

14 April 2025

Queensland Law Reform Commission
PO Box 13312
George Street Post Shop
Brisbane Qld 4003

Via online submission

Re: Review of particular criminal defences

Thank you for the opportunity to provide a submission regarding the review of particular criminal defences in Queensland.

As you would be aware, as the Public Advocate for Queensland, I undertake systemic advocacy to promote and protect the rights and interests of Queensland adults with impaired decision-making ability.¹ There are several conditions that may affect a person's decision-making ability, including intellectual disability, acquired brain injury, mental illness, neurological disorders (such as dementia) or alcohol and drug misuse.

I have recently embarked on a major project exploring the experiences of adults with cognitive disability in the Queensland criminal justice system. I anticipate that up to five discussion papers will be released over the next 18 months, each documenting a different stage of a person's journey through the criminal justice system in Queensland.

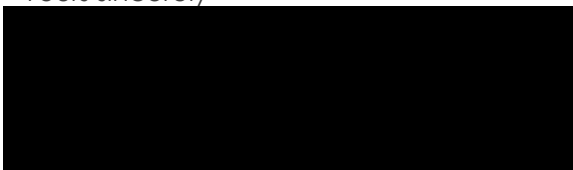
Two of these discussion papers have been released so far, the first on policing and the second on the courts (these papers can be found on the Public Advocate website here:

<https://www.justice.qld.gov.au/public-advocate/our-advocacy/justice-and-human-rights/adults-with-cognitive-disability-in-the-criminal-justice-system>).

Following the release of all discussion papers and further consultation, a series of criminal justice system reform recommendations will be made to Government, which may then involve the QLRC. I am more than happy to provide an update to the QLRC directly when I am developing law reform recommendations, including any reviews that may be required of criminal defences.

Thank you for the opportunity to provide this information to the Commission. Should you require any clarification on matters raised in this letter, or would like to discuss any of them further, please do not hesitate to contact my office on 07 3738 9513 or public.advocate@justice.qld.gov.au.

Yours sincerely



John Chesterman (Dr)
Public Advocate

¹ Guardianship and Administration Act 2000 (Qld) s 209.