



Queensland

Youth Justice (Access by Accredited Media Entities) Amendment Regulation 2024

Subordinate Legislation 2024 No. 185

made under the

Youth Justice Act 1992

Contents

		Page
1	Short title	2
2	Regulation amended	2
3	Insertion of new s 43J	2
	43J Definitions for division	2
4	Amendment of s 44 (Dealing with confidential information—Act, s 289)	2
5	Insertion of new s 44AA	3
	44AA Prohibition of disclosure of confidential information relating to a child—accredited media entities	3
6	Amendment of sch 2 (Dictionary)	5

[s 1]

1 Short title

This regulation may be cited as the *Youth Justice (Access by Accredited Media Entities) Amendment Regulation 2024*.

2 Regulation amended

This regulation amends the *Youth Justice Regulation 2016*.

3 Insertion of new s 43J

Before section 44—

insert—

43J Definitions for division

In this division—

accredited media entity means an entity listed as an accredited media entity in the media accreditation policy in effect and made under or appended to a practice direction of the Supreme Court.

Childrens Court hearing means a hearing of a criminal proceeding that is being, or will be, held before the Childrens Court.

4 Amendment of s 44 (Dealing with confidential information—Act, s 289)

(1) Section 44(2), ‘Also, a’—

omit, insert—

A

(2) Section 44—

insert—

(2A) Subsection (4) applies in relation to each of the following persons—

(a) a registrar or clerk of a court, or other court officer;

-
- (b) a public service employee who—
- (i) is employed by the department that is mainly responsible for court services; and
 - (ii) is authorised, by a registrar of a court, to disclose confidential information under subsection (4).
- (2B) The person may disclose the following confidential information, relating to a child, to an accredited media entity—
- (a) confidential information that is necessary to notify the accredited media entity of the time and place of a Childrens Court hearing;
 - (b) other confidential information if—
 - (i) the other confidential information accompanies the confidential information mentioned in paragraph (a); and
 - (ii) the disclosure of the other confidential information can not reasonably be avoided.
- (3) Section 44(2A) to (3)—
renumber as section 44(3) to (5).

5 Insertion of new s 44AA

After section 44—

insert—

44AA Prohibition of disclosure of confidential information relating to a child—accredited media entities

- (1) This section applies in relation to a person who has gained, gains, or has access to—

[s 5]

- (a) confidential information relating to a child that was disclosed to an accredited media entity under section 44(4); or
 - (b) other confidential information relating to a child that is directly or indirectly derived from the use of the information mentioned in paragraph (a).
- (2) The person must not—
- (a) intentionally disclose the confidential information to anyone, other than under this section; or
 - (b) recklessly disclose the confidential information to anyone.

Maximum penalty—20 penalty units.

- (3) The person may disclose the confidential information mentioned in subsection (1)(a) to another person (the *recipient*) if—
- (a) the recipient is an employee, contractor or agent of the accredited media entity; and
 - (b) the disclosure is necessary to enable the recipient, or another employee, contractor or agent of the accredited media entity, to attend a Childrens Court hearing.
- (4) The person may disclose the confidential information mentioned in subsection (1)(a) or (b)—
- (a) if the information is, or has been, lawfully accessible to the public; or
 - (b) when authorised by a court under section 234 of the Act; or
 - (c) in compliance with a lawful process requiring production of documents to, or giving evidence before, a court or tribunal; or

- (d) to the extent the disclosure is otherwise required under the Act or another law.

6 Amendment of sch 2 (Dictionary)

Schedule 2—

insert—

accredited media entity, for part 5, division 1, see section 43J.

Childrens Court hearing, for part 5, division 1, see section 43J.

Endnotes

ENDNOTES

- 1 Made by the Governor in Council on 29 August 2024.
- 2 Notified on the Queensland legislation website on 30 August 2024.
- 3 The administering agency is the Department of Youth Justice.

© State of Queensland 2024