

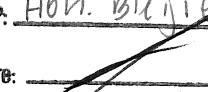
Legal Affairs and Community Safety Committee

Report No. 49

*Identification Laws Amendment Bill 2013*

**QUEENSLAND GOVERNMENT RESPONSE**

---

LAID UPON THE TABLE OF THE HOUSE	
No.:	541475805
	29 AUG 2014
MP:	Hon. Blaine
Clerk's Signature:	

## INTRODUCTION

On 8 August 2013 the *Identification Laws Amendment Bill 2013* (the Bill) was introduced into the Legislative Assembly as a Private Members' Bill by the Member for Nicklin, Mr Peter Wellington MP.

The Bill was subsequently referred to the Legal Affairs and Community Safety Committee (the Committee).

The Committee consulted with relevant stakeholders on the Bill. On 10 February 2014 the Committee tabled its report (No.49) in relation to the Private Member's Bill.

The response to recommendation 1 of the report (the recommendation directed to Government) is provided below.

### **RESPONSE TO RECOMMENDATION:**

#### **Recommendation 1 -**

*The Committee recommends the Attorney-General and Minister for Justice, through the Justices of the Peace branch of the Department of Justice and Attorney-General – review the resource material available to Justices of the Peace (JPs) and Commissioners for Declarations (C.Decs) to address the cultural issues discussed in this Report and make any amendments considered necessary to address any deficiencies.*

#### **Queensland Government response:**

The Queensland Government accepts the recommendation.

The current JP (Qualified) and C.Decs technical bulletin entitled "*Muslim Women wearing niqab (veil) or burqa requiring identification*" states that: "After consultation with the Queensland Anti-Discrimination Commission, Members of the Islamic Council of Queensland, Queensland Police Service and JP offices throughout Australia, the following applies:

- JPs and C.Decs are to treat these situations sensitively and respectfully and at all times be mindful of ensuring that the client's dignity is preserved; and
- It is recommended that a woman wearing a face covering be directed to a female JP or C.Dec however it is noted that when certifying copies of documents, there is no requirement to ask for identification and as such a male JP or C.Dec can assist in these situations."

This technical bulletin has provided consistent practice advice to Justices of the Peace. At the time of its dissemination in 2009, DJAG conducted several JP (Qualified) courses for various members of the Queensland Muslim Community as part of its multi-cultural action plan, and so has developed strong relationships with this community.

In addition, the JP Branch regularly conducts seminars and workshops for JPs about witnessing of documents. Identification issues and how to approach them are covered at these forums.

The Justices of the Peace Branch is currently reviewing the “Duties of Justices of the Peace Handbook” (the JP Handbook). The JP Handbook is the primary source of information for Queensland JPs. The content of the JP Handbook in relation to culturally and linguistically diverse (CALD) communities is part of the review and comment has been sought from various stakeholders including the Anti-Discrimination Commission of Queensland who has provided advice.

An initial review of the handbook is being undertaken by a working party including two retired Magistrates and highly experienced JPs. The working party has completed their review. The Justices of the Peace Branch will undertake a further review of the handbook contents with the goal of releasing the handbook in October. As part of the review, the JP Branch is ensuring that the details of all technical bulletins are incorporated within the JP Handbook, where relevant. The updated handbook will be released following the approval processes and final consultation with stakeholders.