



**Michael Berkman MP**  
Member for Maiwar

**Amy MacMahon MP**  
Member for South Brisbane



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Rebecca Fogerty  
President  
Queensland Law Society

[president@qls.com.au](mailto:president@qls.com.au)

### **Response to Call to Parties Statement**

Dear Ms Fogerty,

Thank you for your letter of 15 July 2024, and attached Call to Parties Statement that sets out the QLS's top legislative and policy priorities for the legal profession and the community, and for the development of good law in Queensland.

The Queensland Greens advocate for the things that we all need to live a good life, over the interests of corporations. Our election platform is for an evidence-based approach to:

- Fixing the housing crisis
- Tackling climate change
- Universal, free healthcare
- Cheaper groceries
- Fully funded and free education
- Taking back control of Queensland assets, with public ownership of essential services

Many of these overlap with QLS's identified priority areas, either directly or indirectly. That makes sense. For most people, substantial interactions with the legal system only come about at a point of crisis, and the current system is creating a perfect storm of crises.

The Queensland Greens are committed to addressing the root causes of social inequity and disadvantage, so that everyone can have the things they need to live a good life.

Our overall plan for Queensland is set out [here](#). The election initiatives we have already announced are listed at the bottom of that page, with more to be added on an almost weekly basis until the election.

Our full suite of policies is available online [here](#).

As I'm sure you would understand, if the Greens find themselves with the balance of power, there is an enormous list of competing priorities, and the final decision on any negotiated outcome rests with the party as a whole. However we have outlined some responses to your priorities below.

#### Making law that serves the public good

The Queensland Greens have been an active voice for improved democratic processes in Queensland Parliament. For example, we have called for the abolition of "Dorothy Dixers", additional time for questions and appointment of non-Government chairs during budget estimates hearings, to improve accountability and scrutiny of the executive government. We also support strengthening the committee inquiry system including through non-Government chairs and longer inquiries, to ensure adequate and independent scrutiny of government legislation.

We are also the only party to have opposed any legislation in Queensland Parliament that required a suspension of the Human Rights Act. We are committed to ensuring all laws are compatible with the Act. We are also the only party to consistently oppose mandatory sentencing laws.

We were disappointed by the Labor Government's decision to delay implementation of the proposed reforms to Queensland's Anti-Discrimination legislation in the Building Belonging report, including protections for students, teachers and other employees at religious institutions. We support those reforms being passed as soon as possible.

#### Access to justice & funding for the legal assistance sector

We acknowledge the critical work that the legal assistance sector does in improving access to justice and outcomes for vulnerable Queenslanders.

We support increased funding for community legal centres to ensure the sector can respond to workforce and operating demands, as well as specific, targeted funding for priority groups, including:

- Aboriginal and Torres Strait Islander peoples
- People in correctional facilities and youth detention centres
- The LGBTQIA+ community
- People impacted by domestic and family violence
- Climate-impacted vulnerable and disadvantaged communities
- Migrant and refugee communities

#### Youth justice

The Queensland Greens firmly agree with the principles expressed by QLS in respect of youth justice and child protection.

In the last 12 months, the Queensland government has used the override provisions in the *Human Rights Act 2019* (Qld) to evade their obligation to act compatibly with human rights in passing two significant pieces of legislation. First, to introduce technical breach of bail by children and young people as an offence, and second, to permit the continued detention of children and young people in police watch houses for extended periods of time. The result has been more young people held in appalling conditions for longer periods of time.

We are the only party who spoke in strong opposition to those changes. Not just because the changes are entirely incompatible with the rights of children and young people, and breach the requirement for override provisions to only be used in exceptional circumstances, but because the resultant effect does nothing to keep the community safer.

In line with our commitment to upholding the rights and interests of children and young people, and the broader community, we commit to:

- Raising the minimum age of criminal responsibility to at least 14 years of age;
- Enhancing strategies to reduce the high rate of young people on remand;
- Preventing the detention of children and young people in police watch houses for any longer than 24 hours;
- Restoring the principle of detention as a last resort;
- Addressing the overrepresentation of Aboriginal and Torres Strait Islander children and young people in the child protection and youth justice systems, including through sufficient and ongoing resourcing of community-controlled organisations and bodies to provide culturally appropriate programs and support; and
- Reducing the criminalisation of children in residential care.

We also recognise the overrepresentation of children and young people with disabilities, and who are in the care of the State, in the youth justice system.

Critically, our platform when read as a whole champions evidence-based, preventative measures over reactionary and retributive laws and policies. We want to see funding diverted to public health and wellbeing, disability support services, education and housing, culturally appropriate support programs, intensive case supports, and early intervention. These are the measures that will contribute to the safety of all people in our communities.

#### Advancing the rights of Aboriginal and Torres Strait Islander peoples

The Queensland Greens believe that the principles outlined in the United Nations Declaration of the Rights of Indigenous People (UNDRIP) are the appropriate basis for our First Nations Peoples Policy and our actions in support of First Nations Peoples. We recognise that Aboriginal and Torres Strait Islander peoples and communities practise, develop and enjoy two of the world's oldest living cultures. Despite the profound and ongoing impacts of colonisation, First Nations peoples and culture is strong.

The Queensland Greens adopt three core priorities:

1. Truth - establish a Truth & Justice Commission for Queensland, that could build on the work of the time-limited Truth-telling and Healing Inquiry;
2. Treaty - enact a Treaty and/or Treaties with First Nations peoples in this state, sovereign to sovereign; and
3. Voice - subject to Treaty negotiations, establish a First Nations Voice to Parliament to be included in the governance of Queensland, as determined by First Nations peoples.

We are appalled by the LNP's commitment to dismantle the Treaty processes already underway in Queensland.

In light of our commitment to truth, we support the QLS' call for urgent change to the way the government implements policies and laws that affect Aboriginal and Torres Strait Islander peoples, and for clear action and accountability to ensure that recommendations from previous consultations, inquiries and reports are finally implemented. There have been 571 Indigenous deaths in custody since the Royal Commission, according to the Australian Institute of Criminology's real time dashboard, and yet many of the recommendations from the Royal Commission are yet to be implemented.

We have previously advocated for a mandatory custody notifications system for First Nations people and Blue Card reforms to improve equity of access, and continue to support these reforms.

#### Tackling climate change

We acknowledge and agree with the QLS' observation that climate change has, and will continue to have, a disproportionately adverse impact on those who are already disadvantaged. We also wholeheartedly agree that Queensland's legislative landscape in respect of climate change mitigation and adaptation must continue to improve and that Queensland should contribute fairly to Australia's undertakings in respect of climate change and the international community's efforts to limit global warming to 1.5 degrees above pre-industrial levels.

Consistent with our commitment to UNDRIP, we agree that meaningful consultation with First Nations peoples and communities is crucial.

As at June this year, the world surpassed 1.5 degrees of warming on pre-industrial averages across a period of 12 months. The only defensible position now is to immediately ban new approvals for coal and gas, alongside a planned transition away from existing coal and gas mining for export.

In 2023 we introduced the [Queensland Climate Transition Bill](#), which sought to ban new coal, oil and gas resources projects in Queensland, and legislate a target to phase out fossil fuel exports by 2030. Although the other parties in Queensland Parliament voted the bill down, the Government introduced legislation to improve Queensland's emissions reduction targets shortly afterwards, reflecting the positive impact of Greens pressure and representation in Queensland.

#### Housing affordability and availability

We agree that housing policy should be evidence-based. As it stands, the property industry has a profound influence on the policies of the major parties.

The Queensland Greens commit to measures that will genuinely bring down the cost of housing and increase availability by:

- Freezing rents for two years with capped rent increases on an ongoing basis after that;
- Giving renters a guaranteed right to a lease renewal;
- Implementing a vacancy levy, to bring empty homes back into the rental market;
- Creating a publicly owned bank to provide mortgages at interest rates 1.5% below the big banks; and
- Creating a publicly owned developer and expanding QBuild, to build 100,000 well-designed public homes over six years, to rent or buy at below market rates.

If the QLS or its members would like specific clarification on the Queensland Greens' position in relation to any specific commitments outlined in the Call to Parties statement, please don't hesitate to reach out.

We will keep advocating for change, and look forward to having more Greens in Queensland parliament to continue to champion our position.

Kind regards,



Michael Berkman  
Member for Maiwar



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