transfer is a defined relative of the transferee) and is also available for certain indirect acquisitions involving family partnerships, family trusts and family unit trusts. I am pleased to advise the Palaszczuk Labor Government recently extended this concession to dutiable transactions between a person and their first cousin, or first cousin's spouse.</p>

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	<p>The purpose of the concession is to facilitate succession planning to allow certain transfers, which would ordinarily occur out of a deceased estate, to be undertaken at an earlier time. Its intention is not to facilitate restructures of a family primary production businesses which, for duty purposes, are treated the same as any other type of business. There is no consideration being given to any further expansions of this concession.</p> <p>Under the <i>Land Tax Act 2010</i>, an exemption applies for land, or a part of land, which is used solely for the business of primary production provided it is used for an activity prescribed by regulation. A full or partial exemption applies depending on whether all or only a part of the land is used solely for the business of primary production. The 'solely used' test ensures the exemption is only available for land which is genuinely used for the business of primary production and maintains the integrity of the exemption (e.g. by ensuring that owners who hold vacant land as an investment and use only a small portion of the land for primary production do not qualify for the exemption). To date, no submissions have been received to exempt primary production land that is used for carbon farming activities.</p> <p>Policy settings for the land tax primary production exemption are longstanding. The exemption is not intended for land owned directly or indirectly by absentees, foreign companies or public companies, as the underlying policy is to exempt farms owned by resident individuals, whether alone or in partnership, or through private trust or company structures. There is currently no consideration being given to changing this requirement.</p> <p>Queensland provides ex gratia relief from the land tax foreign surcharge for foreign companies and trustees of foreign trusts (foreign entities) whose commercial activities make a significant contribution to the Queensland economy and community. Land that is owned by a foreign entity and used for primary production could qualify for ex gratia relief under the current guidelines if the activity is significant. No consideration is currently being given to providing specific exemptions/relief for particular activities and industries, including primary production.</p>
10.	A re-elected Palaszczuk Labor Government will not introduce gag clauses into service or funding contracts to prevent advocacy as the Liberal National Party (LNP) did when last in Government.
13.	A re-elected Palaszczuk Labor Government will reform and modernise the <i>Trusts Act 1973</i> after consultation with relevant stakeholders. Legislation to achieve this will be introduced and passed in the next term of Government.
14.	<p>A re-elected Palaszczuk Labor Government will undertake a review of the <i>Succession Act 1981</i>, in consultation with experts and stakeholders, to identify areas of reform, in particular reform to the forfeiture rule and if necessary to bring and pass legislation in the next term of Government.</p> <p>The Palaszczuk Labor Government confirms it has never had any plan to introduce so called death taxes. The Palaszczuk Labor Government confirms that it will not introduce new taxes if re-elected.</p>

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	<p data-bbox="107 172 1012 204"><u><i>Advancing the Rights of Aboriginal and Torres Strait Islander Peoples</i></u></p> <p data-bbox="107 244 1955 316">The Palaszczuk Labor Government is absolutely committed to advancing the rights of First Nations peoples. That is why the Palaszczuk Labor Government was the first Government in Australia to legislate for the recognition of traditional child rearing practices.</p>
15. & 16.	<p data-bbox="331 363 2085 470">In May 2016, the Palaszczuk Labor Government accepted recommendation seven of the Reparations Taskforce Report which called for the negotiation of a document that reframes the relationship between Aboriginal and Torres Strait Islander peoples and the Queensland Government.</p> <p data-bbox="331 518 2085 587">In July 2019, the Palaszczuk Labor Government launched the Tracks to Treaty Statement of Commitment to give effect to this reframed relationship.</p> <p data-bbox="331 635 2085 742">Path to Treaty is a key element of this reframed relationship. A re-elected Palaszczuk Labor Government will build on previous reconciliation efforts to date, such as the addition in 2010 by a previous Labor Government, to the preamble to Queensland's Constitution to honour Queensland's Aboriginal and Torres Strait Islander peoples and the First Nations peoples of Australia.</p> <p data-bbox="331 790 2085 976">On 13 August 2020, the Premier tabled in Parliament the Queensland Government Commitment and Response to the Eminent Panel recommendations, in which we agreed or agreed in principle to all of the recommendations and released all of these materials to the public. The Palaszczuk Labor Government's response to the recommendations affirmed this Government's ongoing commitment to reframing the relationship and progressing a treaty-making process with First Nations peoples in Queensland. The Path to Treaty documents can be accessed at: https://www.datsip.qld.gov.au/programs-initiatives/tracks-treaty/path-treaty.</p> <p data-bbox="331 1024 2085 1131">The Palaszczuk Labor Government was please to re-establish Murri Courts across 14 locations after they were abolished by the former LNP Government. These 14 locations were recurrently funded in 2018-19 Budget as part of the \$9.1M over four years (2018-19 to 2021-22) and \$2.5M per annum ongoing to support the continued delivery of the Murri Court and expansion of Court Link.</p>
17.	<p data-bbox="331 1145 2085 1209">Queensland's consistent approach to resolving native title compensation claims is to negotiate agreed outcomes wherever possible. The Palaszczuk Labor Government is committed to complying in every respect with the Federal Government's Native Title Act.</p>
18.	<p data-bbox="331 1252 2085 1401">Through legislative amendments passed by the Palaszczuk Government in 2019, Health and Hospital Services are now required to have a health equity strategy to achieve and specify the Service's activities to achieve health equity for Aboriginal people and Torres Strait Island people in the provision of health services by the Service. These strategies will be developed in partnership with the Aboriginal and Torres Strait Islander health services sector.</p>
18.	<p data-bbox="331 1412 2085 1476">The Palaszczuk Government supports the current requirements outlined in section 420 <i>Police Powers Responsibilities Act 2000</i> and the rules outlined in the <i>Responsibilities Code</i>.</p>

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<i>Responding to Domestic and Family Violence in our Community</i>	
20.	<p>A re-elected Palaszczuk Government commits to maintaining existing specialist domestic and family violence courts and the continued roll out of additional specialist domestic and family violence courts throughout Queensland.</p> <p>A re-elected Palaszczuk Labor Government will, after consulting with stakeholders, legislate to criminalise coercive and controlling behaviour in a domestic and family violence context.</p>
21.	We also commit to work with the domestic and family violence sector, legal practitioners, the courts, and Queensland Police Service to identify ways to provide safety and stability to survivors of domestic and family violence and their children while their matters are before the courts.
22, 23, 24.	A re-elected Palaszczuk Government will continue to work with practitioners, NGOs, survivors and other key stakeholders to ensure our response to domestic, family, and sexual violence is continually monitored and strengthened as required.
25, 26.	<p>The Palaszczuk Government committed to prioritise cultural change in the Queensland Police Service to deliver a strengthened victim-centric focus in our Sexual Violence Prevention Framework.</p> <p>Under our government, the Queensland Police Service have been very active in improving their response to sexual violence in particular, and:</p> <ul style="list-style-type: none"> • continued their rollout by of the recently announced collaborative sexual violence education and awareness program developed with the Gold Coast Centre Against Sexual Violence; • invested in a partnership with UQ to develop victim-centric and trauma-informed training to give all Queensland Police officers and employees; • are piloting dedicated sexual violence liaison officers in Townsville and Logan districts to investigate offences related to sexual violence; • launched an online domestic, family, and sexual violence reporting portal.
27.	A re-elected Palaszczuk Government will commit to the continuation of Queensland Women’s Strategy beyond 2021.
<u><i>Supporting older and vulnerable Queenslanders</i></u>	
28-33.	Whilst the Palaszczuk Government shares the QLS’ concern about the increasing prevalence of elder abuse, particularly in aged care facilities, we do not consider a reference to the Queensland Law Reform Commission concerning incidents of elder abuse is required.

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	<p>The Premier Anastacia Palaszczuk has already taken decisive action and announced a Parliamentary inquiry into end of life care. The inquiry was wide-ranging and delivered a number of recommendations. The Palaszczuk Government's response to date can be located at: https://www.parliament.qld.gov.au/work-of-committees/committees/HCDSDFVPC.</p> <p>If re-elected, a Palaszczuk Labor Government will continue to work through the Inquiry's recommendations during next term of Government.</p> <p>As outlined above, the Palaszczuk Government has also enacted sweeping reforms to Queensland's guardianship legislation. The amendments provide a focus on contemporary practice and human rights for adults with impaired capacity; enhance safeguards for adults with impaired capacity in the guardianship system; and to improve the efficiency of Queensland's guardianship system or improve the clarity of Queensland's guardianship legislation.</p> <p>In this term of Government, the Palaszczuk Labor Government undertook a range of activities to address elder abuse. Many of these activities are outlined in the Palaszczuk Labor Government's strategy, entitled <i>Queensland: an age friendly community</i> (Age Friendly Strategy). Information regarding the Age Friendly Strategy is available at: https://www.communities.qld.gov.au/seniors/queensland-age-friendly-community/strategy-reporting.</p> <p>The Age Friendly Strategy incorporates specific actions in response to recommendations made by the Parliamentary Committee's <i>Inquiry into the adequacy of existing financial protection for Queensland's seniors</i>. Information on the Inquiry can be accessed at: https://www.parliament.qld.gov.au/work-of-committees/former-committees/CDSDFVPC/inquiries/past-inquiries/01TheAdequacySeniors</p> <p>A number of agencies can provide information in relation to elder abuse, receive complaints of elder abuse or take action to investigate allegations of abuse of a person with impaired capacity:</p> <ul style="list-style-type: none"> • 1800 ELDERHelp (1800 353 374) is a free call phone number that automatically redirects callers seeking information and advice on elder abuse to existing state and territory phone line services; • The Elder Abuse Prevention Unit. The EAPU provides phone support services to people who are seeking information about elder abuse in Queensland. EAPU is funded by the Palaszczuk Labor Government and operated by UnitingCare Queensland. EAPU runs the state-wide helpline and information and resource website, develops resources, and runs community education and training to raise awareness and understanding of elder abuse. The EAPU also supports the development of networks in regional areas. Additional information is available on the Elder Abuse Prevention Unit website at: https://www.eapu.com.au/. <p>The Palaszczuk Labor Government also funds eleven seniors legal and support services across Queensland which provide free legal advice, information and support for people over 60 years who may be affected by elder abuse. Information is available at: https://www.qld.gov.au/seniors/legal-finance-concessions/legal-support/legal-services.</p>

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	<p>The Palaszczuk Labor Government also undertakes an Elder Abuse campaign each year, and further information is available at: https://www.communities.qld.gov.au/campaign/know-the-signs</p> <p>The Office of the Public Guardian (OPG), established under the <i>Public Guardian Act 2014</i> (Qld), has power to investigate allegations of neglect, exploitation and abuse of adults with impaired capacity. This includes all types of abuse, including physical, sexual, emotional, psychological or financial abuse. Allegations of elder abuse may be referred to the Public Guardian for investigation through a variety of sources, including OPG's adult community visitor program, service providers, banks, family members and friends.</p>
<p><u><i>Child protection and youth justice</i></u></p>	
<p>34.</p>	<p>In July 2018, the Report into Youth Justice by Mr Bob Atkinson AO APM (Atkinson Report) was publicly released. The Atkinson Report contains 77 recommendations, including that the Queensland Government advocate for national consideration of increasing the minimum age of criminal responsibility with the aim of achieving a uniform approach between the states and territories, subject to national agreement by state and territory governments and a comprehensive impact analysis and the establishment of needs based programs and diversions for 8 - 11 year old children engaged in offending behaviour (recommendation 68). The Queensland Government response to the Atkinson report can be found at: https://www.csyw.qld.gov.au/youth-justice/atkinson-report-youth-justice.</p> <p>On 27 July 2020, the Council of Attorneys-General noted the work of the Working Group to date and noted that the Working Group identified the need for further work to occur regarding the need for adequate processes and services for children who exhibit offending behaviour. A re-elected Palaszczuk Government will continue to monitor the ongoing national work and any further developments on this issue.</p>
<p>35.</p>	<p>The Palaszczuk Government allocated a record \$119.452 million to legal assistance sector across Queensland under the National Legal Partnership Agreement for the period 2020-25. The current split of investment in Queensland's legal assistance services sector is 59.10% Palaszczuk Government and 40.90% Commonwealth Government.</p> <p>A re-elected Palaszczuk Government, unlike the LNP, will not cut funding to the legal assistance services sector. Additionally, a re-elected Palaszczuk Government will not introduce gag clauses, as the LNP did when they were last in Government.</p>
<p>36.</p>	<p>A re-elected Palaszczuk Government, in consultation with the Chief Magistrate, will commission more existing Magistrates to perform Childrens Court work.</p>
<p>37-41.</p>	<p>The Palaszczuk Government has made an unprecedented investment in diverting young people from criminal behaviour, and hence from engagement with the youth justice system.</p> <p>We have invested heavily in intervention programs, and as a result, we've seen a 30 per cent drop in the number of young offenders across the state since 2010. The latest data for Queensland shows a 9 per cent drop in the number of offences committed by 10–17</p>

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	<p>year olds and a 23 per cent drop in the number of young offenders in 12 months to 30 June 2020 (with at least one charged offence). In addition, there has been a 3% reduction in reoffending by young people.</p> <p>The number of children committing crime has gone down. 10 per cent of young offenders commit 44 per cent of youth crime.</p> <p>Repeat offenders must be held accountable, but they must also be given the opportunity to turn their lives around – that’s why we deliver programs like restorative justice conferencing and T2S.</p> <p>We know these programs are having an impact because we are seeing more young people getting back into education and training.</p> <p>Youth justice bail laws have been recently reviewed and amended.</p> <p>The Palaszczuk Government has no intention of implementing so-called ‘breach of bail’ laws. The new offence of committing an offence whilst on bail failed to address most bail breaches, such as failure to report. Only 185 young people were ever charged with this offence – a small proportion of offenders, and while it was touted as strategy to reduce reoffending, 90% of offenders convicted of this offence reoffended within 12 months.</p> <p>There are no silver bullets to address youth crime, and it requires a range of responses to both keep the community safe and divert young people from criminal behaviour. We believe we have the balance right.</p>
42.	<p>Under the Palaszczuk Labor Government, Queensland is the first state in Australia to directly employ speech and language pathologists in youth detention centres. Speech-Language Pathology services commenced as a result of the Government’s response to recommendations from the <i>Review of youth detention centres</i> which focused on the need to increase therapeutic services to young people in youth detention centres.</p> <p>There are Speech-Language Pathologists located at the Brisbane Youth Detention Centre, Cleveland Youth Detention Centre, and in the South-West Brisbane region.</p> <p>Since the commencement of Speech-Language Pathology services, more than 380 young people (to mid-July 2020) have received a service in the youth detention centres and in the community.</p>
43.	<p>A re-elected Palaszczuk Government will task the Queensland Family and Child Commission (QFCC) to undertake a culturally appropriate community conversation with Aboriginal and Torres Strait Islander children and young people about their interactions with the justice system, as part of the QFCC’s robust annual Growing Up in Queensland survey.</p>

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<u><i>Sustainability, climate and disaster response</i></u>	
44 & 45.	<p>The Palaszczuk Labor Government is taking strong steps to address climate change, including setting a target for zero net emissions by 2050, with an interim target of reducing emissions by at least 30% on 2005 levels by 2030.</p> <p>It was the Palaszczuk Labor Government that established the \$500 million Land Restoration Fund (LRF) to reduce emissions, generate new job and revenue opportunities and deliver environmental benefits. The first round of the LRF is delivering an investment of \$93 million and will see the purchase of over 1.9 million Australian Carbon Credit Units.</p> <p>We will continue to call on the Federal LNP government to demonstrate national leadership on climate policy. While we continue to do our part, national action is critical to effective climate change outcomes.</p> <p>A re-elected Palaszczuk Labor Government will develop a Climate Action Plan 2020-2030, to map our pathway forward for the next decade and build on the action we have already taken under the Queensland Climate Transition Strategy which we released in 2017. The importance of climate change readiness is widely acknowledged in corporate Queensland and the community, with major resources companies such as BHP, Rio Tinto and Glencore publishing climate plans, and as evidenced by the widespread community conversation during the recent bushfires. We will therefore seek wide industry and community involvement in this process to ensure buy-in across Queensland, involving environment organisations, industry and community representatives.</p>
<u><i>Responding to the legal needs of the community – ensuring justice for all Queenslanders</i></u>	
46-51.	<p>A re-elected Palaszczuk Government will always support our legal assistance sector to deliver services to vulnerable Queensland, unlike the Liberal National Party (LNP) which has already foreshadowed funding cuts to the legal assistance services sector.</p> <p>The Palaszczuk Government allocated a record \$119.452 million to community legal centres across Queensland for the period 2020-25. The current split of investment in Queensland’s legal assistance services sector is 59.10% from the Palaszczuk Government and only 40.90% from the Commonwealth Government.</p> <p>In respect of the current state funding levels provided to community legal centres, a re-elected Palaszczuk Government, unlike the LNP, will commit to no funding cuts to the legal assistance services sector and will also refrain from the introduction of gag clauses in funding agreements.</p>

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<u>Criminal law reform</u>	
52 & 53.	<p>The Palaszczuk Government is committed to addressing the underlying causes of crime, including the social and economic causes via evidence-based policy solutions. That is why the Palaszczuk Government restored the Drug and Alcohol Court, the Murri Courts in 14 locations across Queensland and other diversionary programs, such as youth justice conferencing and bail programs. The LNP when last in Government cut all of these programs.</p> <p>A re-elected Palaszczuk Government will also invest in additional drug and alcohol rehabilitation services around the state. Further information on services will be available at www.annastaciapalaszczuk.com.au as they are announced.</p>
54.	<p>A re-elected Palaszczuk Government has no plans to review the Moynihan stage one reforms, which have been in place now since 2010.</p>
55.	<p>The Palaszczuk Government believes in the fundamental principle of the independence of the judiciary and judicial discretion. Labor holds concerns about mandatory sentencing because it restricts judicial discretion in the sentencing process and is contrary to the court's traditional role of ensuring individualised criminal justice.</p> <p>The Palaszczuk Labor Government has confidence in the ability of Queensland courts to impose appropriate penalties. Labor believes mandatory sentencing regimes should only be applied in exceptional circumstances only.</p>
56 & 57.	<p>Under the direction of the Palaszczuk Labor Government the Parole Board of Queensland undertook a targeted recruitment strategy to increase the representation of First Nation peoples in the membership of the Board through its Community Board Members.</p> <p>From 3 July 2020, 10 new Community Board Members joined the Board, taking the representation of Aboriginal peoples and Torres Strait Islander peoples from 24 per cent of community representation to 37 per cent.</p> <p>In 2019, the Palaszczuk Labor Government delivered a new minibus to transport Elders to several north Queensland correctional centres and help Aboriginal and Torres Strait Islander prisoners stay connected to their communities.</p> <p>The minibus, funded by the Palaszczuk Labor Government, is used by the Binga Birry Justice Group to provide regular visits by Elders for prisoners at Capricornia, Townsville and Townsville Women's correctional centres.</p> <p>At Capricornia Correctional Centre, the Binga Birry Elders meet with up to 40 prisoners at the centre's dedicated cultural area, which has been up and running for about four years and is decorated with a large indigenous mural.</p>

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	<p>Thanks to the Palaszczuk Labor Government, support available to Aboriginal and Torres Strait Islander prisoners in custody has come a long way in Queensland. Our government is actively working with Elder groups and First People's Chaplaincy Services to support Aboriginal and Torres Strait Islander prisoners across Queensland.</p> <p>In 2017, we established the Murridhagun Cultural Centre to provide advisory, planning and support services to Queensland Corrective Services (QCS) officers and relevant prisoners and promotes staff participation in culturally significant events. In partnership with QCS Indigenous officers and external persons, Murridhagun Cultural Centre also delivers the Aboriginal and Torres Strait Islander Mental Health First Aid program and cultural awareness training to QCS staff and is leading revision of the QCS cultural understanding package.</p> <p>Cultural development officers, cultural advisors, and cultural liaison officers across correctional centres in Queensland provide support and guidance to prisoners and cultural advice to staff. A re-elected Palaszczuk Government will continue to expand its existing suite of rehabilitation programs, developed by Aboriginal and Torres Strait Islander people for Aboriginal and Torres Strait Islander people.</p>
58 & 59.	<p>The Palaszczuk Labor Government referred a review of community-based sentencing order, imprisonment and parole options to the Queensland Sentencing Advisory Council (QSAC) for review. QSAC provided the Palaszczuk Government with a comprehensive 542 page report, containing 74 recommendations.</p> <p>The Palaszczuk Government will continue to carefully consider those recommendations before announcing a position on each of them.</p>
60.	A re-elected Palaszczuk Labor Government commits to maintaining all diversionary and specialist courts.
61 & 62.	Labor believes in the traditions of the common law, including the right to claim self-incrimination privilege and the prosecution bearing the onus of proof. The Palaszczuk Labor Government believes these fundamental tenets of our criminal justice system should only be changed in exceptional circumstances.
63.	<p>As noted above, under our government the Queensland Police Service are improving their response to sexual violence.</p> <p>A re-elected Palaszczuk Government will carefully consider the results of the pilot currently underway in Townsville and Logan.</p>
64.	<p>The Palaszczuk Labor Government opposed the abolition of the Queensland Sentencing Advisory Council (QSAC) from when it was first announced by the then Attorney-General, Jarrod Bleiie, in 2012. We gave a commitment to the QLS in the Call to Parties before the 2015 election that a Palaszczuk Labor Government would reinstate the QSAC, and we did so in the first term of Government.</p> <p>The Palaszczuk Government supports the work of the QSAC and recognises its important role in the analysis of sentencing trends in Queensland, as well as its important educative role. A re-elected Palaszczuk Labor Government will continue to manage the workload</p>

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	of the QSAC to ensure it can continue its important role and commits to retaining the Council as part of the Department of Justice and Attorney-General.
<u>Supporting legal practices as essential community infrastructure</u>	
65 & 66.	The Palaszczuk Labor Government acknowledges the important work performed by Legal Aid Queensland preferred suppliers and report writers across all areas of the law. A re-elected Palaszczuk Government will give consideration to these matters when Budget circumstances allow.
67.	The Palaszczuk Government acknowledges the significant pro bono work performed by Queensland's legal practitioners across the state. A re-elected Palaszczuk Government will monitor the effects of the current pro bono target and definitions.
68.	A re-elected Palaszczuk Government commits to a legislative amendment to permit a law practice to dispose of routine client documents seven years following the end of a client matter if the practice has been unable, despite making reasonable efforts to obtain client instructions about their disposal.
69.	A re-elected Palaszczuk Government commits to consult with the Public Trustee concerning the efficacy of a legislative amendment to permit a law practice to transfer possession of wills to the Public Trustee of Queensland.
70.	A re-elected Palaszczuk Government commits to increasing the prescribed amount under section 311 <i>Legal Profession Act 2007</i> to \$3,000 to align with New South Wales and Victoria.
71.	A re-elected Palaszczuk Government commits to the reintroduction of the Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020, in its present form, which contains amendments to the <i>Legal Profession Act 2007</i> clarifying the application of statutory caps on payments made from the Legal Practitioners' Fidelity Guarantee Fund to assist Queenslanders who have fallen victim to a dishonest default on the part of a solicitor or legal practice.
<u>Maintaining the right to fair injury compensation for all Queenslanders</u>	
72.	A re-elected Palaszczuk Government commits to ensuring innocently injured claimants receive fair compensation. Queenslanders pay the second lowest CTP premiums in Australia. There are no plans to change the CTP scheme as it currently operates in Queensland.
73.	A re-elected Palaszczuk Government commits to not implementing impairment thresholds for access to common law damages. On 14 October 2013, the former LNP Government stripped away the rights and entitlements of Queensland's injured workers by introducing an unfair common law threshold. This threshold prevented workers with a degree of permanent impairment of 5% or less seeking damages from a negligent employer.

QLS Request	Palaszczuk Labor Government response
	<p>The LNP's unfair, arbitrary threshold targeted over 9,000 of Queensland's most vulnerable workers. In 2015, the Palaszczuk Government restored the rights of Queensland's injured workers to seek common law damages for injuries on or after 31 January 2015.</p> <p>For the 9,000 workers who were injured between 15 October 2013 to 30 January 2015 and were denied access to common law damages, the Palaszczuk Government also introduced an additional lump sum compensation entitlement to ensure these workers were not disadvantaged.</p>
74.	A re-elected Palaszczuk Government will not replace lump sum payments for minor injuries with guaranteed defined benefits.
75.	Currently, the charging of contingency fees is prohibited in Queensland. It is not currently the position of the Palaszczuk Government to investigate contingency fees in Queensland if re-elected.

Judicial Commission

76 & 77.	<p>As was stated in the Palaszczuk Government's call to parties responses the QLS prior to the 2015 and 2017 elections, Labor recognises that, whilst courts should exercise their powers independently of the other arms of government, it is the role of executive government to appoint the judiciary. This arises from the duty of the executive to promote the rule of law through the appointment of a highly skilled and independent judiciary.</p> <p>The Palaszczuk Government firmly believes in the separation of powers, the independence of the judiciary and judicial accountability. In examining options for a Judicial Commission for Queensland, it is noted the only other jurisdiction with a judicial commission in Australia that has the dual functions of complaints management and continuing judicial education is New South Wales (NSW). The NSW Judicial Commission in the 2018-19 year received \$8.013m in funding, up from \$6.609M in 2017-18. This is a significant amount of taxpayers' funds to spend on a framework in difficult financial COVID-19 times, particularly when there are existing processes in place.</p> <p>A re-elected Palaszczuk Government commits to consulting further with the Chief Justice, the QLS and the Bar Association of Queensland on the issue of whether there is a need for a judicial commission in Queensland and what models, if any, may be suitable for Queensland, in the context of the cost of each proposed model.</p> <p>The Palaszczuk Government remains firmly of the view that appointments to the judiciary must remain the prerogative of the executive government. A re-elected Palaszczuk Government commits to the continued appointment of judicial officers as outlined in the <i>Protocol for Judicial Appointments in Queensland</i>. Now is not the time to revert back to the secret appointments processes the LNP used when last in government.</p>
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Better resourcing of the justice system in Queensland – court resources and dispute resolution

QLS Request	Palaszczuk Labor Government response
	<p>The Palaszczuk Government is acutely aware of the ongoing pressures our Courts have faced and will continue to face arising out of the COVID-19 pandemic.</p>
<p>78 – 81.</p>	<p>The Palaszczuk Labor Government has invested the following into Queensland Courts:</p> <ul style="list-style-type: none"> • \$20 million over 2016-17 and 2017-18 to help address ongoing demand pressures in the justice system including: <ul style="list-style-type: none"> ◦ \$4.25 million per annum for 58 FTE frontline service positions in Courts; ◦ \$2.25 million per annum for 1,440 additional workload management days each year for magistrate relief pool to cover court workload pressures and magistrate absences; ◦ \$1.5 million to partially offset increased property and related costs; ◦ \$1.25 million per annum to offset declining Courts revenue and ◦ \$0.75 million per annum for Land Court improvements. • In the 2018-19 Budget, the Palaszczuk Government committed \$10 million to help address ongoing demand pressures within our justice system including: <ul style="list-style-type: none"> ◦ \$4.3 million for 58 FTE frontline service positions in Courts; ◦ \$2.25 million for 1,440 additional workload management days each year for magistrate relief pool to cover court workload pressures and magistrate absences; ◦ \$1.5 million to partially offset increased property and related costs; ◦ \$1.5 million to offset declining Courts revenue and ◦ \$0.4 million for Land Court improvements. • During 2018-19, the Palaszczuk Government also provided: <ul style="list-style-type: none"> ◦ \$11.8 million over five years commencing in 2018-19 to appoint an additional judge to the Supreme Court and an additional judge to the District Court, together with 12 FTE to support the new judges and ◦ \$2.7 million over 2018-19 and 2019-20, together with 7 FTE for Childrens Court initiatives. • In 2019-20, the Palaszczuk Government provided an additional funding package of \$78.1 million over four years, continuing the investment in strengthening the courts by providing:

QLS Request	Palaszczuk Labor Government response
	<ul style="list-style-type: none"> ○ \$57.7 million over 4 years to secure the ongoing operation of Court Services Queensland and provide 25 FTE in critical frontline registry and in-court roles, funding for the acting magistrates and temporary magistrates relief fund, and necessary leadership and management structures, ○ \$6.6 million over 4 years (\$1.75 million ongoing) for the Court Link Enhancement initiative, which will expand the Court Link program to Maroochydore, Redcliffe and Caboolture, ○ \$2.5 million over 4 years to deliver the enhanced court approaches to remand initiative, which will inform police bail decision-makers and establish a Remand Registrar to optimise remand appearances, and ○ \$11.4 million over 4 years for the Office of the Director of Public Prosecutions – Workload management program to deliver 12 FTE to meet increased demand and \$4 million over 4 years to utilise private barristers for certain matters. <p>In contrast, in the 2012-13 budget, the LNP cut 510 FTE jobs and \$170.184 million from the Department of Justice and Attorney-General, including the State Reporting Bureau, the Drug Court, the Special Circumstances Court and the Murri Court. This meant Queenslanders, including victims of crime, under the LNP had less access to justice.</p> <p>A re-elected Palaszczuk Labor Government will continue to monitor the demand pressures on Queensland justice system.</p>
82.	<p>The Palaszczuk Labor Government understands how difficult a coronial process is for grieving family members who have lost loved one.</p> <p>Our government has allocated funding of \$1,717,390 to Caxton Legal Centre and Townsville Community Law to operate the Coronial Assistance Legal Service and provide legal advice to bereaved family members about the coronial process and associated issues.</p> <p>The Palaszczuk Labor Government also provided an allocation of \$3.9 million in the 2019-20 state budget to assist relevant agencies taking action to improve supports to families and witnesses by:</p> <ul style="list-style-type: none"> ○ building capacity to deliver regional support and provide more tailored assistance; ○ enhancing referral processes and stakeholder understanding of the coronial system; ○ improving inter-agency coordination and collaboration; ○ providing ongoing training, guidance and assistance to staff and ○ driving continuous improvement in case management practices. <p>These system improvements are supported by the addition of extra coronial counsellors in Coronial Family Services, Queensland Health. These counsellors are skilled social workers and psychologists who are available to support the next of kin of people whose deaths are being, or have been, investigated by a reportable death.</p>

QLS Request	Palaszczuk Labor Government response
83.	<p>Under the Palaszczuk Labor Government, the Mental Health Review Tribunal has already commenced phase two of its project in relation to the electronic audio recording of hearings.</p> <p>From 7 September 2020 for a period of approximately 2 weeks, a limited number of hearings were recorded with the permission of all people in attendance at the hearing. Outcomes of the trial will be made available on the Tribunal's website once complete, along with further advice regarding the next phase of the project.</p>
84.	A re-elected Palaszczuk Labor Government declines to investigate the impacts on the justice system of lay representatives appearing in legal matters.
<i>Making better laws and good policy</i>	
85-89.	The Palaszczuk Labor Government is committed to evidence-based policy-making. A re-elected Palaszczuk Labor Government will continue to make laws and policy decisions that are based in evidence and in the best interests of Queensland. Consultation has been a hallmark of the Palaszczuk Government over the past two terms of Government and will continue to be under a re-elected Palaszczuk Government.