

# Legal, Constitutional and Administrative Review Committee

## ANNUAL REPORT 2002/2003

### REPORT NO. 40, AUGUST 2003

#### 1. INTRODUCTION

The Legal, Constitutional and Administrative Review Committee ('the committee' or 'LCARC') is a statutory committee of the Queensland Parliament established under s 80 of the *Parliament of Queensland Act 2001* (Qld). The committee's responsibilities (described in section 2) are set out in the *Parliament of Queensland Act* and other legislation.

The *Parliament of Queensland Act*<sup>1</sup> requires the committee to table in the Legislative Assembly, within four months and fourteen days 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 4;
- a statement of the committee's revenue and spending for the year: see section 9; and
- a brief description of responses by ministers to committee recommendations: see section 4.

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

#### 2. COMMITTEE RESPONSIBILITIES

##### 2.1 Law reform responsibilities

The *Parliament of Queensland Act* provides that the committee has the following four areas of responsibility.<sup>2</sup>

- 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; reviewing a decision to (or not to) investigate a particular complaint or decision; or reviewing reports, findings, recommendations or decisions in relation to a particular investigation, complaint or decision, or particular conduct the subject of a report by the Queensland Ombudsman.

- Constitutional reform which includes any bill expressly or impliedly repealing any law relevant to Queensland's Constitution.
- Electoral reform which includes monitoring generally the conduct of elections under the *Electoral Act 1992* (Qld) and the capacity of the Electoral Commission 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 *Parliament of Queensland 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.<sup>3</sup>

<sup>1</sup> *Parliament of Queensland Act 2001* (Qld), s 108.

<sup>2</sup> *Parliament of Queensland Act 2001* (Qld), ss 85-89.

<sup>3</sup> *Parliament of Queensland Act 2001* (Qld), s 84(2).

## 2.2 Other responsibilities

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

### *Funding of the Ombudsman*

Section 88(3) of the *Ombudsman Act 2001* (Qld) requires the Treasurer to 'consult' with the committee in developing the proposed budget of the Ombudsman for each financial year.

The following occurred during the reporting period in accordance with a consultative process agreed between the Treasurer and the committee for development of the Ombudsman's budget.

- On 15 January 2003, the Under Treasurer advised the committee that the Cabinet Budget Review Committee had completed its deliberations on the 2002-03 mid-year review and approved proposed changes to the Ombudsman's performance measures to enhance reporting and accountability of the office. The Under Treasurer also advised the committee of the process and timeframe for development of the 2003-04 State budget.
- On 18 March 2003, the Under Treasurer advised the committee of the Ombudsman's funding request seeking additional on-going funding (of \$60 000 in 2003-04) to extend the advice and awareness activities of the office's Advice and Awareness Unit.
- On 25 March 2003, the committee wrote to the Treasurer supporting the Ombudsman's funding request.
- On 22 April 2003, the Under Treasurer advised the committee that the Cabinet Budget Review Committee did not support the Ombudsman's request for additional funding and provided the committee with a timetable for completion of the budget process.

The committee discussed the implications of this funding outcome with the Ombudsman at a meeting held on 29 April 2003: see section 4.3.

### *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 process described above also relates to the proposed budget for the Information Commissioner.

### *Biannual meetings with the Ombudsman*

Section 89 of *Ombudsman Act* provides that the committee's functions under the Act include:

- to monitor and review the performance by the Ombudsman of the Ombudsman's functions under the Act;
- to report to the Assembly on any matter concerning the Ombudsman, the Ombudsman's functions or the performance of the Ombudsman's functions that the committee considers should be drawn to the Assembly's attention;
- to examine each annual report tabled in the Assembly under the Act and, if appropriate, to comment on any aspect of the report;
- to report to the Assembly any changes to the functions, structures and procedures of the office of the Ombudsman the committee considers desirable for the more effective operation of the Act.

In February 2002, the committee agreed to a process to ensure that it fulfilled its statutory functions regarding the Ombudsman. In this regard, the committee agreed to:

- aim to hold two general meetings with the Ombudsman each year;
- time these meetings so that one follows the tabling of the Ombudsman's annual report and the other precedes the estimates process;
- ask the Ombudsman written questions on notice on a variety of issues and require written answers to those questions before each meeting;
- meet with the Ombudsman and ask follow up questions without notice; and
- report to Parliament on these proceedings and include in the report the written questions on notice, answers to those questions and a transcript of the meeting.

In accordance with this process, the committee met with the Ombudsman on two occasions during the reporting period. These meetings are discussed further in section 4.

### 3. CONSTITUTIONAL REFORM

In section 4 the committee discusses inquiries completed during the reporting period.

In section 5 the committee discusses current inquiries.

In both of these sections the committee refers to particular stages of a broad constitutional reform inquiry. This inquiry emanated from the report of the Queensland Constitutional Review Commission (QCRC) titled *Report on the possible reform of and changes to the Acts and laws that relate to the Queensland Constitution*.<sup>4</sup> The Premier tabled this report in the Legislative Assembly on 29 February 2000 for ‘consideration and reporting’ by the committee.<sup>5</sup>

The then LCARC subsequently reviewed and reported to Parliament on:

- the QCRC’s recommendations relating to a consolidation of the Queensland Constitution;<sup>6</sup> and
- the QCRC’s recommendation that the maximum term of the Legislative Assembly be extended to four years with a fixed minimum period of three years.<sup>7</sup>

The former LCARC was unable to embark on a review of the remainder of the QCRC recommendations relating to reform of the Queensland Constitution before its dissolution in January 2001 for the 2001 general State election.

In February 2002, this committee resolved to conduct an inquiry into issues of constitutional reform encompassing:

- a review of the QCRC’s recommendations not considered by the former LCARC and other issues raised by the QCRC;
- issues of constitutional reform which the Government referred to the committee in a letter from the Acting Premier dated 17 January 2002; and
- an outstanding issue from LCARC report no 31 relating to the oath or affirmation of allegiance required to be taken or made by Queensland members of Parliament.

The committee decided to deal with these issues of constitutional reform in three stages. The first two stages largely relate to matters which the QCRC has given substantial consideration to and concern:

- specific issues of substantive constitutional reform (see section 4.1); and
- entrenchment of provisions of the Constitution (see section 5.1).

The third stage of the committee’s inquiry concerns QCRC recommendation 5.6 that, during this Parliament, the LCARC ‘conduct an inquiry into the possibility of special representation for Aborigines and Torres Strait Islanders’: see section 5.2.

Finally, the committee will give consideration to the issue of a preamble for the Constitution.

### 4. COMPLETED COMMITTEE INQUIRIES AND MINISTERIAL RESPONSES TO COMMITTEE RECOMMENDATIONS

Section 107 of the *Parliament of Queensland Act* requires that, if the committee recommends that the Government or a minister take action about an issue, the minister who is responsible for the issue must provide the Legislative Assembly with a response. This response must set out any recommendations to be adopted and the way and time within which they will be carried out, and any recommendations not to be adopted and the reasons for not adopting them.

The minister must table the response within three months of the committee’s report being tabled. If the minister cannot comply with this requirement, the minister must table an interim response within three months including reasons for not complying with the three month time limit and, within six months, table a final response.

In this section the committee summarises:

<sup>4</sup> Goprint, Brisbane, February 2000.

<sup>5</sup> Hon P D Beattie MP, Queensland, Legislative Assembly, *Parliamentary Debates (Hansard)*, 29 February 2000 at 45-46.

<sup>6</sup> LCARC, *Review of the Queensland Constitutional Review Commission’s recommendations relating to a consolidation of the Queensland Constitution*, report no 24, Goprint, Brisbane, July 2000.

<sup>7</sup> LCARC, *Review of the Queensland Constitutional Review Commission’s recommendation for four year parliamentary terms*, report no 27, Goprint, Brisbane, July 2000.

- significant issues considered by the committee during 2002/2003;
- the essence of committee recommendations made in relation to issues considered; and
- where applicable, ministerial responses to the committee's recommendations.

#### **4.1 The Queensland Constitution: Specific content issues (report no 36)**

In April 2002 the committee released an issues paper titled *The Queensland Constitution: Specific Content Issues*,<sup>8</sup> to facilitate a call for public submissions on certain specific issues of substantive constitutional reform. These issues concerned matters including: the incorporation of constitutional principles, conventions and practices into the Constitution; a Lieutenant-Governor for the State; the members' oath or affirmation of allegiance; indicative plebiscites; waste lands of the Crown; parliamentary secretaries; statutory office holders; and the judiciary.

On Saturday 20 April 2002, the committee advertised its call for submissions in *The Courier-Mail*, *The Cairns Post*, *The Townsville Bulletin*, *The Rockhampton Morning Bulletin*, and *The Australian*.

The committee also directly wrote to some 460 persons and organisations that it identified as having an interest in the issues under inquiry inviting their comments.

The committee received 37 submissions in response to this call for public input.

The committee tabled its report on 27 August 2002.<sup>9</sup>

##### Ministerial response

The Premier's response to the committee's report was tabled on 24 September 2002 and stated that, as this report related to the first of three stages of the committee's constitutional reform inquiry, the government would defer comment until completion of all stages.

<sup>8</sup> Goprint, Brisbane.

<sup>9</sup> *The Queensland Constitution: Specific Content Issues*, report no 36, Goprint, Brisbane.

#### **4.2 Meeting with the Queensland Ombudsman – 26 November 2002 (report no 37)**

In accordance with the process outlined in section 2.2, the committee held its second general meeting with the Ombudsman and senior officers of the Ombudsman's office on 26 November 2002. Prior to the meeting, the committee asked the Ombudsman written questions on notice and considered the Ombudsman's response to those questions.

At the meeting, the committee discussed issues arising from the Ombudsman's *Annual Report 2001-2002*<sup>10</sup> and the Ombudsman's response to the committee's questions on notice.

Key issues the committee raised with the Ombudsman throughout this process included:

- the need for continuous improvement of complaint handling timeframes and resolution of outstanding complaints;
- the effect of the restructure of the office;
- office priorities and performance targets; and
- practical matters concerning the Ombudsman's conduct of investigations, for example, natural justice and legal representation.

The committee reported to Parliament on its meeting with the Ombudsman on 12 December 2002. Included in the committee's report were the questions on notice and the Ombudsman's responses to those questions, the transcript of the meeting, and various documents tabled at the meeting including the Ombudsman's strategic plan for 2002-06.

##### Ministerial response

No ministerial response is required to this report.

#### **4.3 Meeting with the Queensland Ombudsman – 29 April 2003 (report no 38)**

In accordance with the process outlined in section 2.2, the committee held its third general meeting with the Ombudsman and senior officers of the Ombudsman's office on 29 April 2003. Prior to the meeting, the committee asked the Ombudsman written questions on notice and considered the Ombudsman's response to those questions.

<sup>10</sup> Tabled in the Queensland Legislative Assembly on 5 November 2002.

At the meeting, the committee discussed the Ombudsman's response to the committee's questions on notice.

Key issues the committee raised with the Ombudsman throughout this process included:

- implementation of the office's new case and records management system, Catalyst;
- complaints closure rates;
- the effect of the restructure of the office, particularly the positive impact of the establishment of the Assessment and Resolution Team;
- the provision of 'feedback reports' to agencies;
- activities being undertaken by the Advice and Communication Unit;
- the current status of investigations involved in the Workplace Electrocution Project;
- results of the review of the prisoner PhoneLink initiative;
- internal review of Ombudsman decisions;
- corporate service and human resource matters; and
- budgetary issues relating to the office.

The committee reported to Parliament on its meeting with the Ombudsman on 6 June 2003. Included in the committee's report were the questions on notice and the Ombudsman's responses to those questions, and the transcript of the meeting.

The committee's report was timed to put its examination of issues with the Ombudsman on the public record prior to the 2003 estimates process.

#### Ministerial response

No ministerial response is required to this report.

#### **4.4 The role of the Queensland Parliament in treaty making – Review of tabling procedure (report no 39)**

On 19 April 2000, the LCARC of the 49<sup>th</sup> Parliament tabled report no 22 *The role of the Queensland Parliament in Treaty Making*.<sup>11</sup> In this report the former committee recommended that the Premier be required to table in the Queensland Parliament from time to time certain information regarding proposed treaty actions. The committee

further recommended that the Premier, at any time, but at least annually, report to the Queensland Parliament on: (a) any substantive issues for Queensland arising out of particular treaties during the reporting period; and (b) the adequacy of the treaty making and consultation process from Queensland's perspective.

The former committee recommended a review of the effectiveness of the above requirement by the LCARC two years after its implementation.

This committee deferred review of the tabling procedure until March 2003, being two years after the Premier first tabled material in accordance with the former committee's recommendation.

In early 2003, the committee sought the views of:

- the Premier regarding the value of the tabling procedure; and
- the Clerk of the Parliament regarding whether there are any administrative difficulties associated with the procedure.

In the absence of any evident difficulties with the current arrangement, the committee recommended in its report to Parliament tabled on 17 July 2003 continuation of the current procedure whereby the Premier:

- tables certain information regarding proposed treaty actions in Parliament; and
- reports at least annually to the Parliament on issues relating to treaties.

The committee further recommended that the Standing Orders Committee consider adopting a new Standing Order in the same terms as a current Sessional Order which enables the Premier to table treaties information during Parliament's recess.

#### Ministerial response

A ministerial response is not due until 17 October 2003.

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<sup>11</sup> Goprint, Brisbane.

## 5. CURRENT COMMITTEE INQUIRIES

### 5.1 Entrenchment of the Queensland Constitution

On 27 August 2002, the committee released a consultation paper titled *The Queensland Constitution: Entrenchment – Proposals for comment*.<sup>12</sup> This paper commenced the second stage of the committee's constitutional reform inquiry (discussed in section 3) by inviting public submissions on various committee proposals.

The committee received 23 submissions in response to its consultation paper. In addition, on 28 November 2002, the Queensland Chapter of the Australian Association of Constitutional Law hosted a round-table discussion in conjunction with the committee to discuss the proposals contained in the committee's consultation paper and other relevant issues.

The committee anticipates reporting to Parliament on this inquiry in August/September 2003.

### 5.2 'Hands on Parliament' - Aboriginal and Torres Strait Islander Peoples' participation in Queensland's democratic process

One of the recommendations of the QCRC was that, during the life of this Parliament, the committee 'conduct an inquiry into the possibility of special representation for Aborigines and Torres Strait Islanders'.

The committee resolved to conduct an inquiry into this issue as stage three of its constitutional reform inquiry: see section 3. However, the committee decided to broaden the scope of the inquiry to Aboriginal and Torres Strait Islander People's participation in the democratic process.

In December 2002, the committee released an issues paper to stimulate public submissions to its inquiry.<sup>13</sup> In this paper the committee sought feedback on five strategies that might assist in enhancing Indigenous people's participation in democratic processes. These strategies concerned:

- enhancing participation in existing processes;
- direct input into Parliament;
- an Aboriginal and Torres Strait Islander Assembly;
- dedicated seats in the Parliament; and

- changes to the electoral system.

The committee provided copies of its issues paper to over 700 bodies and individuals.

Between March and July 2003 the committee engaged in an extensive program of consultation through meetings with key bodies and individuals and public meetings throughout Queensland.

As at 30 June 2003, 43 submissions had been received to this inquiry.

The committee anticipates reporting to Parliament on this inquiry in September 2003.

### 5.3 Review of the fees and charges regime under the *Freedom of Information Act 1992*

The committee finalised a comprehensive review of Queensland's *Freedom of Information Act 1992* (the 'FOI Act') in December 2001.<sup>14</sup> As part of its review, the committee considered the resource implications of the Act for agencies and the Act's regime of fees and charges.

Just prior to the committee tabling its report, the *Freedom of Information Amendment Act 2001* and the *Freedom of Information Amendment Regulation 2001* commenced. This legislation introduced changes to the fees and charges regime under the Act.

Due to the short period of time the amended regime had been in operation when the committee reported, the committee concluded that it was not in a position to assess how the new regime was operating in practice. Consequently, the committee recommended that the LCARC review the new fees and charges regime in a year to assess whether it is operating fairly and efficiently.<sup>15</sup> The committee also recommended that certain matters concerning the regime be attended to prior to that review.

In his ministerial response to the committee's report, the Attorney-General stated that his department 'will monitor the operation of the FOI Act charging regime to ensure that it meets community expectation'.<sup>16</sup>

In late 2002 the committee sought to gather information to inform its review of the new fees and charges regime. The following events occurred.

<sup>14</sup> *Freedom of Information in Queensland*, report no 32, Goprint, Brisbane, 2001.

<sup>15</sup> Committee Finding 145 – Recommendation at 172-173.

<sup>16</sup> Tabled 13 August 2002.

<sup>12</sup> Goprint, Brisbane.

<sup>13</sup> Goprint, Brisbane.

- On 22 October 2002, the committee wrote to the Attorney-General seeking certain statistical information in relation to the new fees and charges regime.
- On 4 December 2002, following telephone correspondence with the Attorney-General's office, the committee wrote to the Attorney-General to follow up on his undertaking to monitor the operation of the charging regime, and seeking his advice as to what information is being collected in accordance with that undertaking.
- On 11 December 2002, the Attorney-General responded that it was too early to review the new regime given that it had only been operating for 12 months. The Attorney-General also stated that much of the information the committee requested is not available and that while some would be collated as part of the next section 108 report, even that would be limited to the reporting period July 2001 to June 2002.
- On 4 December 2002, the committee also wrote to the Information Commissioner seeking information as to any problems arising or adverse effects of the new regime which have been identified by his office and any general comments which he might wish to provide. In his response dated 14 February 2003, the Information Commissioner identified a number of issues and problems with the new regime.
- On 11 March 2003, the committee provided a copy of the Information Commissioner's response to the Attorney-General for his comment. In particular, the committee asked whether his department is taking any action to clarify uncertainties or deal with issues which have arisen in the practical application of the regime through legislative amendments, issuing guidelines or other action.
- On 30 April 2003, the Attorney-General advised the committee that his department is currently preparing amendments to the FOI Act including amendments to clarify issues which have arisen in the practical application of the fees and charges regime, and that the Information Commissioner is being consulted on the development of these amendments. The Attorney-General also advised that it is difficult to draw many conclusions about the effect of the new charging regime by reference

only to the current and 2000-01 reported figures for charges collected. In this regard the Attorney-General noted that the present reporting arrangements will not effectively capture useful information on certain aspects of the new regime.

- On 30 May 2003, the *Freedom of Information Annual Report for 2001-02* was tabled. This report is of limited value in assessing the new regime given that:
  - the regime was only in operation for seven months of the period covered by the report; and
  - the current reporting arrangements do not address all aspects of the new regime.

The committee does not feel that there is sufficient information regarding the operation of the new fees and charges regime for it to proceed with its review at this stage. However, the committee is of the view that this position be reassessed following the introduction of the amending legislation and an assessment of its impact on the fees and charges regime.

At that point in time there should also be statistics regarding the new regime for a full financial year, albeit only relating to those categories in which agencies are currently required to collect data.

Given the limits of the current data collection, the committee will continue to seek action from the Attorney-General to address the need for more consistent reporting arrangements across agencies and a more detailed breakdown of fees and charges.

The committee intends to consider the reporting requirements as they relate to the fees and charges regime as part of its review.

## 6. MEETINGS AND OTHER COMMITTEE ACTIVITIES FOR 2002/03

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

Description	Total
Committee meetings	24
Public meetings (see below)	15
In-camera hearings	0
Committee publications	7
Ministerial responses to committee reports	2
Ministerial responses to committee reports outstanding as at 30 June 2003	0
Consultants engaged	2 <sup>17</sup>

The committee undertook public meetings as part of its *Hands on Parliament* inquiry. These meetings were convened by sub-committees and advertised as open to the public although formal evidence as such was not taken by the sub-committees. (A further public meeting was convened by one committee member.) The committee also formed sub-committees to meet with representatives from the Aboriginal and Torres Strait Islander Commission and the Aboriginal Coordinating Council.

## 7. STAFF

The committee's secretariat is staffed by a Research Director, Principal Research Officer and Executive Assistant. Different staff members filled these positions throughout the year.

There was a vacancy in the Principal Research Officer position from February 2003 to May 2003. Further, the position of Executive Assistant to the committee was filled on a part-time basis from 17 June 2002 until 7 February 2003.

From 30 September 2002 to December 2002, Ms Angela Ruska was seconded full-time to the committee from the Department of Aboriginal and Torres Strait Islander Policy. This secondment was part of the Moving into Management Program, and was at no cost to the committee. Since 3 February 2003 to present, Ms Ruska has continued to assist the committee two days per week with its *Hands on Parliament* inquiry. The committee has paid 40% of Ms Ruska's salary for this period.

<sup>17</sup> The committee engaged the same consultant, Dr Gerard Carney, to assist with stages 1 and 2 of its constitutional reform inquiry: see section 3.

## 8. TRAVEL

The committee undertook travel to regional areas of the State to conduct public meetings relating to its *Hands on Parliament* inquiry: see section 5.2.

## 9. COMMITTEE EXPENDITURE AND REVENUE

### 9.1 Expenditure

Staff salaries and other employee-related expenses (excl taxes and superannuation) <sup>18</sup>	\$168,260.09
Salary related taxes etc <sup>19</sup>	\$9,012.16
Superannuation	\$18,494.06
Travel <sup>20</sup>	\$22,098.68
Consultants	\$4,650.00
Meeting expenses	\$6,233.90
Telecommunication costs	\$2,128.54
Reference books, publications, subs etc	\$1,050.73
Printing of publications	\$11,866.55
Advertising	\$6,405.83
Miscellaneous expenses including maintenance of equipment, stationery and consumables	\$637.47
<b>TOTAL EXPENDITURE</b>	<b>\$250,838.01</b>

### 9.2 Revenue

The committee's revenue for the period was \$54.00. All of this revenue related to the proceeds of sale of the *Queenslanders' Basic Rights*<sup>21</sup> handbook through Goprint outlets.

### 9.3 Total operating position

The committee's total operating position was \$22,363.99 less than that budgeted. This is largely due to the committee secretariat being staffed at less than establishment for certain periods of the financial year: see section 7.

## Karen Struthers MP Chair

<sup>18</sup> Includes overtime, long service leave levy and other allowances.

<sup>19</sup> Includes fringe benefits tax, payroll tax and work cover.

<sup>20</sup> 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.

<sup>21</sup> This handbook was prepared as part of LCARC report no 12 *The preservation and enhancement of individuals' rights and freedoms in Queensland: Should Queensland adopt as bill of rights?*, Goprint, Brisbane, November 1998.



## **APPENDIX A: LCARC MEETING ATTENDANCE RECORD 2002 – 2003**

DATE OF MEETING	KAREN STRUTHERS	FIONA SIMPSON	LIZ CUNNINGHAM	PETER LAWLOR	RONAN LEE	RACHEL NOLAN	DOROTHY PRATT
30 July 2002	✓	✓	✓	✓	✓	✓	✓
6 August 2002	✓	✓	✓	✓		✓	✓
20 August 2002	✓	✓	✓	✓	✓	✓	✓
17 September 2002	✓	✓	✓	✓	✓	✓	
22 October 2002	✓		✓	✓	✓	✓	✓
29 October 2002	✓		✓	✓	✓	✓	✓
26 November 2002	✓	✓	✓	✓	✓	✓	✓
28 November 2002	✓	✓		✓		✓	✓
3 December 2002	✓	✓	✓	✓	✓	✓	
18 February 2003	✓	✓	✓	✓	✓	✓	✓
25 February 2003	✓	✓	✓	✓		✓	✓
11 March 2003	✓	✓	✓	✓	✓	✓	✓
25 March 2003	✓		✓	✓	✓	✓	✓
27 March 2003	✓		✓	✓		✓	✓
1 April 2003	✓	✓	✓	✓		✓	✓
3 April 2003	✓		✓	✓	✓	✓	✓
29 April 2003	✓	✓	✓	✓	✓	✓	✓
7 May 2003	✓	✓	✓	✓			✓
13 May 2003	✓	✓	✓	✓	✓	✓	✓
15 May 2003	✓	✓	✓	✓			✓
27 May 2003	✓	✓	✓	✓	✓	✓	
29 May 2003	✓	✓	✓	✓		✓	
4 June 2003	✓	✓	✓	✓	✓	✓	✓
26 June 2003	✓	✓	✓	✓		✓	

## **LCARC MEMBERSHIP – 50<sup>TH</sup> PARLIAMENT**

CHAIR:	Ms Karen Struthers MP, Member for Algera
DEPUTY CHAIR:	Miss Fiona Simpson MP, Member for Maroochydore
MEMBERS:	Mrs Liz Cunningham MP, Member for Gladstone
	Mr Peter Lawlor MP, Member for Southport
	Mr Ronan Lee MP, Member for Indooroopilly
	Ms Rachel Nolan MP, Member for Ipswich
	Mrs Dorothy Pratt MP, Member for Nanango

### **SECRETARIAT**

MS KERRY NEWTON	Research Director (on leave from 2/8/02 to 5/5/03)
MS VERONICA ROGERS	Principal Research Officer (Acting Research Director from 5/8/02 until 24/1/03)
MS SARAH LIM	Principal Research Officer (acting from 2/8/02 until 24/1/03 and appointed on 29/5/03; Acting Research Director from 27/1/03 until 2/5/03)
MS ANGELA RUSKA	Project Officer (from 30/9/02)
MS TAMARA VITALE	Executive Assistant (until 7/2/03)
MS TANIA JACKMAN	Executive Assistant (from 7/2/03)

### **CONTACTING THE COMMITTEE**

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

The committee's contact details are:

Legal, Constitutional & Administrative Review Committee  
Parliament House  
George Street, Brisbane, Qld, 4000

Telephone: (07) 3406 7307  
Fax: (07) 3406 7070  
Email: [lcarc@parliament.qld.gov.au](mailto:lcarc@parliament.qld.gov.au)

<b>REPORTS</b>	<b>DATE TABLED</b>
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
29. Annual report 2000-01	2 August 2001
30. Progress report on implementation of recommendations made in the Report of the strategic management review of the Offices of the Queensland Ombudsman and the Information Commissioner	8 August 2001
31. Review of the Members' oath or affirmation of allegiance	25 October 2001
32. Freedom of Information in Queensland	20 December 2001
33. The Electoral (Fraudulent Actions) Amendment Bill 2001	27 March 2002
34. Meeting with the Queensland Ombudsman – 12 April 2002	14 May 2002

**REPORTS**

35.	Annual Report 2001/2002	23 August 2002
36.	The Queensland Constitution: Specific content issues	27 August 2002
37.	Meeting with the Queensland Ombudsman ~ 26 November 2002	12 December 2002
38.	Meeting with the Queensland Ombudsman ~ 29 April 2003	6 June 2003
39.	The role of the Queensland Parliament in treaty making – Review of tabling procedure	17 July 2003

**PAPERS****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
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Four year parliamentary terms (Background paper)	11 April 2000
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Inquiry into the prevention of electoral fraud (Issues paper)	8 September 2000
The Queensland Constitution: Specific content issues (Issues paper)	18 April 2002
The Queensland Constitution: Entrenchment (Proposals for Comment)	27 August 2002
Hands on Parliament - A Parliamentary Committee Inquiry into Aboriginal and Torres Strait Islander Peoples' Participation in Queensland's Democratic Process	12 December 2002