

Evidence and Other Legislation Amendment Act 2022

Explanatory notes for SL 2022 No. 110

Made under the

Evidence and Other Legislation Amendment Act 2022

General Outline

Short Title

Proclamation - *Evidence and Other Legislation Amendment Act 2022* (commencing remaining provisions)

Authorising law

Section 2 of the *Evidence and Other Legislation Amendment Act 2022*

Policy objectives and the reasons for them

The objective of the Proclamation is to commence the remaining provisions of the *Evidence and Other Legislation Amendment Act 2022* (the Amendment Act) that support the establishment of the video recorded evidence pilot scheme and the statutory framework that enables the better protection of the identity of journalists' confidential informants (known as 'shield laws').

Achievement of policy objectives

The policy objective is achieved by fixing 12 September 2022 as the commencement date for all remaining provisions of the Amendment Act.

Consistency with policy objectives of authorising law

The Proclamation is consistent with the policy objectives of the Amendment Act.

Inconsistency with policy objectives of other legislation

The Proclamation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The commencement of provisions of the Amendment Act to establish the video recorded evidence pilot scheme and the statutory framework for journalist shield laws will attract significant benefits.

The video recorded evidence pilot scheme will enable video recorded statements taken by trained police officers to be used as an adult victim's evidence-in-chief in domestic and family violence (DFV) related criminal proceedings. The use of video recorded evidence-in-chief offers potential benefits to DFV victims, including reducing the trauma for victims associated with re-telling their experiences in court, illustrating a victim's demeanour and experience close to the time of the event and reducing the capacity of the perpetrator to intimidate a victim.

The journalist shield laws will importantly enable the better protection of the identity of journalists' confidential informants.

Administrative and operational costs for government associated with the implementation of the video recorded evidence pilot scheme will be funded from within existing resources. A detailed assessment of the resourcing and financial impacts of the video recorded evidence pilot scheme will be an important component of the evaluation of the pilot.

Consistency with fundamental legislative principles

The proclamation is consistent with fundamental legislative principles.

Consultation

The Department of Justice and Attorney-General has self-assessed the proclamation to be excluded from further regulatory impact analysis under exclusion category (g) of the Queensland Government Guide to Better Regulation on the basis that it is a regulatory proposal of a machinery nature.