

# Impact Analysis Statement

A Summary Impact Analysis Statement (IAS) must be completed for all regulatory proposals. A Full IAS (see Box 1) must also be completed and attached for proposals that have significant impacts. Once completed, the IAS must be published.

## Summary IAS

### Details

<b>Lead department</b>	Department of Justice and Attorney-General
<b>Name of the proposal</b>	Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Bill 2023
<b>Submission type</b> ( <i>Summary IAS / Consultation IAS / Decision IAS</i> )	Summary IAS
<b>Title of related legislative or regulatory instrument</b>	Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Bill 2023
<b>Date</b>	October 2023

### *For proposals noted in table below*

Complete and delete rows where applicable. No further analysis is required.

Proposal type	Details
<b>Regulatory proposals where no RIA is required</b>	<p>The proposal amends the <i>Bail Act 1980</i>, the Criminal Code, the <i>Domestic and Family Violence Protection Act 2012</i>, the <i>Domestic and Family Violence Protection Regulation 2023</i>, the <i>Evidence Act 1977</i>, the <i>Evidence Regulation 2017</i>, the <i>Penalties and Sentences Act 1922</i>, the Recording of Evidence Regulation 2018, the <i>Security Providers Act 1993</i> and the Youth Justice Act 1992. The proposal also repeals the <i>Criminal Law (Sexual Offences) Act 1978</i>.</p> <p>The proposal will implement the second stage of legislative reforms arising out of recommendations made by the Women's Safety and Justice Taskforce (the Taskforce) in its two reports: <i>Hear her voice – Report One – Addressing coercive control and domestic and family violence in Queensland</i> (Report One); and <i>Hear her voice – Report Two – Women and girls' experiences across the criminal justice system</i> (Report Two).</p> <p>This includes:</p> <ul style="list-style-type: none"> <li>• creating a new criminal offence of coercive control (Recommendation 78, Report One) and other related domestic and family violence (DFV) reforms (Recommendations 74-77 and 79, Report One);</li> <li>• introducing an affirmative model of consent in Queensland and recognising stealthing as rape (Recommendations 43 and 44, Report Two);</li> <li>• amendments to the failure to report offence (Recommendation 7, Report Two);</li> </ul>

	<ul style="list-style-type: none"> <li>• implementing various reforms to the laws of evidence and procedure as they apply to DFV and sexual offences (Recommendations 56, 58-59, 76-77 and 80, Report Two); and</li> <li>• clarifying the laws around publication of a sexual offence complainant's identity (Recommendation 81, Report Two) and amendments in relation to publishing information in DFV and sexual offence proceedings (Recommendations 82 and 86, Report Two); and</li> <li>• amendments to bail and sentencing considerations (Recommendations 110 and 126, Report Two).</li> </ul> <p>The proposal will also progress further amendments to abolish or reform particular jury directions (re-examining Recommendations 65 and 66 of the Criminal Justice report of the Royal Commission into Institutional Responses to Child Sexual Assault (Royal Commission) in light of the Taskforce's Report Two).</p> <p>Lastly, the proposal will implement the Queensland Government's response to Recommendations 20 and 50 made by the Commission of Inquiry into Queensland Police Service Responses to Domestic and Family Violence in its report, <i>A Call for Change</i>.</p> <p>The proposal relates to police powers and administration, general criminal laws, the administration of courts and tribunals and corrective services. No regulatory impact analysis is required under <i>The Queensland Government Better Regulation Policy</i>.</p>
<p><b>Minor and machinery in nature</b></p>	<p>The proposal also makes consequential and transitional amendments necessary to reflect the above changes in other legislation. These amendments are minor and do not require further impact analysis under <i>The Queensland Government Better Regulation Policy</i>.</p>

\*Refer to *The Queensland Government Better Regulation Policy* for regulatory proposals not requiring regulatory impact analysis (for example, public sector management, changes to existing criminal laws, taxation).

## Signed



Jasmina Joldić PSM  
Acting Director-General  
Department of Justice and Attorney-General

Date: 6 October 2023



Youth D'Almeida  
Attorney-General and Minister for Justice and  
Minister for the Prevention of Domestic and  
Family Violence

Date: 6 October 2023