

LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE

Report No. 40 on the

Criminal Code (Looting in Declared Areas) Amendment Bill 2013

QUEENSLAND GOVERNMENT RESPONSE TO THE RECOMMENDATION DIRECTED TO THE GOVERNMENT

INTRODUCTION

On 21 March 2013 the Criminal Code (Looting in Declared Areas) Amendment Bill 2013 (the Bill) was introduced to Parliament as a Private Member's Bill by the Member for Yeerongpilly, Mr Carl Judge MP.

The Bill was subsequently referred to the Legal Affairs and Community Safety Committee (the Committee) with a report back date of 23 September 2013.

On 23 September 2013 the Committee tabled its report (No. 40) in relation to the Private Member's Bill (the Report).

The Queensland Government response to recommendation two of the Report is provided below.

RESPONSE TO RECOMMENDATION TO GOVERNMENT:

Recommendation two:

The Committee recommends that the Attorney-General and Minister for Justice review the 'stealing by looting' provision in the *Criminal Code Act 1899*, having regard to the issues raised in the Report to determine whether the provision requires amendment to incorporate references to declarations under the *Disaster Management Act 2003*.

Queensland Government response:

The Queensland Government notes that recommendation two is directed at the Attorney-General and Minister for Justice.

The Queensland Government agrees that there is merit in widening the scope of the existing provision in section 398, punishment in special cases, item 13 (Stealing by looting) of the Criminal Code to include human caused disasters (e.g. a major failure of an essential service), particularly given the threats and challenges facing contemporary society.

Accordingly, the Queensland Government intends progressing an amendment to the existing offence of stealing by looting in section 398 of the Criminal Code to include a reference to a declaration made under the *Disaster Management Act 2003*. It is intended that the amendment be progressed as part of the next appropriate miscellaneous criminal law amendment bill.

The Queensland Government thanks the Committee for its considered position on this issue.