

Legal, Constitutional and Administrative Review Committee

ANNUAL REPORT 2000/2001

REPORT NO. 29, AUGUST 2001

1. INTRODUCTION

The Legal, Constitutional and Administrative Review Committee ('the committee' or 'LCARC') is a statutory committee of the Queensland Parliament established under s 4 of the *Parliamentary Committees Act 1995* (Qld). The committee's responsibilities (described in section 2) are set out in the *Parliamentary Committees Act* and other legislation.

The *Parliamentary Committees Act* (s 33) requires the committee to table in the Legislative Assembly, as soon as practicable after the end of each financial year, a report about the committee's activities during the year.

The Act further requires this report to include:

- a list of committee meetings and the names of members attending or absent from each meeting (see Appendix A);
- a summary of issues considered by the committee, including a description of the more significant issues arising from the considerations: see section 3;
- a statement of the committee's revenue and spending for the year: see section 6; and
- a brief description of responses by ministers to committee recommendations: see section 3.

The committee has prepared and tabled this report in accordance with this requirement.

Given the general State election on 17 February 2001, this report canvasses the work of two LCARCs, namely:

- the LCARC of the 49th Parliament which dissolved on 23 January 2001 when Parliament dissolved for the conduct of the election ('the former committee'); and
- the LCARC of the 50th Parliament which was established on 3 May 2001 following the

election and the resumption of Parliament ('the current committee').

The membership of the LCARC of the 50th Parliament increased to seven members following assent to the *Parliamentary Committees and Criminal Justice Amendment Act 2001*.

2. THE COMMITTEE'S AREAS OF RESPONSIBILITY

2.1 The committee's law reform responsibilities

The *Parliamentary Committees Act* provides that the committee has four areas of responsibility, namely:¹

- Administrative review reform which includes considering legislation, or provisions of legislation, about—
 - (a) access to information;
 - (b) review of administrative decisions;
 - (c) anti-discrimination; or
 - (d) equal employment opportunity.

However, the committee's jurisdiction does not extend to investigating particular conduct, or reviewing a decision to (or not to) investigate a particular complaint or decision, or reviewing findings, recommendations or decisions in certain reports of the Parliamentary Commissioner for Administrative Investigations ('the Ombudsman').

- Constitutional reform which includes any bill expressly or impliedly repealing any law relevant to the State's Constitution.
- Electoral reform which includes monitoring generally the conduct of elections under the *Electoral Act 1992* (Qld) and the capacity of

¹ *Parliamentary Committees Act 1995* (Qld), ss 9-13.

the Electoral Commission of Queensland to conduct elections.

- Legal reform which includes—
 - (a) recognition of Aboriginal tradition and Island custom under Queensland law; and
 - (b) proposed national scheme legislation referred to the committee by the Legislative Assembly.

The *Parliamentary Committees Act* also requires the committee to deal with an issue referred to it by the Legislative Assembly or under another Act, whether or not the issue is within the committee's areas of responsibility.²

2.2 The committee's other responsibilities

In addition to the LCARC's 'law reform' responsibilities, other legislation confers on the committee specific statutory responsibilities in relation to the Ombudsman, the Information Commissioner³ and the Electoral Commission of Queensland. During the year, various committee activities related to these additional responsibilities.

Funding of the Ombudsman

Section 31(3) of the *Parliamentary Commissioner Act 1974* (Qld) requires the Treasurer to 'consult' with the LCARC in developing the proposed budget of the Ombudsman.

In August 1999, the former committee settled with the Treasurer a standing 'consultation' arrangement regarding the budget for the Ombudsman.

The current committee corresponded with the Treasurer regarding the Ombudsman's proposed budget for 2001/02 in accordance with this arrangement.

Funding of the Information Commissioner

The Office of the Information Commissioner, established under the *Freedom of Information Act 1992* (Qld), shares its allocated funding with the Office of the Ombudsman. Accordingly, the

requirement that the Treasurer consult with the LCARC in developing the budget for the Ombudsman also applies to the development of the budget for the Information Commissioner.

Reappointment and appointment of the Ombudsman

Section 5(6) of the *Parliamentary Commissioner Act* provides that a person can only be appointed as the Ombudsman, if, among other matters, the Premier has consulted with the LCARC about: (a) the process of selection for appointment; and (b) the appointment of the person as Ombudsman.

This second requirement also applies to the reappointment of a person as the Ombudsman.

In October 2000, the Premier consulted with the committee about extending the term of the Ombudsman for three months to 13 August 2001.

Given the expiry of the incumbent's term on 13 August 2001, in November 2000 the Premier:

- consulted with the committee about the selection process for a new Ombudsman; and
- invited the Chair and Deputy Chair of the former committee to be members of the selection panel to appoint a new Ombudsman.

When Parliament was dissolved in January 2001, the selection process was suspended in accordance with caretaker conventions regarding major appointments.

Following the return of the Government and the resumption of the selection process, the Premier invited the Chair and Deputy Chair of the current committee to be part of the selection panel.

The Premier consulted the committee as a whole regarding the proposed appointee in July 2001.

Strategic management review of the Offices of the Ombudsman and the Information Commissioner

Section 32 of the *Parliamentary Commissioner Act* provides that 'strategic reviews' of the Ombudsman are to be conducted at least every five years and that the Premier (as the responsible minister) is to consult with the committee about the appointment of the person to conduct the review and the review terms of reference.

² *Parliamentary Committees Act 1995* (Qld), s 8(2).

³ The offices of Ombudsman and Information Commissioner are currently both held by the same person, Mr Fred Albietz.

Professor Kenneth Wiltshire AO conducted the inaugural strategic review of the Ombudsman during the 1997/98 financial year. The reviewer's report was tabled in May 1998.

The former committee subsequently reviewed Professor Wiltshire's report and reported on that review in July 1999 (report no 14).

In its July 1999 report, the former committee recommended that the Premier commission an external management review of the Ombudsman's Office. This external management review, which was subsequently expanded to include the Office of the Information Commissioner, was conducted during the 1999/2000 financial year. A report on the review was tabled in June 2000. The committee's involvement in this review, particularly during 2000/2001, is described more fully in section 3.5.

3. INQUIRIES AND ISSUES CONSIDERED BY THE COMMITTEE AND MINISTERIAL RESPONSES TO COMMITTEE RECOMMENDATIONS

In this section the committee summarises:

- ministerial responses which were outstanding as at 30 June 2000 and therefore not included in the committee's previous annual report;
- issues considered by the committee during 2000/2001 (including the more significant issues arising from the considerations);
- the thrust of committee recommendations made in relation to issues considered; and
- where applicable, ministerial responses to the committee's recommendations.

(Ministerial responses are required by s 24 of the *Parliamentary Committees Act* which provides that, if a parliamentary committee recommends that the Government or a minister take action on an issue, the minister who is responsible for the issue must provide the Legislative Assembly with a response. The minister must table the response within three months of the report being tabled. If the minister cannot comply with this requirement, the minister must table an interim response and within six months table a final response.)

3.1 The role of the Queensland Parliament in treaty making (report no 22)

On 31 August 1999, the Hon Andrew Thomson MP, Chair of the Commonwealth Parliament's Joint Standing Committee on Treaties (JSCOT) wrote to the Speaker of the Queensland Parliament, the Hon Ray Hollis MP, urging the Queensland Parliament to consider implementing three proposals developed at a June 1999 seminar on the role of parliaments in treaty making. This seminar was convened by the JSCOT in association with the Australasian Study of Parliament Group.

The objective of these proposals was to improve parliamentary awareness of, and involvement in, treaty making and to make the treaty making process more publicly open.

On 28 October 1999, the former committee resolved to inquire into these proposals. In November 1999, the committee released a position paper outlining its preliminary position on the three seminar proposals, and called for public comment on its preliminary positions by advertising in *The Courier-Mail* and writing to identified stakeholders. The committee received 21 submissions to its inquiry.

After reviewing submissions and other relevant material, the committee tabled its report *The role of the Queensland Parliament in treaty making* on 19 April 2000. The committee did not recommend implementation of all proposals arising from the treaties seminar. However, as a result of its consideration of the proposals the committee recommended that:

- the Premier be required (initially by sessional order) to table in the Queensland Parliament, as and when they are received, advices from JSCOT concerning proposed treaty actions under negotiation and tabled in both Houses of the Commonwealth Parliament together with the national interest analyses which relate to each of the proposed treaty actions under review; and
- the Premier be required, at any time but at least annually, to report to the Queensland Parliament on: any substantive issues for Queensland arising out of particular treaties during the reporting period; and the adequacy of the treaty making and consultation process from Queensland's perspective.

Ministerial response

The Premier's response to the former committee's report was tabled on 26 October 2000. In his response, the Premier advised that he proposed to:

- table advices which he periodically receives from JSCOT concerning proposed treaty actions together with national interest analyses within 10 working days of their receipt; and
- insert into his department's annual report, as a standing feature, a report on key issues for Queensland arising from particular treaties or the treaty making process during the reporting period.

The Premier further noted that aspects of the former committee's recommendations that relate to sessional orders are a matter for Parliament to determine.

While the Premier has commenced tabling the JSCOT advices, Parliament has not yet passed a sessional order to this effect.

3.2 Issues of Queensland electoral reform (report no 23)

On 28 October 1999, the committee resolved to undertake an inquiry into certain issues of electoral reform. Most of the issues emanated from a memorandum from the Queensland Electoral Commissioner ('the commissioner') to the Queensland Attorney-General following the 1998 State election. (The memorandum was later reproduced in a letter from the commissioner to the committee dated 25 October 1999.)

Broadly, the 11 issues the commissioner raised related to amendments to the *Electoral Act*:

- proposed by the commissioner as a result of the conduct of the 1998 State election;
- arising out of amendments to the *Commonwealth Electoral Act 1918*—by the *Electoral and Referendum Amendment Act (No 1) 1999*—concerning:
 - electoral enrolment requirements;
 - enhancement of the accuracy of the electoral roll; and
 - election funding and financial disclosure.

In November 1999, the committee prepared and released a background paper *Inquiry into issues of Queensland electoral reform* to accompany the

commissioner's letter, and called for public submissions to its inquiry by advertising in *The Courier-Mail* and writing to identified stakeholders.

The committee received 25 submissions in response to its call for public input regarding these issues.

The former committee prepared a separate report to Parliament (report no 19) on one of the issues raised by the commissioner, namely, the new Commonwealth enrolment requirements which will require persons seeking to enrol for the first time to produce proof of identity and citizenship and upgrade witness requirements for claims for enrolment. (The Commonwealth amendments directly concern Queensland because essentially a person is entitled to be enrolled for Queensland elections if they are entitled to be enrolled under the *Commonwealth Electoral Act*.)

The former committee reported on its conclusions and recommendations in report 19, together with the ministerial response to the report, in its 1999/2000 annual report.

In the former committee's report no 23 *Issues of Queensland electoral reform arising from the 1998 State election and amendments to the Commonwealth Electoral Act 1918*, tabled on 31 May 2000, the committee made recommendations relating to the remaining issues raised by the commissioner in his October 1999 letter. These issues concern matters including: the return of deposits to accompany nominations; the distribution of how-to-vote material in declared institutions; the Electoral Commission of Queensland's authority to re-schedule mobile polling; registration criteria for 'special postal voters'; certain aspects of the election funding and financial disclosure provisions; and maintenance of electoral rolls.

The issues raised by the commissioner, and the committee's subsequent recommendations, are generally aimed at improving the conduct and administration of elections.

Ministerial response

In a joint ministerial response tabled on 5 September 2000, the ministers responsible for the subject matter of the committee's recommendations advised that all of the committee's recommendations were supported.

3.3 Review of the Queensland Constitutional Review Commission's report (report nos 24 and 27)

On 29 February 2000, the Premier tabled in the Queensland Parliament the Queensland Constitutional Review Commission's *Report on the possible reform of and changes to the Acts and laws that relate to the Queensland Constitution*.

The QCRC's report not only incorporates previous LCARC work on consolidating the Queensland Constitution (see LCARC report nos 10 and 13) but also makes recommendations about substantial issues of constitutional reform.

In a ministerial statement to the Legislative Assembly on 29 February 2000, the Premier stated that he tabled the QCRC's report for this committee's 'consideration and reporting'. The Premier also indicated that while the committee is considering the report, the Government will consider the QCRC's recommendations and, in particular, Cabinet will examine options for the possible introduction of four year terms as recommended by the QCRC. The Premier further indicated that Cabinet might make a decision on the four year term issue before the committee brings down its report.

Given the Premier's statement and the committee's area of responsibility about constitutional reform, the former committee resolved to review and report to Parliament on the QCRC's report in two stages, namely:

- to review and report on QCRC recommendation 5.2 that the maximum term of the Legislative Assembly be extended to four years (stage 1, part A);
- to (separately) review and report to Parliament on those QCRC recommendations which the committee considers as consolidatory and/or relatively non-controversial in nature (that is, capable of achieving bipartisan political support and likely widespread community support) and which the committee thinks it desirable to implement (stage 1, part B); and
- at some time after the tabling of the stage 1 reports, review and report to Parliament on the remainder of the QCRC's recommendations as the committee sees appropriate at that point in time (stage 2).

The committee further resolved to engage Associate Professor Gerard Carney of Bond University to provide advice and assistance regarding stage 1 of its inquiry.

3.3.1 Review of the QCRC's recommendations relating to a consolidation of the Queensland Constitution (report no 24)

On 18 July 2000, the former committee tabled its report on the QCRC's recommendations relating to a consolidation of the Queensland Constitution. (This followed the release of a position paper inviting submissions on the issue. 15 submissions were received.)

In its report, the former committee recommended that the Premier introduce, as soon as possible, bills based on the committee's draft Constitution of Queensland 2000 and Parliament of Queensland Bill 2000 (included as part of the report) into Parliament for Parliament's adoption.

The committee further recommended steps to improve the civic education of Queenslanders and, in particular, the level of awareness and understanding of the Queensland Constitution.

Ministerial response

The Government's response to the committee's report (tabled 3 October 2000) stated that the Government endorses both of the committee's recommendations, and will:

- shortly introduce bills to consolidate Queensland's constitutional legislation; and
- form an interdepartmental working group to implement the committee's recommendations regarding civic education.

3.3.2 Review of the QCRC's recommendations relating to four year parliamentary terms (report no 27)

On 28 July 2000, the former committee tabled its report on the QCRC's recommendation that the maximum term of the Queensland Parliament be extended to four years. (This followed the release of a background paper inviting submissions on the issue. 65 submissions were received.)

In its report, the former committee recommended that the Premier introduce a bill to extend the maximum term of the Legislative Assembly to

four years subject to a provision that the Governor may not dissolve the Legislative Assembly during the first three years unless: (a) a vote of no confidence is carried or a vote of confidence fails to be carried; or (b) an appropriation bill is defeated or fails to pass.⁴

The committee further recommended that these provisions be referendum entrenched.

Ministerial response

The Premier, in a ministerial response tabled on 3 October 2000, advised that the Government undertakes to introduce a bill in the (then) next term of Parliament to extend the term of the Legislative Assembly of Queensland to four years and will submit this bill to the people at a referendum to be held in accordance with s 4 of the *Constitution Act Amendment Act 1934* during the (then) next term of Parliament.

3.4 The prevention of electoral fraud (report no 28; ongoing matter)

On 22 August 2000, the Queensland Legislative Assembly resolved that the committee investigate ‘the best way to minimise electoral fraud at elections...’ and report back to Parliament within three months.

In response, the committee: published an issues paper (*Inquiry into the prevention of electoral fraud*, 8 September 2000) on the prevention and detection of enrolment fraud and voting fraud at State, local government and Aboriginal and Island council elections; held a hearing with electoral authorities; and reported on 14 November 2000.

In its report, the committee (non-Government members dissented) expressed a hesitation to come to firm conclusions about the integrity or otherwise of enrolment and polling processes, or to make conclusive recommendations about their reform. This was because the committee did not have all available, or soon to be available, evidence: the Queensland Criminal Justice Commission’s Shepherdson inquiry into certain allegations of electoral fraud had not yet reported.

⁴ In this regard, the former committee essentially endorsed the QCRC’s recommendation with some minor fine-tuning. Two members of the committee made a statement of reservation regarding the committee report.

The committee was also awaiting the report of the Commonwealth Parliament’s Joint Standing Committee on Electoral Fraud (JSCCEM) on its inquiry into the integrity of the electoral roll.

The committee consequently titled its report an ‘interim’ report, and said it would report more comprehensively and conclusively on reform at a later time, when the committee would have the benefit of analysing the finding of the Shepherdson inquiry and, to a lesser extent, the JSCCEM inquiry.

Instead, in its report the committee concentrated on outlining the various checks and balances surrounding enrolment and voting and setting out reform options. The report summarised views expressed to the committee about the effectiveness of the checks and balances and the desirability of the options.

Nevertheless, the committee did go on in the report to make some substantive recommendations. The main reform option pursued by the committee was accelerating the development of existing continuous roll updating (CRU) systems, which have recently replaced periodic State-wide door-knocking as the Australian Electoral Commission’s (AEC’s) main way to update the electoral roll. CRU involves such methods as data matching (checking electoral roll details against other government agencies’ change of address data) and data mining (checking roll details for aberrant data).

In particular, the committee recommended that Queensland develop a separate State-based enrolment verification computer system capable of mining a range of data from State agencies and matching the data with electors’ enrolment details. The new system—with concomitant legislative privacy safeguards—would work concurrently with the AEC’s existing CRU activities, and feed back into the AEC’s roll management system.

Ministerial response

On 5 June 2001, the Premier and Attorney-General’s response to the committee’s interim report was tabled in Parliament. This response stated that the Government:

- has authorised funding for the conduct of a feasibility study by the Electoral Commission Queensland in conjunction with CITEC to

determine the feasibility of establishing a separate State-based enrolment verification computer system and the costs; and

- will examine the committee's additional recommendations relating to the enrolment verification system in light of the outcome of the feasibility study.

The Government also adopted the committee's recommendation that the Premier, the Attorney-General and the Electoral Commission of Queensland initiate immediate discussions with the Australian Electoral Commission to explore options to escalate fraud audit procedures prior to the (then) next State election.

Current committee activity

The current committee is taking an active interest in the issues left open by the former committee.

Since tabling of the former committee's interim report, the Premier has announced a wide range of electoral reforms, many of which are contained in the document *Restoring Integrity: The Beattie Good Government Plan for Queensland*.

The Shepherdson and JSCem inquiries have also handed down their reports which recommend a number of remedial measures aimed at reducing electoral fraud.

The Premier and Attorney-General and Minister for Justice are currently working on implementation of the *Good Government Plan* and expect to bring a bill to Parliament before the end of the year to implement, among other matters, some of the reforms arising out of that plan.

The committee is monitoring developments in this regard in order to assess what action it might appropriately undertake.

3.5 The Report of the strategic management review of the Offices of the Queensland Ombudsman and the Information Commissioner (report no 26; ongoing matter)

One of the former committee's recommendations emanating from its review of Professor Wiltshire's strategic review report was that the Premier conduct an external management review of the Ombudsman's Office: see section 2.2.

On 26 August 1999, the Premier informed the Legislative Assembly that he endorsed the committee's recommendation regarding a management review of the Ombudsman's Office.

On 15 September 1999, the Legislative Assembly carried a resolution calling on the Premier to conduct such a review.

On 23 November 1999, the Premier introduced into the Assembly the Parliamentary Commissioner and Freedom of Information Amendment Bill 1999 ('the bill'). The purpose of the bill, as outlined in the explanatory notes, was largely to:

- amend s 32 of the *Parliamentary Commissioner Act* to:
 - put it beyond doubt that a strategic review can be a management review and involve an assessment of the efficiency, economy and effectiveness of the Ombudsman's Office;
 - require the reviewer to give the Minister and the Ombudsman a draft of the reviewer's report and to provide the opportunity for the Ombudsman to respond to any matters contained in the report; and
 - refer strategic review reports to the LCARC;
- insert a provision equivalent to s 32 (as amended by the bill) into the FOI Act to provide for the conduct of strategic reviews of the Office of the Information Commissioner at least every five years; and
- enable combined reviews of the Offices of the Ombudsman and Information Commissioner where the same person holds both offices and the ministers responsible for the administration of both Acts agree to a combined review.

The preparation of the bill followed agreement by the Premier, the Attorney-General and the committee that it was prudent and cost effective to expand the then planned management review to encompass the Office of the Information Commissioner. Both offices are managed by the same accountable officer, are combined for budgetary purposes and are supported by a single Corporate and Research Division.

Further, and as discussed in section 3.6, in March 1999 the Queensland Parliament referred the FOI Act to the committee for review. The committee considered that a management review of the Office of the Information Commissioner would be

timely as it would enable the committee to consider the review outcomes before handing down its report on its review of the Act.

The Legislative Assembly passed the bill on 8 December 1999. The bill was assented to on 14 December 1999.

The (amended) sections of the *Parliamentary Commissioner Act* and *FOI Act* relating to the conduct of strategic reviews make it clear that the responsible ministers must consult with the committee and the Ombudsman/Information Commissioner about the appointment of the person to conduct the review and the review terms of reference. (The Premier is the minister responsible for the *Parliamentary Commissioner Act*. The Attorney-General is the minister responsible for the *FOI Act*.)

A Consultative Reference Group was established comprising representatives of the Premier, the Attorney-General, the committee and the Ombudsman (in both his capacity as Ombudsman and Information Commissioner) to act as a forum for consultation for the duration of the review. This group was chaired by the Chair of the LCARC.

On 16 December 1999, following consultation within this forum, the Governor in Council appointed The Consultancy Bureau Pty Ltd to conduct the combined review and approved the terms of reference for the review.

The Premier tabled the reviewer's comprehensive management review report on 21 June 2000. Both the *Parliamentary Commissioner Act* and the *FOI Act* provide that this report is referred to the LCARC.

Section 8 of the *Parliamentary Committees Act* provides that a parliamentary committee is to deal with an issue referred to it under an Act (whether or not the issue is within its area of responsibility), and that a committee may deal with an issue by considering it and reporting on it, and making recommendations about it, to the Legislative Assembly.

On 19 July 2000, the former committee tabled a report on the strategic management review of the offices of the Ombudsman and Information Commissioner (report no 26).

In its report the former committee stated that it looked forward to working with the offices of the Ombudsman and Information Commissioner to ensure that the benefit of the conduct of the review is fully maximised.

The current committee shares this sentiment and in June 2001 requested the Ombudsman/Information Commissioner to provide a written progress report on implementation of the review recommendations.

3.6 Review of the *Freedom of Information Act 1992 (Qld)* (current inquiry)

On 11 March 1999, the Queensland Parliament referred a wide range of matters regarding the *Freedom of Information Act 1992* ('the *FOI Act*') to the committee for inquiry and report. The terms of reference for the inquiry essentially require a comprehensive review of the Act.

The former committee conducted extensive public consultation and research regarding this review including:

- an initial call for public submissions on the terms of reference in March 1999;
- a June 1999 study tour to New Zealand;⁵
- the release of a discussion paper on 8 February 2000 which invited a second round of public input on broad policy matters and *FOI* 'design principles';
- an informal meeting with approximately 50 state and local government *FOI* coordinators on 17 March 2000;
- a visit to the *FOI* units of the Queensland Police Service, Brisbane City Council and Queensland Health on 11 May 2000; and
- a public hearing at Parliament House on 11 and 12 May 2000, at which the committee heard from a variety of stakeholders including the Deputy Information Commissioner, Queensland government departments, individuals and organisations who have used the freedom of information process, and academics specialising in freedom of information.

⁵ The former committee reported on its New Zealand study tour in its 1998/99 annual report. See also LCARC report no 15 *Report on a study tour of New Zealand regarding freedom of information and other matters: From 31 May to 4 June 1999*, GoPrint, Brisbane, July 1999.

The former committee had hoped to finalise its review of the FOI Act in the 2000 calendar year. However, this was not possible given the electoral fraud reference to the committee in August 2000: see section 3.4.

Soon after its establishment, the current committee resolved to finalise the review of the FOI Act on the same terms of reference as the Parliament had referred to the former committee and utilising the material gathered by the former committee through its public consultation and other research.

The committee is giving priority to finalisation of this review.

3.7 Review of the members' oath or affirmation of allegiance (current inquiry)

By letter dated 17 May 2001, the Premier asked the committee to consider recommendation 7 of the Members' Ethics and Parliamentary Privileges Committee (MEPPC) report no 44, namely:

That the Oath of Allegiance taken by members of the Legislative Assembly be reviewed within current constitutional arrangements, as part of the consolidation of the Queensland Constitution and that such review take into account the aspirational statements contained in the Members' Ethics and Parliamentary Privileges Committee's Statement of Commitment.

The committee agreed to consider this issue.

As a first step in its review, the committee engaged Dr Gerard Carney to provide advice on the constitutional and legal implications of amending the oath of allegiance in the manner the MEPPC recommends.

The committee is currently considering Dr Carney's advice.

3.8 Administrative review reform, constitutional reform, electoral reform and legal reform generally

The committee has an on-going role regarding its four key 'reform' areas of responsibility. During 2000/01, the committee:

- monitored the status and operation of key legislation relating to these areas; and

- considered a number of issues arising from, among other matters, this legislation and the most recent annual reports of bodies relevant to the committee's jurisdiction.

4. MEETINGS AND OTHER COMMITTEE ACTIVITIES FOR 2000/01

Below is a summary of committee meetings and other activities for the financial year.

As this table reveals, the committee held 19 meetings during the year. A committee meeting attendance schedule appears as Appendix A to this report.

The committee also held one informal meeting.

Description	Total
Committee meetings	19
Public hearings	Nil
In camera hearings ⁶	3
Informal meetings ⁷	1
Committee publications tabled during the year ⁸	6
Ministerial responses to committee reports tabled during the year ⁹	6
Responses to committee reports outstanding as at 30 June 2001	Nil
Inspections, visits, attendance at conferences etc. ¹⁰	2
Papers presented ¹¹	3
Consultants engaged ¹²	3

⁶ The committee held three in-camera hearings regarding its inquiry into the prevention of electoral fraud on 7 September 2000, 17 October 2000 and 24 October 2000.

⁷ FOI workshop – 22 June 2001.

⁸ This includes reports, discussion papers, background papers, position papers etc.

⁹ This comprises one interim response and five final responses.

¹⁰ Chair's attendance at ASPG conference held on 15 July 2000; committee visit to ECQ offices on 7 September 2000.

¹¹ JSCOT seminar held on 20 July 2000; Records Management Association of Australia (Qld Branch) seminar held on 1 August 2000; and the Constitutional Centenary Foundation/UQ seminar held on 14 October 2000.

¹² A consultant continued to assist the committee until the end of July 2000 with stage 1 of the review of the QCRC's report. Consultants were also engaged to assist the committee with its inquiries into the prevention of electoral fraud and the members' oath of allegiance.

5. TRAVEL

The committee undertook no travel during the reporting period.

6. COMMITTEE EXPENDITURE AND REVENUE

6.1 Expenditure

Staff salaries and other employee-related expenses ¹³	\$167,437.28
Salary related taxes etc ¹⁴	\$10,858.05
Superannuation	\$19,247.11
Travel and hearing expenses ¹⁵	\$1,556.66
Consultants	\$9,770.00
Stores, consumables and freight ¹⁶	\$9.92
Meeting expenses	\$982.40
Telecommunication costs	\$2,349.01
Reference books, publications, subscriptions etc	\$1,464.50
Printing of publications	\$14,246.00
Advertising	\$3,640.61
TOTAL EXPENDITURE	\$231,561.54

This expenditure was \$29,797.98 less than that budgeted. This difference is partly explained by the fact that the reporting period included a general State election and there was no committee for over three months.

6.2 Revenue

The committee's revenue for the period was \$205.80. All of this revenue related to the proceeds of sale of the *Queenslanders' Basic Rights* handbook through GoPrint outlets.

Karen Struthers MP Chair

¹³ Includes contracted staff expenses, overtime, meal allowances, long service leave levy and other allowances.

¹⁴ Includes fringe benefits tax, payroll tax and work cover.

¹⁵ Includes travel and travel-related expenses relating to: regional committee members attendance at committee meetings, hearings etc. and staff travel with, or for, the committee.

¹⁶ The majority of expenses relating to these items are met by the Committee Office as opposed to the LCARC's budget.

LCARC MEMBERSHIP – 49TH PARLIAMENT

Mr Gary Fenlon MP (Chair)
Mrs Judy Gamin MP (Deputy Chair)
Mr Denver Beanland MP
Ms Desley Boyle MP
Mr Warren Pitt MP
Dr Peter Prenzler MP

LCARC MEMBERSHIP – 50TH PARLIAMENT

Mrs Karen Struthers MP (Chair)
Miss Fiona Simpson MP (Deputy Chair)
Mrs Liz Cunningham MP
Mr Peter Lawlor MP
Mr Ronan Lee MP
Ms Rachel Nolan MP
Mrs Dorothy Pratt MP

STAFF

Ms Kerry Newton (Research Director)¹⁷
Ms Veronica Rogers (Principal Research Officer)¹⁸
Ms Tania Jackman (Executive Assistant)

CONTACTING THE COMMITTEE

Copies of this report and other LCARC publications are available on the Internet via the Queensland Parliament's home page at: [<http://www.parliament.qld.gov.au/committees/>](http://www.parliament.qld.gov.au/committees/).

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¹⁷ Mr David Thannhauser acted as Research Director from August 2000 to February 2001.

¹⁸ Ms Veronica Rogers took over this position on the resignation of Mr David Thannhauser effective on 12 April 2001.

APPENDIX A: LCARC MEETING ATTENDANCE RECORD 2000 – 2001

LCARC of the 49th Parliament

DATE OF MEETING	GARY FENLON	JUDY GAMIN	DENVER BEANLAND	DESLEY BOYLE	WARREN PITT	PETER PRENZLER
4 July 2000	✓	✓	✓	✓	✓	✓
17 July 2000	✓	✓	✓		✓	✓
20 July 2000	✓	✓	✓	✓	✓	✓
26 July 2000	✓	✓	✓	✓	✓	
24 August 2000	✓	✓	✓	✓	✓	✓
7 September 2000	✓	✓	✓	✓	✓	✓
8 September 2000	✓	✓		✓	✓	✓
5 October 2000	✓	✓	✓	✓	✓	✓
17 October 2000	✓	✓	✓	✓	✓	✓
19 October 2000	✓	✓	✓	✓	✓	✓
24 October 2000 (AM)	✓	✓	✓	✓		✓
24 October 2000 (PM)	✓	✓	✓	✓	✓	✓
3 November 2000	✓	✓	✓	✓	✓	✓
9 November 2000	✓	✓	✓	✓	✓	✓
16 November 2000	✓	✓	✓	✓	✓	✓

LCARC of the 50th Parliament

DATE OF MEETING	KAREN STRUTHERS	FIONA SIMPSON	LIZ CUNNINGHAM	PETER LAWLOR	RONAN LEE	RACHEL NOLAN	DOROTHY PRATT
3 May 2001	✓	✓	✓	✓	✓	✓	✓
15 May 2001	✓	✓	✓	✓	✓	✓	✓
30 May 2001	✓	✓	✓	✓		✓	✓
19 June 2001	✓	✓	✓	✓	✓		✓

<u>REPORTS</u>	DATE TABLED
1. Annual report 1995-96	8 August 1996
2. Report on matters pertaining to the Electoral Commission of Queensland	8 August 1996
3. Review of the Referendums Bill 1996	14 November 1996
4. Truth in political advertising	3 December 1996
5. Report on the Electoral Amendment Bill 1996	20 March 1997
6. Report on the study tour relating to the preservation and enhancement of individuals' rights and freedoms and to privacy (31 March 1997—14 April 1997)	1 October 1997
7. Annual report 1996-97	30 October 1997
8. The Criminal Law (Sex Offenders Reporting) Bill 1997	25 February 1998
9. Privacy in Queensland	9 April 1998
10. Consolidation of the Queensland Constitution – Interim report	19 May 1998
11. Annual report 1997-98	26 August 1998
12. The preservation and enhancement of individuals' rights and freedoms in Queensland: Should Queensland adopt a bill of rights?	18 November 1998
13. Consolidation of the Queensland Constitution: Final Report	28 April 1999
14. Review of the <i>Report of the Strategic Review of the Queensland Ombudsman</i> (Parliamentary Commissioner for Administrative Investigations)	15 July 1999
15. Report on a study tour of New Zealand regarding freedom of information and other matters: From 31 May to 4 June 1999	20 July 1999
16. Review of the Transplantation and Anatomy Amendment Bill 1998	29 July 1999
17. Annual report 1998-99	26 August 1999
18. Issues of electoral reform raised in the Mansfield decision: Regulating how-to-vote cards and providing for appeals from the Court of Disputed Returns	17 September 1999
19. Implications of the new Commonwealth enrolment requirements	2 March 2000
20. The Electoral Amendment Bill 1999	11 April 2000
21. Meeting with the Queensland Ombudsman (Parliamentary Commissioner for Administrative Investigations) regarding the Ombudsman's <i>Annual Report to Parliament 1998 – 1999</i>	19 April 2000
22. The role of the Queensland Parliament in treaty making	19 April 2000
23. Issues of Queensland electoral reform arising from the 1998 State election and amendments to the <i>Commonwealth Electoral Act 1918</i>	31 May 2000
24. Review of the Queensland Constitutional Review Commission's recommendations relating to a consolidation of the Queensland Constitution	18 July 2000
25. Annual report 1999-00	19 July 2000
26. The <i>Report of the strategic management review of the Offices of the Queensland Ombudsman and the Information Commissioner</i>	19 July 2000
27. Review of the Queensland Constitutional Review Commission's recommendation for four year parliamentary terms	28 July 2000
28. The prevention of electoral fraud: Interim report	14 November 2000

<u>PAPERS</u>	DATE TABLED
Truth in political advertising (Issues paper)	11 July 1996
Privacy in Queensland (Issues paper)	4 June 1997
The preservation and enhancement of individuals' rights and freedoms: Should Queensland adopt a bill of rights? (Issues paper)	1 October 1997
Upper Houses (Information paper)	27 November 1997
Inquiry into issues of Queensland electoral reform (Background paper)	25 November 1999
The role of the Queensland Parliament in treaty making (Position paper)	25 November 1999
Freedom of Information in Queensland (Discussion paper)	8 February 2000
Four year parliamentary terms (Background paper)	11 April 2000
Review of the Queensland Constitutional Review Commission's recommendations relating to a consolidation of the Queensland Constitution (Position paper)	27 April 2000
Inquiry into the prevention of electoral fraud (Issues paper)	8 September 2000

