



Annual Report 2014-15

Report No. 12, 55th Parliament

Legal Affairs and Community Safety Committee

November 2015

Legal Affairs and Community Safety Committee

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Deputy Chair	Mrs Tarnya Smith MP, Member for Mount Ommaney
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1 Legal Affairs and Community Safety Committee

The Legal Affairs and Community Safety Committee was established on 27 March 2015 as a portfolio committee of the Queensland Legislative Assembly.

Section 92 of the *Parliament of Queensland Act 2001* outlines the main responsibilities of a portfolio committee. In relation to its portfolio area, a committee may—

- consider Appropriation Bills
- consider other legislation and proposed legislation
- perform its role in relation to public accounts and public works.

Schedule 6 of the *Standing Rules and Orders of the Legislative Assembly* sets out the committee's portfolio responsibilities as follows:

- Justice and Attorney-General
- Police Service
- Fire and Emergency Services
- Training and Skills.

The committee also has oversight responsibilities for the Office of the Information Commissioner, the Office of the Queensland Ombudsman, the Electoral Commissioner and the Criminal Organisation Public Interest Monitor.

2 Annual report

In accordance with section 108 of the *Parliament of Queensland Act 2001*, the committee is required to table an annual report within 4 months and 14 days after the end of each financial year. The report must include:

- a list of meetings of the committee and the names of members attending or absent from each meeting
- a summary of issues considered by the committee, including a description of the more significant issues arising from the considerations
- a statement of the committee's revenue and spending for the year
- a brief description of responses by Ministers to recommendations of the committee.

This report provides a summary of the activities of the committee from 27 March to 30 June 2015.

3 Inquiries and reports

3.1 Bills and subordinate legislation

The committee examined a number of bills and pieces of subordinate legislation in accordance with its responsibility under section 93(1) of the *Parliament of Queensland Act 2001*, in particular the committee considered:

- the policy to be given effect by the legislation
- the application of fundamental legislative principles to the legislation
- for subordinate legislation - its lawfulness.

The committee tabled 3 reports during the 2014-2015 financial year. The committee's reports and inquiries are discussed below.

Copies of the committee's publications are available from the committee's webpage: www.parliament.qld.gov.au/lacsc.

3.1.1 Electoral and Other Legislation Amendment Bill 2015 (Report No. 1)

On 27 March 2015, the Electoral and Other Legislation Amendment Bill 2015 was referred to the committee for examination and report. The committee tabled its report, titled the *Electoral and Other Legislation Amendment Bill 2015 (Report No. 1)*, on 1 May 2015.

In this report, the committee made three recommendations. In its response tabled on 7 May 2015, the Government partly accepted one recommendation. The Bill was passed, with amendments, on 7 May 2015.

3.1.2 Subordinate legislation tabled between 14 October and 24 November 2014 (Report No. 2)

On 1 May 2015, the committee tabled *Report No. 2: Subordinate legislation tabled between 14 October 2014 and 24 November 2014*. The report advised of the committee's findings with respect to the following subordinate legislation:

- Proclamation - *Child Protection (Offender Reporting) and Other Legislation Amendment Act 2014* (SL No. 207)
- Child Protection (Offender Reporting) and Other Legislation Amendment Regulation (No.1) 2014 (SL No. 208)
- Lotteries Amendment Regulation (No.1) 2014 (SL No. 213)
- Land Sales Amendment Regulation (No.2) 2014 (SL No. 214)
- Proclamation - *Safe Night Out Legislation Amendment Act 2014* (SL No. 224)
- Safe Night Out Legislation Amendment Regulation (No.1) 2014 (SL No. 225)
- Gaming Legislation Amendment Regulation (No.2) 2014 (SL No. 229)
- Youth Justice Amendment Regulation (No.3) 2014 (SL No. 239)

The committee did not identify any significant policy issues or issues relating to fundamental legislative principles in the subordinate legislation examined.

3.1.3 Subordinate legislation tabled between 25 November 2014 and 12 January 2015 (Report No. 3)

On 22 May 2015, the committee tabled *Report No. 3 Subordinate legislation tabled between 25 November 2014 and 12 January 2015*. The report advised of the committee's findings with respect to the following subordinate legislation:

- Land Sales Amendment Regulation (No.3) 2014 (SL No. 242)
- Proclamation made under the *Debt Collectors (Field Agents and Collection Agents) Act 2014* (SL No. 243)
- Debt Collectors (Field Agents and Collection Agents) Regulation 2014 (SL No. 244)
- Proclamation made under the *Agents Financial Administration Act 2014* (SL No. 245)
- Agents Financial Administration Regulation 2014
- Proclamation made under the *Fair Trading Inspectors Act 2014* (SL No. 247)

- Proclamation made under the *Motor Dealers and Chattel Auctioneers Act 2014* (SL No. 248)
- Motor Dealers and Chattel Auctioneers Regulation 2014 (SL No. 249)
- Proclamation made under the *Property Occupations Act 2014* (SL No. 250)
- Property Occupations Regulation 2014 (SL No. 251)
- Liquor Amendment Regulation (No.4) 2014 (SL No. 261)
- Proclamation made under the *Justice and Other Legislation Amendment Act 2014* (SL No. 265)
- Criminal Code (Criminal Organisations) Amendment Regulation (No.3) 2014 (SL No. 266)

The committee did not identify any significant policy issues or issues relating to fundamental legislative principles in the subordinate legislation examined.

3.1.4 Liquor and Fair Trading Legislation (Red Tape Reduction) Amendment Bill 2015

On 6 May 2015, the Legislative Assembly referred the Liquor and Fair Trading Legislation (Red Tape Reduction) Amendment Bill 2015 (a Private Members Bill) to the committee. The objectives of the Bill are to:

- Reduce the regulatory burden on the liquor and tourism industries by amending the *Liquor Act 1992* (Liquor Act);
- Make amendments to the Liquor Act to ensure clarity and effectiveness;
- Repeal 14 obsolete church and community organisation Acts
- Repeal section 96 of the *Fair Trading Act 1989* in relation to director's liability.

During the reporting period, a reporting date of 14 September 2015 was set.

3.1.5 Queensland Training Assets Management Authority Repeal Bill 2015

On 21 May 2015, the Legislative Assembly referred the Queensland Training and Assets Management Authority Repeal Bill 2015 to the committee for detailed consideration.

The objectives of the Bill are to:

- repeal the *Queensland Training Assets Management Authority Act 2014* (QTAMA Act) and abolish the Queensland Training Assets Management Authority (QTAMA)
- transfer the assets, liabilities and records of QTAMA to the Department of Education and Training
- provide for other transitional and savings arrangements as a result of the repeal of the QTAMA Act.

During the reporting period, the Legislative Assembly set a reporting date of 7 July 2015; the committee held a public briefing and a public hearing; and received 60 written submissions.

3.2 Public Accounts and Public Works

3.2.1 Consideration of Auditor-General reports

Report to Parliament No. 4: 2013-14 - Follow-up – Management of offenders subject to supervision in the community

During the reporting period the report was re-referred to the new committee by the Committee of the Legislative Assembly. The committee received a private briefing from the Auditor-General on the report, and sought additional advice from the department.

Report to Parliament No. 10: 2014-15 - Bushfire prevention and preparedness

During the reporting period the report was re-referred to the new committee by the Committee of the Legislative Assembly. The committee received a private briefing from the Auditor-General on the report, and sought additional advice from the department.

Report to Parliament No. 13: 2014-15 - Procurement of Youth Boot Camps

During the reporting period the report was re-referred to the new committee by the Committee of the Legislative Assembly. The committee received a private briefing from the Auditor-General on the report, and sought additional advice from the department.

3.3 Statutory oversight

3.3.1 Queensland Ombudsman

Section 89 of the *Ombudsman Act 2001* sets out the oversight functions of the committee in relation to the Office of the Queensland Ombudsman.

The committee met with the Ombudsman in private session during this reporting period, in advance of a public oversight process to be held in the next reporting period.

3.3.2 Information Commissioner

Section 189 of the *Right to Information Act 2009* and section 195 of the *Information Privacy Act 2009*, set out the committee's oversight functions in relation to the Office of the Information Commissioner (OIC).

During the reporting period the committee met with the Information Commissioner, Privacy Commissioner and Right to Information Commissioner in private session, in advance of a public oversight process to occur in the next reporting period.

3.3.3 Electoral Commissioner

The committee must be consulted regarding senior appointments to the Electoral Commission of Queensland (ECQ).

The committee was not required to perform its oversight functions in relation to the ECQ during the reporting period.

3.3.4 Criminal Organisation Public Interest Monitor

The committee has a monitor and review function in relation to the performance of the Criminal Organisation Public Interest Monitor (COPIM) under section 91 of the *Criminal Organisation Act 2009* (the Act). During the reporting period (27 March – 30 June 2015) the committee determined to meet with the COPIM at a time during the next reporting period.

4 Committee expenditure

The committee had no revenue during 2014-15. The committee is funded from the appropriation made to the Legislative Assembly. The expenditure of the committee from 27 March to 30 June 2015 is shown in the table below.

Item	\$
Staff salaries and related expenses ¹	77,969
Business travel	0
Printing and production	168
Consultants	0
Telecommunication costs	1,347
Meeting expenses, stationery, consumables and miscellaneous expenses	240
Expenditure Total	79,724

¹ These figures reflect a three person secretariat supporting the committee. The committee's staffing might have been supplemented with additional resources from general Committee Office staff throughout the year.

5 Meeting attendance record

The table below shows the attendance of committee members at committee meetings and other activities during the reporting period.

Standing Order 202(1) provides that in the case of a committee members' illness or inability to attend, another member may be appointed to attend that meeting or stand in for a particular inquiry. During the reporting period Mr Mark Ryan MP replaced Mr Rick Williams MP as committee member from the 4 June 2015. Ms Fiona Simpson MP replaced Mr Jon Krause MP on 6 May 2015, Mr Perrett on 20 May 2015 (part) and Mrs Smith on 3 June 2015 (part). Mr Peter Russo replaced Mr Rick Williams on 3 June 2015.

Meeting Date	Mr Mark Furner MP	Mrs Tarnya Smith MP	Mr Jon Krause MP	Mr Jim Madden MP	Mr Tony Perrett MP	Mr Mark Ryan MP (from 4 June 2015)	Mr Rick Williams MP (until 4 June 2015)
30/3/15	✓	✓	✓	✓	✓	-	✓
15/4/15	✓	✓	✓	✓	✓	-	✓
16/4/15	✓	✓	✓	✓	✓	-	✓
28/4/15	✓	✓	✓	✓	✓	-	✓
6/5/15	✓	✓	x	✓	✓	-	✓
20/5/15	✓	✓	✓	✓	x	-	✓
3/6/15	✓	x	✓	✓	✓	-	x
19/6/15	✓	✓	✓	✓	✓	✓	-
22/6/15	✓	✓	✓	✓	✓	✓	



Mark Furner MP

Chair