

Impact Analysis Statement

Summary IAS

Details

Lead department	Department of Justice
Name of the proposal	Making Queensland Safer Bill 2024
Submission type	Summary IAS
Title of related legislative or regulatory instrument	Making Queensland Safer Bill 2024
Date of issue	November 2024

Proposal type	Details
Regulatory proposals where no RIA is required	<p>The Bill implements an election commitment to legislate the Making Queensland Safer Laws specifically by amendments to the:</p> <ul style="list-style-type: none"> • <i>Youth Justice Act 1992</i> to: <ul style="list-style-type: none"> ○ remove restrictions on the maximum length of detention and probation orders that can be imposed on youth offenders to make them liable to receive the same sentences as adults with respect to 13 prescribed Criminal Code offences¹. ○ remove detention as a last resort with respect to young offenders; ○ provide that police cautions, restorative justice agreements and breaches of supervised release orders which occur will appear on the child's criminal history for up to 5 years after the outcome for the last childhood offence; ○ provide that the court when determining sentence must give <u>primary</u> regard to the impact of a child's offending on a victim ○ default to an opt-out requirement for victims on the eligible persons register; ○ enable the transfer of youth detention inmates to adult prisons upon reaching 18 years, and to ensure that 18-year-old offenders who breach community-based supervised Youth Justice orders and are sentenced to custody, or remanded by a court, are admitted to a corrective Services facility rather than a Youth Detention facility • <i>Childrens Court Act 1992</i> to expand access to the Childrens Court by: <ul style="list-style-type: none"> ○ enabling the relative of a victim to be present at a proceedings of the Childrens Court other than for a charge on indictment; and ○ by removing the court's discretion to exclude a person on the basis that it is necessary to either prevent prejudice to the proper administration of justice or for the safety of any person. <p>The proposals relate to general criminal laws, the administration of courts and tribunals and corrective services. No regulatory impact analysis is required under The Queensland Government Better Regulation Policy.</p>

¹ murder, manslaughter, unlawful striking causing death, acts intended to cause grievous bodily harm and other malicious acts, grievous bodily harm, wounding, serious assault, robbery, dangerous operation of a vehicle, burglary, entering or being in premises and committing indictable offences, unlawful use of a motor vehicle and unlawful entry of a motor vehicle



Minor and machinery in nature	The proposal also makes consequential and transitional amendments necessary to reflect the above changes in other legislation. These amendments are minor and do not require further impact analysis under The Queensland Government Better Regulation Policy.
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Signed

A handwritten signature in black ink, appearing to be 'Brigita' followed by a stylized surname.

Brigita Cunningham
A/Director-General
Department of Justice

Date: 01/11/2024

A handwritten signature in blue ink, appearing to be 'Deb Frecklington'.

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

Date: 01/11/2024