

Our ref: Criminal Law Committee

18 March 2013

The Hon. Jarrod Bleijie MP
Attorney-General and Minister for Justice
GPO Box 149
BRISBANE QLD 4001

By Post and Email to: attorney@ministerial.qld.gov.au

Dear Attorney-General

**PROPOSED CRIMINAL JUSTICE SYSTEM REFORMS DISCUSSED AT QLS
SYMPOSIUM- 15 MARCH 2013**

Thank you for your informative presentation at the Symposium on 15 March 2013. Your speech was well received by attendees and, as I noted at the time, we very much appreciate your willingness to participate in our events.

We note that the Hon. Chief Justice Paul de Jersey AC provided his views on some proposals for reform in the criminal justice system. The issues discussed included:

- Allowing the courts the discretion to admit evidence of an accused's prior conviction for similar offending, subject to appropriate warning from the judge; and
- Comprehensive pre-trial disclosure from the prosecution and the defence of their respective positions.

The Society welcomes public debate on reforms in the criminal justice system, and is keen to be involved in consultation to consider this.

The Society considers that one way of moving forward is to refer these potential reforms to the Queensland Law Reform Commission (QLRC) for review and consideration. The QLRC is well-equipped to do the following:

- Conduct comprehensive consultation to gather and analyse the views of the community and other interested stakeholders, such as the legal profession;
- Conduct research into jurisdictions which may already have these reforms in place, such as the United Kingdom, and evaluate its strengths and weaknesses based on empirical evidence; and
- Assess the impact that these reforms could potentially have in the context of the criminal justice system as a whole.

The proposals raised could have significant impact on well-established legal principles, which have evolved to protect citizens and to ensure an appropriate balance in the justice system. Changing the balance requires careful consideration and consultation.

If this matter were considered by the QLRC, research and analysis would be conducted without adding to the workload of your departmental officers, who we know already have a fulsome legislative agenda to advance.

For your information, we have provided a copy of this letter to the Hon. Chief Justice and the President of the Bar Association of Queensland, who are important stakeholders.

Yours faithfully

Annette Bradfield
President