

20 November 2013

Our ref 339/59

The Hon Ian Berry MP  
Chair  
Legal Affairs and Community Safety Committee  
Parliament House  
George Street  
BRISBANE QLD 4000

By Post and Email to: [lacsc@parliament.qld.gov.au](mailto:lacsc@parliament.qld.gov.au)

Dear Chair

**Supplementary submission Criminal Law (Criminal Organisations Disruption) and Other Legislation Amendment Bill 2013**

The Society writes further in relation to an amendment to the *Crime and Misconduct Act 2000* contained in the *Criminal Law (Criminal Organisations Disruption) and Other Legislation Amendment Bill 2013* (the Bill).

Proposed s237A provides for acting part-time commissioners to be appointed by the Governor in Council, and subsection (2) states that section 227 and 228 of the *Crime and Misconduct Act 2000* do not apply. S227(3) provides that the Minister must ask the Bar Association of Queensland and the Queensland Law Society to each nominate 2 persons having appropriate qualifications for appointment as the civil liberties commissioner.

We are concerned that the proposed s237A seeks to omit this consultation process. It is important that we continue to be consulted on acting part-time civil liberties commissioner appointments. The need to ensure appropriate consultation is not diminished by virtue of the appointment being only in an acting capacity. This is particularly relevant as there is no time limit for which a person can serve as an acting part-time commissioner. Similarly, there is no requirement to consult with the Parliamentary Crime and Misconduct Committee (or even the Chair of the Committee), and no requirement for bipartisan support, which is required by s228 of the *Crime and Misconduct Act 2000*.

We recommend that either appointments under s237A are limited to one month in duration with no reappointment or the full process in both s227 and 228 be made applicable to these appointments.

If you require further information, please contact our Principal Policy Solicitor, Mr Matt Dunn, on 3842 5889 or email [m.dunn@qls.com.au](mailto:m.dunn@qls.com.au) or our Policy Solicitor Ms Raylene D'Cruz on 3842 5884 or email [r.dacruz@qls.com.au](mailto:r.dacruz@qls.com.au).

Yours faithfully

Annette Bradfield  
**President**