



The Honourable Deb Frecklington MP
Attorney-General and Minister for Justice
Minister for Integrity

1 William Street Brisbane Q 4000
GPO Box 149 Brisbane Q 4001
Telephone +61 7 3719 7170
Email attorney.general@ministerial.qld.gov.au

Our ref: 572305/9; 7130429
Your ref: AI345877

11 DEC 2024

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

I refer to e-Petition 4140-24 tabled in the Legislative Assembly on 12 September 2024 titled *Repeal Queensland gag laws*.

The Crisafulli Government is committed to ensuring Queensland's laws protect our most vulnerable Queenslanders, and support transparency and accountability.

The Final Report of the Disability Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Disability Royal Commission) recommended (recommendation 6.12) that States and Territories should amend their guardianship and administration laws or tribunals acts, to:

- repeal provisions prohibiting publication of material identifying a party to the proceedings as the default position; and
- empower the tribunal to make an order prohibiting publication of material identifying the party to the proceedings, if the circumstances justify such an order, taking into account the will and preferences of that party.

Confidentiality provisions are intended to serve a protective function, acknowledging the highly personal nature of guardianship proceedings. However, witnesses at the Disability Royal Commission gave evidence about these provisions (sometimes referred to as 'gag laws') effectively limiting the rights of a person with disability and their supporters talking publicly about their lives. The Disability Royal Commission noted that these provisions also create a risk that institutions will be shielded from transparency and accountability because people cannot recount their experiences of tribunal proceedings.

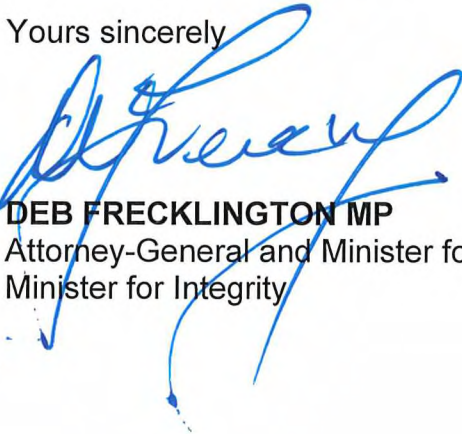
The Disability Royal Commission considered the default position under legislation should not be a prohibition on publication of material related to tribunal proceedings. Rather, the legislation should allow publication unless the tribunal makes an order preventing public identification of the person or their circumstances.

The Public Advocate's report, *Public Accountability Private Lives: Reconsidering the Queensland guardianship system's confidentiality requirements*, made similar recommendations.

Petitioners should be aware that implementing the outstanding recommendations from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, is a key priority within my role; as outlined in my Ministerial Charter Letter from the Honourable David Crisafulli MP, Premier and Minister for Veterans, dated 8 November 2024.

I thank the petitioners for bringing their concerns to the attention of the House.

Yours sincerely



DEB FRECKLINGTON MP

Attorney-General and Minister for Justice
Minister for Integrity