

~~If members opposite had their way, they would stand there and seek to monster individuals: 'You act in a certain way or we will have your documents. You will appear before the parliament. No doubt they will seek to reintroduce their legislation—their so-called amendments to the Criminal Code about lying in parliament—if they ever obtain the Treasury benches again so that they could use the parliament to pressure people to mislead the parliament so that they could be prosecuted. These are the sorts of people who have no understanding of the rule of law in our state. They cannot find a lawyer to be the shadow Attorney General. That is how base the LNP has become. Those opposite cannot find someone with legal qualifications to stand up as the alternative first law officer of this state, and they presume to come into this House and lecture to us about the legal system, about the rule of law, about integrity and accountability. Members opposite have little capacity for self-reflection and for learning from the mistakes of the past.~~

~~Let us look at the last time they set up a commission of inquiry. Do members remember that effort? Do members remember the partisan efforts—~~

~~**Mr Hoolihan:** Connolly Ryan.~~

~~**Mr DICK:** That is right. I take the interjection from the member for Keppel. The Connolly Ryan royal commission. Wasn't that upholding integrity and accountability! Wasn't that upholding the rule of law! We do not see those opposite supporting any substantial measure that will improve integrity and accountability in this state. So what did they do when they set up that commission of inquiry? They ended up with egg all over their faces. That commission of inquiry was discredited and shut down by the Supreme Court because of ostensible bias! What did the former Liberal member for Kurilpa say, their hand-picked royal commissioner, Peter Connolly? He said, 'Now that our side of politics is back in power we can do a proper critique of the Fitzgerald experiment.' That is what Mr Connolly called it—an experiment. And that is all they have ever regarded it as—an experiment.~~

~~They have never faced the truth of the past. We have the shadow Attorney General decrying and declaiming the prosecution of former National Party ministers who went to jail 20 years ago. One would have thought that they would have some ability to reconcile the past 20 years later, but they have not and they have no intention of ever acknowledging the errors of the past. Rather, they hold up those individuals as their mentors, as their guiding lights. They are their light on the hill—people like Sir Joh Bjelke-Petersen, a former Premier of the state, who accepted a brown paper bag full of money coming into his office and avoided conviction before a jury of his peers in this state by an individual who was a member of the National Party. They have a history of partisan political commissions of inquiry that do not seek to ascertain the truth but are engaged solely in political point scoring and the political pursuit of others, and this bill is no exception.~~

~~We noted in the debate on their bill to amend the Criminal Code the comments by the former shadow Attorney General, the member for Caloundra, when he said that he would be coming after those members on this side of the House when that bill was introduced into the parliament. That was another example of them seeking to monster and pursue individuals. As we have seen consistently since the member for Surfers Paradise has taken office as the Leader of the Opposition, there has been no rigorous policy development in this House. They have no respect for the parliament and the democratic processes it represents. Why do we know that? Let us go back and look at their first effort. Remember their blueprint on integrity and accountability? We know what happened when the Leader of the Opposition tried to table it and was unsuccessful in tabling a document in the parliament. We do not hear much about that now. We do not hear about their first effort. We do not hear about initial their effort to clean up Queensland.~~

~~Let us look at that 'blueprint' written by the fraternity boys on level 6—the frat boys on level 6. They thought it was funny to do a mock-up, to mock the government's green paper. That was their first contribution. As difficult as it was to read—the puerile drivel that the opposition put forward as public policy—I went back to have a look at it and it contains many interesting things. One of the things they talk about is how the boundaries for the electorates in Queensland should be drawn. They say that nowhere in our green paper was there any description about the boundaries in Queensland, how elections should be run or how the boundaries should be drawn.~~

~~Sitting suspended from 1.00 pm to 2.30 pm.~~

~~Debate, on motion of Mr Dick, adjourned.~~

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## CONSTITUTION (PREAMBLE) AMENDMENT BILL

### First Reading

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (2.30 pm): I present a bill for an act relating to the insertion of a preamble into the Constitution of Queensland 2001. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

*Tabled paper:* Constitution (Preamble) Amendment Bill.

*Tabled paper:* Constitution (Preamble) Amendment Bill, explanatory notes.

## Second Reading

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (2.31 pm): I move—

That the bill be now read a second time.

I am pleased to introduce the Constitution (Preamble) Amendment Bill 2009. This preamble will modernise our Constitution, providing a vision for the kind of state that Queenslanders believe in—a society based on democracy, freedom and peace.

A key aspect is the acknowledgement of Aboriginal and Torres Strait Islander peoples as the first Australians and, indeed, the first Queenslanders. In Queensland's 150th anniversary, we reflect on our history and we look to shape our future. This bill inserts a preamble into the Constitution of Queensland 2001 that does just this. It will provide an enduring statement on behalf of the Queensland people that acknowledges where we have come from and our aspirations for tomorrow's Queensland.

Under this bill, our Constitution will now begin as follows—

*The people of Queensland, free and equal citizens of Australia;*

- *intend through this Constitution, to foster the peace, welfare and good government of Queensland;*
- *adopt the principle of the sovereignty of the people, under the rule of law, and the system of representative and responsible government, prescribed by this Constitution;*
- *honour the Aboriginal peoples and Torres Strait Islander peoples, the First Australians, whose lands, winds and waters we all now share; and pay tribute to their unique values, and their ancient and enduring cultures, which deepen and enrich the life of our community;*
- *determine to protect our unique environment;*
- *acknowledge the achievements of our forebears, coming from many backgrounds, who together faced and overcame adversity and injustice, and whose efforts bequeathed to us, and future generations, a realistic opportunity to strive for social harmony; and*
- *resolve in this the 150th anniversary year of the establishment of Queensland, to nurture our inheritance, and build a society based on democracy, freedom and peace.*

This preamble provides context to Queensland's constitutional arrangements and framework and describes what our Constitution stands for—responsible and representative government with the purpose of fostering peace, welfare and good government.

Queensland's Aboriginal and Torres Strait Islander peoples are part of what defines Queensland. As we celebrate Queensland's 150th anniversary, we also acknowledge that Queensland's Aboriginal and Torres Strait Islander people have been the custodians of Queensland for significantly longer. This preamble includes an acknowledgement of Indigenous Queenslanders as the first Australians, their unique relationship with the beautiful lands, seas and waterways of Queensland, and their position as representatives of the oldest living culture on earth. Indeed, unique among the states and territories of Australia, Queensland is home to two distinct indigenous peoples, our Aboriginal people and our Torres Strait Islander people, and with this preamble we recognise and honour their ancient cultures. Queenslanders can be proud of this important step in the ongoing reconciliation process that Queensland's Aboriginal and Torres Strait Islander peoples are recognised.

In forming this section of the preamble text, the Law, Justice and Safety Committee of the parliament consulted with the people of Queensland and, in particular, with the Aboriginal and Torres Strait Advisory Council. At the committee's invitation, the Aboriginal and Torres Strait Advisory Council submitted a statement of recognition. I am pleased to inform the House that the advisory committee's statement of recognition of Indigenous Queenslanders is included in full as recommended by the committee and unamended. I thank the council for its part in the drafting of this historic statement of recognition for Queensland's traditional owners.

The committee's consultation process showed there was strong support for the preamble to recognise Queensland's unique environment which we are determined to protect. The preamble also acknowledges our diverse and rich history, and the efforts of our ancestors who have made this state what it is today—a vibrant, multicultural community. As we look towards the future, this preamble reaffirms our commitment to furthering the democracy, freedom and peace of our society—important values Queenslanders hold dear.

Over the last 11 months, the Law, Justice and Safety Committee and its predecessor, the Legal, Constitutional and Administrative Review Committee, have listened to the views of Queenslanders about what should be in their preamble. I thank the hundreds of Queenslanders who took part in this process. This preamble gives effect to recommendations of the Queensland 2020: Ideas to Action

forum, and the Law, Justice and Safety Committee's report No. 70 titled *A preamble to the Constitution of Queensland 2001*.

The bill adopts the committee's proposed text, subject to two minor amendments. The words proposed by the committee 'subject to no law or authority but that sanctioned by this Constitution and the Constitution of Australia' have been removed from the introductory line, and the final point in the preamble 'resolve on this the 150th anniversary of the establishment of Queensland' has been replaced with 'in this the 150th anniversary year of the establishment of Queensland'. These amendments adopt the Solicitor-General's advice and current drafting practices.

I commend the committee for its work in formulating this fitting preamble to our state's Constitution. I thank each and every member for their diligence in considering this issue, and I particularly thank the chair of the committee, the member for Springwood, Barbara Stone, who I know was personally committed to getting this right.

The committee's report also recommended that the government seek advice on any legal implications arising from the insertion of a preamble. I inform the House that the government, on the basis of that advice, has included a clause which will exempt the use of the preamble as an aid for interpreting the Constitution or any other Queensland law. Further, the Solicitor-General has confirmed that this preamble can be included in the Constitution of Queensland by an act of parliament and therefore does not require a referendum.

The people of Queensland can be proud of this important step forward. In this our 150th anniversary year, we have taken the opportunity as a state to hold community celebrations, to record and commemorate local and state history and historical events, and to invest in new infrastructure as a lasting legacy for all Queenslanders. With this preamble we take the opportunity, as a people, to honour and build upon the foundations of our democracy. Our Constitution is the rock upon which our democratic institutions rest. Our Constitution reflects and enshrines our commitment to the principles of a free and democratic society. Today, with this preamble, we build again on this foundation.

I table the government response to the Law, Justice and Safety Committee's report, and with great pleasure I commend this bill to the House.

*Tabled paper:* Government response to Law, Justice and Safety Committee Report No. 70: A preamble for the Constitution of Queensland 2001.

Mr Speaker, I ask for your indulgence in acknowledging the presence of Jackie Huggins from Reconciliation Australia and thanking her for their support of this proposal as well.

Debate, on motion of Mr Langbroek, adjourned.

## **SPEAKER'S STATEMENT**

### **Sub Judice Rule**

~~Mr SPEAKER: I want to remind all honourable members about the sub judice rule. Standing order 233 lays down clear principles and rules in respect of matters pending in courts exercising a criminal jurisdiction. The matter should not be referred to in motions, debates or questions from when a charge is laid to the determination of an appeal, if any. There are a few exceptions to the application of the rule including the right of the House to legislate on any matter.~~

~~I note that this week legislation will be debated that canvasses both matters that have been before the courts and dealt with and matters that are still before the court. Despite the exception for legislation provision, I would urge all members to act responsibly in relation to their contributions insofar as those contributions may touch upon matters that are still before the court. Members need to be aware that their contributions in here may be widely republished by the media. I am sure that no member desires their contribution to unnecessarily interfere in matters currently before the courts so as to run the risk of terminating or delaying such proceedings. I urge members to not be reckless in their statements and risk jeopardising current proceedings.~~

~~I make it clear to all members that I intend to remind members of the risks in canvassing matters currently before the courts. I have issued an instruction to all Deputy Speakers to similarly remind members of the risks. I urge all members to avoid discussing current proceedings before the courts.~~

## **INTEGRITY BILL**

### **COMMISSIONS OF INQUIRY (CORRUPTION, CRONYISM AND UNETHICAL**