

Chelsea Gruber

From: Nathan Ruhle
Sent: Thursday, 21 August 2014 5:07 PM
To: Louise Shephard; Margaret Forrest
Cc: Jennifer Lang; Carolyn McAnally; David McKarzel; Dominic Tennison; 'Sally.Lohrisch@premiers.qld.gov.au'; Roger McCarthy
Subject: RE: For urgent approval - Government response - Legal Affairs and Community Safety Committee report - Safe Night Out Bill
Attachments: JAG-#2632644-v1-Government_Response_to_Committee_report_no__70_-_Safe_Night_Out_Legislation_Bill_2014.DOCX

Couple of amendments (minor) that I have track changed.

Cheers,

Nathan

Nathan Ruhle | Senior Adviser
Office of The Hon Jarrod Bleijie MP | Attorney-General and Minister for Justice
E-mail: nathan.ruhle@ministerial.qld.gov.au
Phone: 07 3719 7413 | Fax: 07 3221 4352

-----Original Message-----

From: Louise Shephard [mailto:Louise.Shephard@justice.qld.gov.au]
Sent: Thursday, 21 August 2014 4:50 PM
To: Margaret Forrest; Nathan Ruhle
Cc: Jennifer Lang; Carolyn McAnally; David McKarzel; Dominic Tennison; 'Sally.Lohrisch@premiers.qld.gov.au'; Roger McCarthy
Subject: For urgent approval - Government response - Legal Affairs and Community Safety Committee report - Safe Night Out Bill
Importance: High

Hi Maggie and Nathan,

DPC have coordinated this draft Government Response to the LACSC report on the Safe Night Out Legislation Amendment Bill 2014.

The response reflects feedback from Health, DJAG and PSBA.

DPC is now seeking urgent Attorney-General approval to the response so that it may then be progressed to the Premier.

Could you please advise if the Attorney-General approves the response - thanks.

Regards,

Louise Shephard
Director
Strategic Policy
Department of Justice and Attorney-General
Phone: (07) 32396084

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Chelsea Gruber

From: Margaret Forrest
Sent: Monday, 14 July 2014 4:32 PM
To: Louise Shephard
Cc: Jennifer Lang; Roger McCarthy; Carolyn McAnally; Julie Rylko; Sally.Lohrisch@premiers.qld.gov.au
Subject: RE: Safe Night Out Legislation Amendment Bill 2014 - Response to BAQ submission

Hi Louise

I've made some amendments but otherwise fine to send.

Thank you

Maggie

From: Louise Shephard [mailto:Louise.Shephard@justice.qld.gov.au]
Sent: Monday, 14 July 2014 1:58 PM
To: Margaret Forrest
Cc: Jennifer Lang; Roger McCarthy; Carolyn McAnally; Julie Rylko; Sally.Lohrisch@premiers.qld.gov.au
Subject: Safe Night Out Legislation Amendment Bill 2014 - Response to BAQ submission
Importance: High

Hi Maggie,

DPC has just sent through a late submission from the BAQ regarding the Safe Night Out Legislation Amendment Bill 2014 . Please see attached and for your convenience the table of response you approved on Friday.

Please note the issues raised by BAQ (no new issues) and our proposed response -

On your approval we will provide to DPC to insert into the response table

BAQ heading: Bail Act 1980 - Mandatory condition of bail regarding a Drug and Alcohol Assessment Referral ("DAAR") course

Proposed Response:

'Mandatory condition of bail for drug and alcohol assessment and referral (Bail Act 1980 - clauses 3-5)

The submission opposes the mandatory nature of these provisions. The policy justification for the amendments is outlined in the Explanatory Notes. Also refer to response to submission 11.'

s.73(2)

Thanks Maggie,

Louise Shephard
Director
Strategic Policy, Legal & Executive Services
Department of Justice and Attorney-General
Phone: 32396084

From: Sally Lohrisch [<mailto:Sally.Lohrisch@premiers.qld.gov.au>]
Sent: Monday, 14 July 2014 10:38 AM
To: Carolyn McAnally; Louise Shephard
Cc: Lauren Pearce; Joanne Paterson
Subject: FW: Safe Night Out Legislation Amendment Bill 2014

Colleagues,

Late submission from the Bar Association for your comment.

Thanks,
Sally

Sally Lohrisch
Social Policy
Department of the Premier and Cabinet
(07) 300 39376

From: Gail Easton [<mailto:Gail.Easton@parliament.qld.gov.au>] **On Behalf Of** Legal Affairs and Community Safety Committee
Sent: Monday, 14 July 2014 10:36 AM
To: Sally Lohrisch
Cc: Christine Castley; Lauren Pearce; Joanne Paterson
Subject: RE: Safe Night Out Legislation Amendment Bill 2014

Good morning Sally

For your information, please find attached a late submission from the Bar Association of Qld.
Regards

Gail Easton
Executive Assistant
Legal Affairs and Community Safety Committee

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Parliament House
Cnr George and Alice Streets Brisbane Qld 4000
Ph: 07 3406 7307 Fax: 07 3406 7070
Email: Gail.Easton@parliament.qld.gov.au

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<http://www.parliament.qld.gov.au/work-of-committees/broadcast-committee/archive>

From: Gail Easton **On Behalf Of** Legal Affairs and Community Safety Committee
Sent: Tuesday, 8 July 2014 9:01 AM
To: 'Sally Lohrisch'
Cc: 'christine.castley@premiers.qld.gov.au'; 'lauren.pearce@premiers.qld.gov.au';
'joanne.paterson@premiers.qld.gov.au'
Subject: RE: Safe Night Out Legislation Amendment Bill 2014

Good morning

Please find attached submissions 22- 25.

<< File: 022-ID-Tect.pdf >> << File: 023-NoCurfew.pdf >> << File: 024-SPAAL.pdf >> << File: 025-ATSILS.pdf >>

Regards

Gail Easton

Executive Assistant
Legal Affairs and Community Safety Committee

QUEENSLAND PARLIAMENTARY SERVICE

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Cnr George and Alice Streets Brisbane Qld 4000
Ph: 07 3406 7307 Fax: 07 3406 7070
Email: Gail.Easton@parliament.qld.gov.au

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<http://www.parliament.qld.gov.au/work-of-committees/broadcast-committee/archive>

From: Gail Easton
Sent: Friday, 4 July 2014 4:56 PM
To: 'Sally Lohrisch'
Cc: 'Kyla Hayden'; 'christine.castley@premiers.qld.gov.au'
Subject: RE: Safe Night Out Legislation Amendment Bill 2014

Even more submissions. Any further submissions will be provided to you early next week.

Have a great weekend.

<< File: 018-QCAA.pdf >> << File: 019-QCCL.pdf >> << File: 020-BarlinkMackay.pdf >> << File: 021-qls.pdf >>

Regards

Gail

From: Gail Easton **On Behalf Of** Legal Affairs and Community Safety Committee
Sent: Friday, 4 July 2014 3:58 PM
To: 'Sally Lohrisch'
Cc: 'Kyla Hayden'; 'christine.castley@premiers.qld.gov.au'
Subject: RE: Safe Night Out Legislation Amendment Bill 2014

Sally

More submissions!

<< File: 012-ActingChiefMagistrate.pdf >> << File: 013-Restaurant&CateringAustralia.pdf >> << File: 014-BruceYoungMP.pdf >> << File: 015-ValleyLiquorAccord.pdf >> << File: 016-CabaretsQld.pdf >> << File: 017-Scantek.pdf >>

Regards

Gail

From: Gail Easton
Sent: Friday, 4 July 2014 12:04 PM
To: 'Sally Lohrisch'
Cc: 'Kyla Hayden'; 'christine.castley@premiers.qld.gov.au'
Subject: RE: Safe Night Out Legislation Amendment Bill 2014

Good afternoon

Please find attached some more submissions received for this Bill.

<< File: 008-QNADA.pdf >> << File: 009-QHA.pdf >> << File: 010-QNU.pdf >> << File: 011-LegalAidQld.pdf >>

Regards

Gail

From: Gail Easton **On Behalf Of** Legal Affairs and Community Safety Committee
Sent: Thursday, 3 July 2014 3:29 PM
To: 'Sally Lohrisch'
Cc: 'Kyla Hayden'; 'christine.castley@premiers.qld.gov.au'
Subject: RE: Safe Night Out Legislation Amendment Bill 2014

Hi Sally

Please find attached submissions 5-7.

<< File: 005-BLVA.pdf >> << File: 006-OIC.pdf >> << File: 007-ClubsQld.pdf >>

Regards

Gail

From: Gail Easton **On Behalf Of** Legal Affairs and Community Safety Committee
Sent: Tuesday, 1 July 2014 10:12 AM
To: 'Sally Lohrisch'
Cc: Kyla Hayden; christine.castley@premiers.qld.gov.au
Subject: Safe Night Out Legislation Amendment Bill 2014

Good morning

Please find attached four submissions received for the Safe Night Out Legislation Amendment Bill 2014. Note that these are all public submissions, the Committee has received no confidential submissions on this Bill to-date.

<< File: 001-EdwardFricker.pdf >> << File: 002-CBDTownsvilleLiquorAccord.pdf >> << File: 003-CaxtonHotel.pdf >> << File: 004-CaxtonStreetPrecinctLiquorAccord.pdf >>

Regards

Gail Easton

**Executive Assistant
Legal Affairs and Community Safety Committee**

QUEENSLAND PARLIAMENTARY SERVICE

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Chelsea Gruber

From: Jennifer Lang
Sent: Friday, 11 July 2014 2:11 PM
To: Margaret Forrest; Nathan Ruhle
Cc: Louise Shephard; Carolyn McAnally; Roger McCarthy; Dominic Tennison; Julie Rylko
Subject: CLAB - input for DPC Government Response to Legal Affairs and Community Safety Committee enquiry into the Safe Night Out Bill
Attachments: JAG-#2577503-v1-Draft_Government_reponse_to_submissions_-_Strageic_Policy_input.DOCX.DRF

Hi Maggie and Nathan

As discussed with Maggie earlier today, DPC has requested DJAG input into the response to go back to the Committee on the Bill. The attached table has been prepared by OLGR and SP for DPC's consideration and use.

Please note the comments at pages 12 and 21 which are directed to you - to note particular information. The highlighting is the SP text which Louise flagged for my review but which may be useful to you if you were splitting the review of the table between you.

DPC have asked for the table by cob today - would you be able to consider and advise if you require any changes. Apologies for the tight timeframes but this is unavoidable with these responses.

Kind regards
Jenny

Jenny Lang
Assistant Director-General
Strategic Policy and Legal Services
Department of Justice and Attorney-General Ph 3898 0161 (81361)

<u>Sub No.</u>	<u>Submitter</u>	<u>Issues raised</u>	<u>Govt Response</u>
8	Rebecca MacBean, CEO – Queensland Network of Alcohol and Other Drug Agencies (QNADA)	<p>Mandatory condition of bail for offenders charged with prescribed offences of violence to participate in a drug and alcohol assessment and referral program.</p> <ul style="list-style-type: none"> • Support the amendment but propose expanding it to allow for referral to treatment for offences in addition to the current list that focuses on assault related offences (e.g. public nuisance offences. This would give individuals the opportunity to consider the adverse consequences of their alcohol use prior to the behaviour progressing to a situation where another person is harmed. • Propose that the referral can also be applied to young people under 18 years and used as an alternative to cautioning/charging with an offence. The program should be specifically designed for young people. 	sch. 3/6 Parliament
	s. 73(2) not relevant		

<u>Sub No.</u>	<u>Submitter</u>	<u>Issues raised</u>	<u>Govt Response</u>
		s.73(2) not relevant	sch. 3/6 Parliament

<u>Sub No.</u>	<u>Submitter</u>	<u>Issues raised</u>	<u>Govt Response</u>
			sch. 3/6 Parliament
		s.73(2) not relevant	

<u>Sub No.</u>	<u>Submitter</u>	<u>Issues raised</u>	<u>Govt Response</u>
11	Paul Davey, A/CEO – Legal Aid Queensland	<p>s.73(2) not relevant</p> <p>• Mandatory drug and alcohol assessment – concern about amendment to the <i>Bail Act 1980</i> to require compulsory attendance to a DAAR course as a condition of bail for certain offences, given that the</p>	

<u>Sub No.</u>	<u>Submitter</u>	<u>Issues raised</u>	<u>Govt Response</u>
		<p>person has not yet been convicted of any offences and may ultimately be acquitted.</p> <p>s.73(2) not relevant</p>	<p>s.73(2) not relevant</p> <p>sch. 3/6 Parliament</p>

<u>Sub No.</u>	<u>Submitter</u>	<u>Issues raised</u>	<u>Govt Response</u>
			sch. 3/6 Parliament
			s. 73(2) not relevant

<u>Sub No.</u>	<u>Submitter</u>	<u>Issues raised</u>	<u>Govt Response</u>
21	Ian Brown, President – Queensland Law Society	<ul style="list-style-type: none"> Request that the consultation period and committee reporting date be extended. Drug and alcohol assessment referral (<i>Bail Act 1990</i>) <ul style="list-style-type: none"> Clause 4, amendment of section 11 (conditions of release on bail): concerned about the inclusion of section 9A referring to the drug and alcohol assessment referral, believe it should read 'may be imposed' rather than 'must be imposed'. 	s. 73(2) not relevant
		s.73(2) not relevant	sch. 3/6 Parliament

<u>Sub No.</u>	<u>Submitter</u>	<u>Issues raised</u>	<u>Govt Response</u>
		s.73(2) not relevant	sch. 3/2 Parliament
			s. 73(2) not relevant

<u>Sub No.</u>	<u>Submitter</u>	<u>Issues raised</u>	<u>Govt Response</u>
25	Shane Duffy, CEO – Aboriginal and Torres Strait Islander Legal Service (Qld) Ltd	<p>s., 73(2) not relevant</p> <ul style="list-style-type: none"> • Drug and Alcohol Assessment Referral (<i>Bail Act 1980</i>) <ul style="list-style-type: none"> - Clause 4, section 11(9A): opposes this referral component as a mandatory action - should instead be at judicial discretion. - Clause 5, section 11AB(2), again should insert 'may' instead of 'must'. - Oppose including section 790 PPRA offences of obstruct/assault police in the list of prescribed offences, issue that a low threshold of activity to make the charge and negative impacts on vulnerable members of community. <p>s. 73(2) not relevant</p>	<p>s. 73(2) not relevant</p> <p>sch. 3/6 Parliament</p>

<u>Sub No.</u>	<u>Submitter</u>	<u>Issues raised</u>	<u>Govt Response</u>
		s.73(2) not relevant	sch. 3/6 Parliament
			s. 73(2) not relevant

Chelsea Gruber

From: Margaret Forrest
Sent: Friday, 11 July 2014 2:45 PM
To: Jennifer Lang; Nathan Ruhle
Cc: Louise Shephard; Carolyn McAnally; Roger McCarthy; Dominic Tennison; Julie Rylko
Subject: RE: CLAB - input for DPC Government Response to Legal Affairs and Community Safety Committee enquiry into the Safe Night Out Bill

Hi Jenny

All the SP stuff is fine. Nathan, are you able to respond to Jenny re the other material please?

Thank you

Maggie

-----Original Message-----

From: Jennifer Lang [mailto:Jennifer.Lang@justice.qld.gov.au]
Sent: Friday, 11 July 2014 2:11 PM
To: Margaret Forrest; Nathan Ruhle
Cc: Louise Shephard; Carolyn McAnally; Roger McCarthy; Dominic Tennison; Julie Rylko
Subject: CLAB - input for DPC Government Response to Legal Affairs and Community Safety Committee enquiry into the Safe Night Out Bill

Hi Maggie and Nathan

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Kind regards
Jenny

Jenny Lang
Assistant Director-General
Strategic Policy and Legal Services
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