

# **MEDIA STATEMENT**

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## **Queensland Law Reform Commission**

### **Release of Final Report: *A review of the Peace and Good Behaviour Act 1982***

The Queensland Law Reform Commission has released its final report on *A Review of the Peace and Good Behaviour Act 1982*.

In its report, the Commission concluded that the current Act (the *Peace and Good Behaviour Act 1982*), which permits a magistrate to make an order requiring a person to 'keep the peace and be of good behaviour', fails to provide the community with an appropriate, easily accessible and effective mechanism for protection.

One of the key recommendations of the Commission is the enactment of new legislation to replace the current Act.

The new legislation proposed by the Commission, the Personal Protection Bill, empowers the court to make a personal protection order to protect a person from actual or threatened acts of wilful injury, harassment or intimidation or wilful damage to the person's property. It also provides for a workplace protection order to protect people or property in a workplace from similar behaviour committed in relation to the workplace.

Chairperson of the Commission, Justice Roslyn Atkinson said "It is vitally important that ordinary Queenslanders have an effective and accessible remedy to obtain protection from violent or threatening conduct. The Bill, which has been developed by the Commission following wide and inclusive consultation with the Magistrates Court, community legal services and other key stakeholders, forms a comprehensive framework for the protection of people in the community. These reforms will ensure that Queensland leads the way in promoting safe and secure communities".

Features of the Bill that are not dealt with under the current Act, include:

- clarification that children may be parties to protection orders, subject to certain restrictions and safeguards;

- a more simplified process for making an application to the court;
- removal of the filing fee for applications;
- use of mediation and preliminary conferences;
- the ability to make interim (temporary) orders and consent orders;
- specification of particular conditions the court may impose when it makes an order;
- the ability to apply to the court to vary or set aside an order that has been made;
- the ability for similar orders made in other jurisdictions to be registered, and have effect, in Queensland; and
- the removal of the burden on a person protected by an order to prosecute breaches of the order on his or her own.

The Bill covers people who fall outside the scope of the domestic violence legislation, such as neighbours and people who share a residence but who are not in a domestic relationship. People in domestic relationships would continue to be covered under the domestic violence legislation.

The Commission's Report is available online at <[www.qlrc.qld.gov.au](http://www qlrc qld gov au)>.

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