Mrs D'ATH: some of the graduation ceremonies and see how many of these people are going into jobs.

Mr Bleijie interjected.

Mr SPEAKER: Order! Member for Kawana, if you persist you will be warned. Question time has expired.

LIMITATION OF ACTIONS (INSTITUTIONAL CHILD SEXUAL ABUSE) AND OTHER LEGISLATION AMENDMENT BILL

Introduction

Hon. A PALASZCZUK (Inala—ALP) (Premier and Minister for the Arts) (11.30 am): I present a bill for an act to amend the Civil Proceedings Act 2011, the Legal Profession Act 2007, the Limitation of Actions Act 1974, the Personal Injuries Proceedings Act 2002, the Personal Injuries Proceedings Regulation 2014, the Queensland Civil and Administrative Tribunal Act 2009 and the Queensland Civil and Administrative Tribunal Regulation 2009, for particular purposes. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

Tabled paper: Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016.

Tabled paper: Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016, explanatory notes.

This is a historic occasion. Today I am pleased to introduce the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016. The purpose of this bill is to finally take the necessary steps to provide increased access to justice for survivors of institutional child sexual abuse. We will do this by retrospectively removing the limitation period for when a legal claim can be made. My government understands the injustices wrought upon child sexual abuse survivors by current limitation periods which only provide three years from when a survivor turns 18 years of age to lodge a claim.

I have personally heard from survivors who have been brave enough to tell their stories and discuss their anguish. I want to pay tribute to all of those people who have spent time raising these issues not just with me but also with other members of my cabinet. I want to specifically acknowledge and thank not just Micah and the Historical Abuse Network but also Allan Allaway—who has been a friend for many years and whose personal stories have touched my life—and members of the Grammar network. Having had the opportunity to sit there and personally hear their stories has had a deep and lasting impression upon me. I have conveyed those views to my cabinet and to caucus, and I understand that they have also been willing to share their stories with other people. What I say today is that your government is listening; your government has heard your voices.

Over and over again I have been told that this period of time is woefully inadequate to allow victims of childhood sexual abuse to even come to terms with their abuse on a personal level, let alone to find the enormous strength needed to address their pain to move forward and to commence the daunting and often arduous task of commencing litigation in the courts. We have prioritised this reform to recognise that there is no time limit on suffering and to ensure that survivors have the time they may need to come forward to talk about their abuse. This will give them the opportunity to argue their claim in a time frame that will accommodate the hardships they are already facing. The changes we are making will remove one of the barriers to justice that many victims have felt has let them down.

I am so proud to be a small part of that change, and I acknowledge the bravery and sheer resilience shown by those people who have approached government after government until they have finally been able to witness this reform being brought before the House. The amendments to the limitation period recognise the program of work and the significant degree of consultation already undertaken by the Royal Commission into Institutional Responses to Child Sexual Abuse and, in particular, its recommendation that the removal of the statutory limitation period for institutional child sexual abuse should occur as soon as possible.

We also recognise that for many survivors this is an important starting point, and other civil litigation issues relating to limitation periods and raised by the commission's recommendations also need to be worked through. My government has also committed to further public consultation on the scope for the removal of the statutory limitation period, including in the context of child abuse that is not of a sexual nature and not in an institutional context, and other civil litigation recommendations of the royal commission relating to the duty of institutions and the proper defendant. While New South Wales

and Victoria have enacted legislation to remove the limitation period for actions relating to child abuse more generally and do not limit claims to institutional abuse, this followed considerable consultation on these issues. It is important for my government to fully consider what broadening the scope of these recommendations would mean for Queensland, and consultation with the community and key stakeholders will inform that consideration. We are introducing this bill very promptly and, subject to this House, I would hope that the removal of the limitation period for institutional child sexual abuse actions could be in place in the first half of 2017.

The bill will also establish proceedings for class actions in Queensland. This is an issue that has been called for by legal stakeholders and consumer groups alike for many years in Queensland. We have seen causes of action being commenced in other jurisdictions because of the lack of a contemporary representative action regime in Queensland. My government felt that, if we were making changes to allow victims to bring legal action, they might be a hollow change if not accompanied by practical changes that provide for such a representative action regime. This bill will also make changes to the Legal Practitioner Interest on Trust Accounts Fund and permanently establish the trialled Queensland Civil and Administrative Tribunal justices of the peace jurisdiction. I will now discuss these matters in further detail.

The bill amends the Civil Proceedings Act 2011 to create a comprehensive legal framework for representative proceedings, commonly called class actions, in the Queensland Supreme Court. Class actions are a legal process whereby one person can bring an action on behalf of a number of people whose claims relate to similar or related circumstances and give rise to a common issue of law or fact. As the law currently stands in Queensland, the Uniform Civil Procedure Rules 1999 contain some representative party provisions. However, these are quite limited and do not provide the necessary framework for the effective conduct of class actions. The amendments contained in this bill will address this obstacle to justice by establishing new laws that clearly set out the relevant matters for commencing and undertaking class actions.

The amendments will create a greater degree of certainty and promote transparency, efficiency and consistency in the conduct of class actions in this state. These amendments will also strengthen access to justice by overcoming the cost barriers and the lack of knowledge that might otherwise deter affected Queenslanders from pursuing a legal claim. The proposed new class action regime is modelled on similar legislative schemes in place in the Federal Court of Australia, New South Wales and Victoria. The introduction of this similar legislation in Queensland will ensure that Queenslanders are no longer burdened by being forced to commence costly litigation interstate. Furthermore, this will allow for class actions that are relevant to Queensland to be dealt with in our state by our judges and lawyers who know Queensland best.

The bill amends the Legal Profession Act 2007 which provides for how interest from solicitors' trust accounts is dealt with. This includes the payment of that interest into the Legal Practitioner Interest on Trust Accounts Fund, which is then distributed from the fund by way of payments for various purposes including legal assistance, legal profession regulation and law library services. The need for legal assistance has been increasing in Queensland, and the earnings from the interest on solicitors' trust accounts has not kept pace with that growth. There is a growing need to ensure stability of funding sources for those needs, and the government has acted to ensure those payments will come from consolidated revenue.

Under these revised arrangements to ensure sustainable long-term funding for current recipients of Legal Practitioner Interest on Trust Accounts Fund distributions, the bill will repeal all provisions in the Legal Profession Act relating to the fund and enable the transfer of revenue received from the fund into the Consolidated Fund effective from 1 January 2017. Future funding for these purposes will come from the Consolidated Fund, and interest on solicitors' trust accounts will be paid to the Consolidated Fund.

The bill will also simplify and improve the administration of solicitors' trust account arrangements under the Legal Profession Act by requiring solicitors to keep only a single general trust account, removing the requirement for a special deposit account and it will make other improvements of an administrative nature.

The bill also amends the Queensland Civil and Administrative Tribunal Act 2009 and the Queensland Civil and Administrative Tribunal Regulation 2009 to provide permanency for the Queensland Civil and Administrative Tribunal justices of the peace model that has been trialled in a number of Queensland communities since June 2013. Under the trial, a panel of two JPs, one of whom must be legally qualified, hears and decides certain minor civil disputes. Legislative amendments

extended the trial earlier this year for a further six months to 13 November 2016. The trial has provided many benefits to the Queensland Civil and Administrative Tribunal including improved clearance rates and improved time-to-trial rates in the minor civil disputes jurisdiction. Importantly, it also provides JPs with a valued professional opportunity to enhance their role and their recognition in the community. Accordingly, we are looking to make this trial permanent, and the bill removes provisions for expiry. I commend the bill to the House.

First Reading

Hon. A PALASZCZUK (Inala—ALP) (Premier and Minister for the Arts) (11.40 am): 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.

Referral to the Legal Affairs and Community Safety Committee

Madam DEPUTY SPEAKER (Ms Farmer): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.

MATTERS OF PUBLIC INTEREST

Member for Toowoomba South; Treasurer

Mr NICHOLLS (Clayfield—LNP) (Leader of the Opposition) (11.40 am): While I was welcoming the new member for Toowoomba South and extolling the lack of interest in Toowoomba South by those opposite, I neglected to properly acknowledge his wife, Melinda, his daughters, Elizabeth and Charlotte, and his parents, Denis and Leone, who were in the chamber at the time of his introduction but, for those who do watch a certain blog about this place, had actually departed before question time started. I certainly say to David's family, also somewhat belatedly: welcome to the family of parliament; you are going to be in for an interesting time.

David's wife, Mel, and two young daughters were instrumental in his campaign as well. They worked almost as hard as David did, lost almost as much sleep as he did and were very much a part of the team that won Toowoomba South, extolling the virtues for which the LNP is known in terms of representatives who come from their electorate and who reflect the values of their electorate so very well in this place. To them I also say thank you.

We have also listened this morning to the Premier somewhat belatedly give her half term scorecard in this place to try and gee up the troops, who obviously all were sent the message beforehand to cheer at any statement that was made whether or not it was factual and to stand up and push it on. What is really the case? What have we seen and what has been exposed over the last couple of months? What has been exposed in estimates? Firstly, in estimates it was exposed that we do have a 'Captain Risky' Treasurer here in Queensland. We have a Treasurer who seeks advice, gets the advice, does not like the advice and then changes the rules about which the advice is given and seeks to change the rules in relation to something as important to the public servants of Queensland as their superannuation that has been put aside by governments of all political persuasions for some generations. He did not even have the guts to go out and ask the public servants what they think about it. He and his Under Treasurer just issued an edict from on high to change the rules.

Instead of taking nothing, which would have been the proper thing to do from a proper prudent government, he raided the fund. However he did not raid the fund for just the amount that was recommended by the State Actuary; he raided it for twice as much, for $4 billion. Then he compounded the riskiness by saying, 'Oh no, the State Actuary actually said we could take $4 billion out of the fund.' When the State Actuary was asked about that in estimates he clearly said, 'No, I certainly did not make that recommendation.' That is risky business undertaken by the 'Captain Risky' of all Australian Treasurers.

Then in a further blow to business confidence he changed his mind about taxes. He went to the last election saying there will be no new taxes in Queensland. What has he done? A year after promising that he will not change the tax on property transactions, he whacked it up on foreign purchases of properties here in Queensland. At a time when the property industry is screaming out for people to