

2013-2014 Budget Estimates

Report No. 32 Legal Affairs and Community Safety Committee August 2013

Legal Affairs and Community Safety Committee

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Deputy Chair	Mr Peter Wellington MP, Member for Nicklin
Members	Miss Verity Barton MP, Member for Broadwater
	Mr Bill Byrne MP, Member for Rockhampton
	Mr Sean Choat MP, Member for Ipswich West
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Chair's foreword

This report presents a summary of the Legal Affairs and Community Safety examination of the Budget Estimates for the 2013-2014 financial year.

Consideration of the Budget Estimates allows for the public examination of both the responsible Minister and Chief Executive Officer of each agency within the Committee's portfolio area. This was undertaken through the questions on notice and public hearing process.

The Committee has made one recommendation as follows:

• The proposed expenditure, as detailed in the Appropriation Bill 2013 for the Committee's areas of responsibility, be agreed to by the Legislative Assembly, without amendment.

On behalf of the Committee, I wish to thank the Attorney-General and Minister for Justice and the Minister for Police and Community Safety, and their departmental officers for their cooperation in providing information to the Committee throughout this process.

I would also like to thank the Members of the Committee for their hard work and valuable contribution into the Estimates process, and other Members who participated in the Estimates Hearing providing additional scrutiny of the Budget Estimates.

Finally, I wish to thank the officers in the secretariat and other parliamentary officers for their assistance throughout the Estimates process.

lan Berry MP **Chair**

1. Introduction

1.1 Role of the Committee

The Legal Affairs and Community Safety Committee (the Committee) is a portfolio committee of the Queensland Parliament established under section 88 of the *Parliament of Queensland Act 2001* and the Standing Rules and Orders of the Legislative Assembly.

The Committee's areas of responsibility are:

- Department of Justice and Attorney-General;
- Queensland Police Service; and
- Department of Community Safety.¹

The Committee also has oversight responsibilities for the Office of the Information Commissioner, the Queensland Ombudsman, the Electoral Commissioner and the Criminal Organisation Public Interest Monitor.

On 4 June 2013, the Appropriation Bill 2013 and the estimates for the Committee's areas of responsibility were referred to the Committee for investigation and report.²

On 18 July 2013, the Committee conducted a public hearing and took evidence about the proposed expenditure from the Attorney-General and Minister for Justice (the Attorney-General), the Minister for Police and Community Safety and other witnesses. A copy of the transcript of the Committee's hearing can be accessed on the Parliament's website.

1.2 Aim of this report

The Committee considered the estimates referred to it by using information contained in:

- budget papers;
- answers to pre-hearing questions on notice;
- evidence taken at the hearing; and
- additional information provided in relation to answers.

This report summarises the estimates referred to the Committee and highlights some of the issues the Committee examined.

Prior to the public hearing, the Committee provided the Attorney-General and the Minister for Police and Community Safety with questions on notice in relation to the estimates. Responses to all the questions were received.

Answers to the Committee's pre-hearing questions on notice; documents tabled during the hearing; answers and additional information provided by Ministers after the hearing; and minutes of the Committee's meetings are included in a volume of additional information tabled with this report.

¹ Standing Rules and Orders, Schedule 6. The schedule provides that departments, statutory authorities, government owned corporations or other administrative units related to the relevant Minister's responsibilities regarding these areas are included.

² Standing Order 177 provides for the automatic referral of the Annual Appropriation Bills to portfolio committees once the Bills have been read a second time.

1.3 Participation of other Members

Due to the inability of various Committee Members to be present for the entire hearing, the following members were appointed as substitute Committee Members (in accordance with the Standing Rules and Orders of the Legislative Assembly³), for specified times throughout the day:

- Mrs Jo-Ann Miller MP, Member for Bundamba;
- Mr Michael Pucci MP, Member for Logan; and
- Mrs Desley Scott MP, Member for Woodridge.

In addition, the following members sought, and were granted leave by the Committee to participate in the public hearing and ask questions of witnesses at specified times throughout the day:

- Ms Annastacia Palaszczuk MP, Leader of the Opposition and Member for Inala; and
- Mrs Desley Scott MP, Member for Woodridge.

2. Recommendations

The Committee makes the following recommendation.

Recommendation 1

The Committee recommends the proposed expenditure, as detailed in the Appropriation Bill 2013 for the Committee's areas of responsibility, be agreed to by the Legislative Assembly, without amendment.

3. Attorney-General and Minister for Justice

3.1 Department of Justice and Attorney-General

The Attorney-General is the Minister responsible for the Department of Justice and Attorney-General (the Department). The Department has six service areas as follows:⁴

Criminal and Civil Justice: which includes Queensland's courts and tribunals, provides coronial and prosecution services, diversion programs to address causes of offending, Justice of the Peace and mediation services;

Fair and Safe Work: which supports an industrial relations framework for Queensland's private sector, provides workplace health and safety services, workers' compensation policy advice, and electrical safety services, including developing and enforcing standards and promoting strategies for improved performance;

Legal: which develops and coordinates proposals for justice related legislation, provides advice on and develops law reform and justice policy; provides independent legal services for public sector agencies and the State;

Human Rights Protection: which provides guardianship services, assistance for victims of crime and life event registration services;

Liquor, Gaming and Fair Trading: which provides regulatory and consumer protection services across the liquor, gaming, and general services sectors, particularly through encouraging industry integrity and fostering business and consumer confidence, develops and implements initiatives to minimise harm from liquor and gambling; educates and protects vulnerable consumers; and

³ SO 202 – Illness, inability to attend or standing down.

⁴ State Budget 2012-13, Service Delivery Statements, Department of Justice and Attorney-General, Electoral Commission of Queensland, Office of the Queensland Ombudsman, Public Trust Office, page 1.

Youth Justice: which provides youth justice services, including boot camps, conferencing and detention centres; develops and implements strategies to meet the needs of youth justice clients and their families.

In addition, in 2013-2014 the Department will administer funds on behalf of the Government which were established for managing the following:

- Remuneration of Judicial Officers;
- Appeal Costs Fund Payments;
- Financial assistance to victims of crime;
- Criminal injuries compensation;
- Assistance to families of victims of homicide;
- Statutory Authorities:
 - Anti-Discrimination Commission Queensland;
 - Crime and Misconduct Commission;
 - Legal Aid Queensland; and
 - Office of the Information Commissioner;
- Revenue from the Office of Liquor and Gaming regulations; and
- Property Agents and Motor Dealers Act (PAMDA) claim fund.⁵

The following table taken from the Appropriation Bill 2013 compares the appropriations for the Department for 2012-2013 and 2013-2014.

Appropriations	2012-13 \$'000	2013-14 \$'000
Controlled Items		
departmental services	520,012	537,412
equity adjustment	38,918	(19,671)
Administered Items	239,092	292,564
Vote	798,022	810,305

Source: Appropriation Bill 2013, Schedule 2, page 9.

The Attorney-General's Ministerial portfolio area of responsibility also includes the following statutory authorities and agencies, further details of which are set out below:

- Anti-Discrimination Commission Queensland;
- Crime and Misconduct Commission;
- Electoral Commission of Queensland;
- Legal Aid Queensland;
- Office of the Information Commissioner;
- Office of the Queensland Ombudsman; and
- The Public Trustee of Queensland.

⁵ State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General, pages 23-24.

Budgeted capital purchases for the Department (including the Public Trust Office, Legal Aid Queensland and Crime and Misconduct Commission) for 2013-2014 is \$60.2 million.⁶

Of this amount, \$47 million is for capital purchases of the Department. The Department's capital purchases will primarily focus on the expansion and refurbishment of the Cleveland Youth Detention Centre, the enhancement, maintenance and upgrade of Youth Justice facilities and the programmed renewal and maintenance of courthouses.⁷

The following table shows a comparison of the budgets for 2012-2013 and 2013-2014 for the Department of Justice and Attorney-General.⁸

Agency	2012-13 \$'000	2013-14 \$'000
Department of Justice and Attorney- General		
controlled	726,558	698,948
administered	293,980	294,030

Source: State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General; Electoral Commission of Queensland; Office of the Ombudsman; and Public Trustee of Queensland.

The 2013-2014 Budget highlights for the Department include:

- implementing the Government's response to the review of the Youth Justice Act 1992;
- developing a Blueprint for the Future of Youth Justice;
- expanding the youth boot camp trial;
- providing funding to continue the JP (QCAT) pilot program and to revitalise and refocus the Justices of the Peace (JP) Branch on compliance and support;
- continuing to support victims of crime who may have been directly or indirectly affected by violent crime;
- providing funding to Women's Legal Service to support vulnerable Queensland women with assisted legal advice sessions;
- implementing the recommendations from the review of the allocation of funds from the Legal Practitioner Interest on Trust Accounts Fund (LPITAF), with a new funding model to commence in the 2014-15 financial year;
- responding to the Callinan/Aroney Inquiry report, *Review of the Crime and Misconduct Act and related matters*, and the relevant recommendations of the Parliamentary Crime and Misconduct Committee, *Report No 90 Inquiry on the CMC's release and destruction of Fitzgerald Inquiry documents*;
- providing additional funding for the Commission of Inquiry into the Queensland racing industry commencing in July 2013;
- responding to the review of the *Electoral Act 1992*;
- introducing the *Implementation Guidelines to the Queensland Code of Practice for the Building and Construction Industry* and establishing the Building Construction Compliance Branch to improve productivity, reduce costs and stop unlawful industrial activity in Queensland's building and construction industry;

⁶ State Budget 2013-14, Capital Statement – Budget Paper No. 3, page 78.

State Budget 2013-14, Capital Statement – Budget Paper No. 3, page 78.

⁸ The table indicates the agency budget. It may not represent the actual appropriation.

- responding to the review of the Work Health and Safety Act 2011;
- continuing to respond to the outcomes of the Parliamentary Inquiry into Queensland's Workers' Compensation Scheme;
- responding to the review of the *Electrical Safety Regulation 2002* aimed at enhancing electrical safety while reducing red tape for business;
- continuing to support the Drink Safe Precinct trials and evaluation;
- contributing to the Government's commitment to transform the public sector to be the best, most efficient, modern and service-oriented in Australia through Public Sector Renewal Program initiatives, including the Births, Deaths and Marriages Revitalisation Program and the One-Stop Shop solution; and
- continuing to implement savings allocated through rigorous review of services, particularly to back office services and processes.⁹

3.2 Anti-Discrimination Commission Queensland

The Anti-Discrimination Commission Queensland (ADCQ) is an independent statutory body established by the *Anti-Discrimination Act 1991*. The ADCQ contributes to the Government's objectives by: managing complaints received under the *Anti-Discrimination Act 1991*; delivering training to business, government and the community; and promoting public discussion on human rights.¹⁰

The budget comparison for 2012-2013 and 2013-2014 for the Anti-Discrimination Commission Queensland is shown below.¹¹

Agency	2012-13 \$'000	2013-14 \$'000
Anti-Discrimination Commission Queensland	5,316	5,323

Source: State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General; Electoral Commission of Queensland; Office of the Ombudsman; and Public Trustee of Queensland.

The focus for 2013-2014 for the Anti-Discrimination Commission Queensland will be on refining resources for schools and enhancing services to the business community through the increased use of online services.¹²

3.3 Crime and Misconduct Commission

The Crime and Misconduct Commission (CMC) is an independent specialist agency established under the *Crime and Misconduct Act 2001* which strives to protect Queenslanders from major crime and enhance public sector integrity. The CMC's activities contribute to: reducing the impact of major crime in Queensland; a trustworthy public sector; an effective witness protection service; and to be an organisation of high public value.¹³

⁹ State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General, pages 3-4.

¹⁰ State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General, page 40.

¹¹ The table indicates the agency budget. It may not represent the actual appropriation.

¹² State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General, page 40.

State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General, page 46.

The budget comparison for 2012-2013 and 2013-2014 for the Crime and Misconduct Commission is shown below. $^{\rm 14}$

Agency	2012-13 \$'000	2013-14 \$'000
Crime and Misconduct Commission	50,037	49,596

Source: State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General; Electoral Commission of Queensland; Office of the Ombudsman; and Public Trustee of Queensland.

The Budget allocates \$1.2 million to the Crime and Misconduct Commission to replace computer equipment, other equipment and motor vehicles.¹⁵

The priorities in 2013-2014 for the CMC are to:

- gain maximum impact from proceeds of crime activity consistent with available resources;
- target and prevent major crime in our highest threat illicit drug market; and
- respond to changes to the police complaints, discipline and misconduct system and other external initiatives, including the recommendations from the PCMC's Inquiry report 90 of April 2013 and government approved recommendations from the report of 28 March 2013 prepared by the advisory panel reviewing the *Crime and Misconduct Act 2001*.¹⁶

3.4 Legal Aid Queensland

Legal Aid Queensland's (LAQ) purpose is to provide front-line legal services to financially disadvantaged Queenslanders. These services include community legal education, information, advice, duty lawyer services, court and tribunal representation and dispute resolution.¹⁷

The budget comparison for 2012-2013 and 2013-2014 for Legal Aid Queensland is shown below.¹⁸

Agency	2012-13 \$'000	2013-14 \$'000
Legal Aid Queensland	125,922	125,540

Source: State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General; Electoral Commission of Queensland; Office of the Ombudsman; and Public Trustee of Queensland.

The Budget allocates \$6.3 million for Legal Aid Queensland to invest in major property, plant and equipment projects, including the refurbishment of offices; and the replacement of business systems and motor vehicles.¹⁹

During 2013-2014, the LAQ expects to:

- continue to provide quality front-line legal services;
- increase fees to private lawyers for family law grants of aid by 5%;
- redevelop the LAQ website to improve accessibility for clients, lawyers and the community;
- expand its referral pathways for advice program to Toowoomba;
- implement the IT support capability review's recommendations;

¹⁴ The table indicates the agency budget. It may not represent the actual appropriation.

¹⁵ State Budget 2013-14, Capital Statement - Budget Paper No. 3, page 79.

¹⁶ State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General, page 46.

¹⁷ State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General, page 54.

¹⁸ The table indicates the agency budget. It may not represent the actual appropriation.

¹⁹ State Budget 2013-14, Capital Statement - Budget Paper No. 3, page 79.

- continue to focus on its financial sustainability; and
- complete the initial phase of its head office refurbishment to ensure ongoing rental savings.²⁰

3.5 Office of the Information Commissioner

The Office of the Information Commissioner (OIC) contributes to the Government's objective for the community to restore accountability in Government by fostering better and easier access to public sector information by:

- providing an independent, timely and fair review of decisions made under the Right to Information Act and the Information Privacy Act 2009;
- providing an independent and timely privacy complaints resolution services;
- fostering improvements in the quality of practice in right to information and information privacy in Queensland Government agencies;
- promoting the principles and practices of right to information and information privacy in the community and in government.²¹

The budget comparison for 2012-2013 and 2013-2014 for the Office of the Information Commissioner is shown below. $^{\rm 22}$

Agency	2012-13 \$'000	2013-14 \$'000
Office of the Information Commissioner	6,581	6,614

Source: State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General; Electoral Commission of Queensland; Office of the Ombudsman; and Public Trustee of Queensland.

Major deliverables for the Office of the Information Commissioner for 2013-2014 include:

- providing further online training courses to agencies that allow for flexible and low-cost training accessible to metropolitan and regional areas and providing targeted face-to-face training for specific identified agencies and topics of interest;
- conducting audits of local councils and universities on their compliance with certain obligations under the *Right to Information Act 2009* and the *Information Privacy Act 2009;*
- continuing to support open data initiatives;
- continuing to finalise external reviews and privacy complaints in a timely manner;
- promoting understanding of right to information and privacy rights and responsibilities in the community, particularly in rural and regional areas;
- providing educational resources for both agencies and the community in the area of privacy and complaints; and
- reporting to Parliament on the results of the 2013 Agency Self-Assessed Electronic Audit of compliance with the *Right to Information Act 2009* and the *Information Privacy Act 2009* across the public sector.²³

²⁰ State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General, page 54.

State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General, page 60.

²² The table indicates the agency budget. It may not represent the actual appropriation.

State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General, pages 60-61.

3.6 Electoral Commission of Queensland

The Electoral Commission of Queensland (ECQ) is an independent statutory authority established by the *Electoral Act 1992*. The ECQ carries out the functions set down in section 7 of the *Electoral Act 1992* which includes conducting State elections and promoting public awareness of electoral matters.²⁴

The following table taken from the Appropriation Bill 2013 compares the appropriations for the Electoral Commission of Queensland for 2012-2013 and 2013-2014.

Appropriations	2012-13 \$'000	2013-14 \$'000
Controlled Items		
departmental services	55,270	22,703
equity adjustment	1,823	1,334
Administered Items		
Vote	57,093	24,037

Source: Appropriation Bill 2013, page 12.

The major activities of the Electoral Commission of Queensland for 2013-2014 will include:

- continued planning and preparation for the next State General election and Quadrennial Local Government elections;
- conduct of elections for the newly de-amalgamated councils of Noosa, Livingstone, Douglas and Mareeba;
- continued delivery of the Commission's community awareness program to increase electors' awareness of their responsibilities towards enrolment and voting;
- conduct of industrial elections, as well as protected action ballots as required under the *Industrial Relations Act 1999*;
- continued administration of the political party registration and financial disclosure schemes;
- further investigation into potential vision-impaired voting systems and processes;
- review of references of local government matters received from the Minister for Local Government, Community Recovery and Resilience; and
- management of Queensland's electoral roll in conjunction with the Australian Electoral Commission.²⁵

²⁴ State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General, page 69.

 ²⁵ State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General, page 60-61.

The budget comparison for 2012-2013 and 2013-2014 for the Electoral Commission of Queensland is shown below.²⁶

Agency	2012-13 \$'000	2013-14 \$'000
Electoral Commission of Queensland		
controlled	43,348	22,743
administered		

Source: State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General; Electoral Commission of Queensland; Office of the Ombudsman; and Public Trustee of Queensland.

Budgeted capital purchases for the Electoral Commission of Queensland include \$1.94 million for the development of a non-voter system to replace a CITEC legacy system which is to be decommissioned; the development of systems to administer funding and disclosure schemes; and the on-going replacement program of plant and equipment.²⁷

3.7 Office of the Ombudsman

The Office of the Ombudsman is a department for the purposes of the *Financial Accountability Act 2009*. The Attorney-General and Minister for Justice has ministerial responsibility for the Office of the Ombudsman. The work of the Queensland Ombudsman improves fairness in public administration and through better decisions by agencies, leads to better services for Queenslanders

The purpose of the Office of the Ombudsman is to investigate complaints and public sector administrative actions and work with agencies to improve their decision making. The Office of the Ombudsman has the following objectives:

- fair and reasonable treatment of people's complaints;
- unfair or unjust public agencies decisions are rectified;
- public sector agencies improve their decision making; and
- to ensure it is a capable and accountable organisation.

The following table taken from the Appropriation Bill 2013 compares the appropriations for the office for 2012-2013 and 2013-2014.

Appropriations	2012-13 \$'000	2013-14 \$'000
Controlled Items		
departmental services	7,253	7,634
equity adjustment		
Administered Items		
Vote	7,253	7,634

Source: Appropriation Bill 2013, page 12.

²⁶ The table indicates the agency budget. It may not represent the actual appropriation.

State Budget 2012-13, Capital Statement – Budget Paper No. 3, page 43.

Throughout 2013-2014, the Office of the Ombudsman will continue to:

- complete high quality investigations;
- use own motion investigations to address systemic problems in public administration;
- provide timely assessment and investigation of complaints;
- monitor the implementation of recommendations;
- encourage the use of agency complaints management systems;
- audit agency complaints management systems;
- build community awareness about the Queensland Ombudsman to ensure community members know when and how to access services;
- provide equitable access to services and target areas of need;
- deliver high quality training, information and guidance materials;
- recruit, retain and develop a skilled workforce; and
- ensure compliance with accountability standards.²⁸

The budget comparison for 2012-2013 and 2013-2014 for the Office of the Ombudsman is shown below. $^{\rm 29}$

Agency	2012-13 \$'000	2013-14 \$'000
Office of the Ombudsman	7,563	7,914

Source: State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General; Electoral Commission of Queensland; Office of the Ombudsman; and Public Trustee of Queensland.

3.8 Public Trustee of Queensland

The Public Trustee of Queensland (The Public Trustee) is a corporation sole established under the *Public Trustee Act 1978*. The Public Trustee provides financial, trustee and legal services to the people of Queensland.

The Public Trustee delivers its services through a network of 16 regional offices and supported by both the Queensland Government Agent Program and the local court networks as its agents. The Public Trustee's services aim to:

- ensure prudent management of the financial assets of members of the community, with minimum recourse to the Queensland Civil and Administrative Tribunal or the Courts;
- ensure an orderly succession of property between generations with minimum recourse to the court system;
- assist the Queensland community by making wills free of charge and Enduring Powers of
- Attorney at an affordable cost; and
- provide members of the community with the assurance that The Public Trustee will act as their attorney.³⁰

State Budget 2013-14, Capital Statement – Budget Paper No. 3, page 87.

⁹ The table indicates the agency budget. It may not represent the actual appropriation.

³⁰ State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General, page 101.

In addition to its core services, The Public Trustee also provides the following services:

- trustee services for philanthropic foundations;
- unclaimed moneys processing;
- undertaking functions pursuant to various pieces of legislation, including the *Criminal Proceeds Confiscation Act 2002; Associations Incorporation Act 1981;* and *Trusts Act 1973;* and
- managing the financial affairs of prisoners that fall within Part 7 of the *Public Trustee Act 1978*.

The key 2013-2014 Budget highlights include:

- continued protection of the interests of disadvantaged clients and public education through the provision of Community Service Obligations at no cost to government;
- delivering a budget surplus to ensure that all of The Public Trustee's services are provided at no cost to government;
- continued optimisation of the Public Trustee's frontline service delivery through the implementation of a centralised service centre in Ipswich to manage the financial affairs of clients residing under the group housing regime;
- investment in the enhancement of existing technology and the continual review of service delivery models and locations to better meet the growing and changing demographic needs of Queenslanders; and
- further investment in upgrading regional offices throughout the State to provide more efficient frontline services to the Queensland regional community.³¹

The budget comparison for 2012-2013 and 2013-2014 for the Public Trustee of Queensland is shown below.³²

Agency	2012-13 \$'000	2013-14 \$'000
Public Trustee of Queensland		
controlled	75,062	79,653
administered		

Source: State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General; Electoral Commission of Queensland; Office of the Ombudsman; and the Public Trustee of Queensland.

The budget allocates \$5.7 million to The Public Trustee for capital purchases for the continued redevelopment of regional offices; upgrade of business systems and refurbishment of the Brisbane office.³³

3.9 Issues raised at the public hearing – Attorney-General and Minister for Justice

Issues raised by the Committee at the hearing with the Attorney-General relating to the various agencies within the Attorney's portfolio included:

The Department and the various funds administered by the Department

- the role of the Building and Construction Compliance Branch in Queensland in relation to unions;
- changes to public holidays in Queensland and their implementation;

³¹ State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General, page 102.

³² The table indicates the agency budget. It may not represent the actual appropriation.

³³ State Budget 2013-14, Service Delivery Statements – Department of Justice and Attorney General, page 78.

- the government's commitment to the Zero Harm at Work Leadership Program in relation to encouraging industry best practice in workplace health and safety;
- the Queen Elizabeth II Courts of Law building budget;
- the clearance rates for civil and criminal matters;
- improvements to the operations of the Office of the State Coroner;
- the proposal for a new model for the LPITAF to commence in 2014-15;
- the injection of funds to specialist victim support services;
- the government's policy on boot camps;
- the current review of QCAT and its clearance rates;
- funding to the operation of the Tenant Advice and Advocacy Service of Queensland;
- the Blueprint for the Future of Youth Justice;
- the government's JP QCAT trial, in particular, the recruitment, selection, training and appointment process;
- the role of the government in relation to its policy to buy local;
- the recent changes to the definition of 'worker' in relation to the Queensland's Workers' Compensation Scheme;
- the government's Injury Prevention and Management program;
- an update on Queensland's High Risk licensing arrangements;
- the government's Electrical Equipment Safety System (EESS) to improve household electrical equipment safety;
- initiatives undertaken by the Office of Fair Trading in relation to compliance and consumer protection;
- the digitisation of records at Births, Deaths and Marriages;
- the permanent appointment of the Information Commissioner;
- the role of industrial inspectors;
- support provided by the Office of Liquor and Gaming Regulation to Queensland's liquor accords;
- the government's expert panel to reduce gaming red tape;
- the changes to liquor permits and other administrative changes to the Office of Liquor and Gaming Regulation;
- the changes to the Queensland Gambling Community Benefit Fund in relation to the recent Auditor-General report;
- the extension of the government's two year pilot program drink-safe precincts trial;
- the role of the Office of the Director of Public Prosecutions and the provision of funding to the office;
- the provision of funding to Crown Law;
- Crown Law's role in relation to the Mental Health Review Tribunal;
- the government's policy of briefing regional barristers where possible;
- the Queensland courts and their role carrying out work for the state;

- the implementation of the recommendations and their progress, from the Moynihan reform of Queensland civil and criminal justice system;
- staff levels in the Department and the trends on leave taken by staff within the Department;
- the role of Parliament House in training officers from the Department in relation to the legislative process;
- the organisational structure of the communications team in the Department;
- the Department's participation at the upcoming Brisbane Exhibition and the costs in relation to it;
- the provision of funding and staffing levels at the Land Court;
- the criminal injuries compensation scheme and its workload;
- the capacity for former departmental staff returning to perform contracting or consultancy work in a private capacity;
- the implementation of the recommendations of the Carmody inquiry;
- the implementation of the Industrial Relations (Transparency and Accountability of Industrial Organisations) and Other Acts Amendment Bill 2013;
- the introduction of retrospective legislation in the parliament;
- the Cleveland Youth Detention Centre and its expected opening date; and
- staffing levels in Magistrates Courts.

Anti-Discrimination Commission Queensland (ADCQ)

- statistics, issues and types of complaints that have come before ADCQ;
- the initiatives of the ADCQ to engage with the community;
- staffing levels and the workload of ADCQ;
- staff turnover levels and on-going professional development;
- age discrimination and its effects in the community; and
- the ADCQ's submission to the Human Rights commission on its inquiry into discrimination against women in the workplace.

Crime and Misconduct Commission (CMC)

- the provision of funding in relation to staffing levels;
- the timeliness of CMC investigations;
- the allocation of resources to gain maximum impact from proceeds of crime activity;
- staffing levels, specialist units and the degree to which any units at the CMS have a backlog of work;
- the government's response to both the Callinan/Aroney report and the Parliamentary Crime and Misconducts Committee's report, relating to the inquiry into the CMC's release and destruction of the Fitzgerald inquiry documents;
- the CMC's operating budget as compared to the previous two financial years and the impact this has had on staffing numbers; and
- the new proceeds of crime legislation designed to enhance the CMC's ability to remove the financial gain and increase the financial loss associated with illegal activity in Queensland.

Legal Aid Queensland (LAQ)

- LAQ's investment in the private legal profession;
- the provision and breakdown of funding for LAQ;
- the breakdown of initiatives of the LAQ;
- the increase of fees paid to private lawyers who engage in legal aid work; and
- IT improvements within LAQ in relation to a new e-lodge system.

Office of the Information Commissioner (OIC)

- the provision of funding in relation to the OIC; and
- the status of the appointment to the vacant position of Information Commissioner;

Electoral Commission of Queensland (ECQ)

- the outcome of the electoral reform discussion paper in relation to identification when voting;
- compliance with financial disclosure laws;
- the political donation declaration process in relation to the review of the *Electoral Act 1992*; and
- the recovery of costs from local governments for the conduct of local government quadrennial elections and by-elections.

Office of the Queensland Ombudsman (OQO)

• the Ombudsman's advice regarding the impacts of the proposed changes to the Crime and Misconduct Commission in relation to the Callinan/Aroney review.

Public Trustee of Queensland (PT)

- the PT's role in achieving its aims in relation to the financial assets of members of the community, ensuring the orderly succession of property, assisting the Queensland community by making free-of-charge enduring powers of attorney and providing members of the community with the assurance that the Public Trustee will act as their attorney;
- staffing levels and the workload at the PT;
- retaining corporate knowledge in a changing workplace;
- proposed regional offices to be opened;
- the fee structure of the PT and its ability to self-fund its operations;
- professional development opportunities for PT staff;
- the provision of free wills provided by the PT and the effects of this to small business operators;
- the PT's role in managing property for a variety of stakeholders; and
- the PT and its interaction with the community to promote education of its services.

4. Minister for Police and Community Safety

The Minister for Police and Community Safety has ministerial responsibility for the Queensland Police Service (QPS), the Prostitution Licencing Authority, and the Department of Community Safety.

4.1 Queensland Police Service

The QPS is the primary law enforcement agency for the State of Queensland. Among the many ways the QPS benefits Queenslanders, the following is a summary of the services provided by the QPS:

Professional standards and ethical practice: activities to promote ethical behaviour, discipline and professional practice to ensure the community and visitors to the community have confidence in, and respect for, the QPS;

Personal safety: activities to protect personal safety and prevent and detect related offences including homicide, assault, sexual assault, robbery and total personal safety;

Property security: activities to protect property and prevent and detect related offences including unlawful entry, other property damage, motor vehicle theft, other theft (excluding unlawful entry) and total property security;

Traffic policing: activities to enforce traffic law and reduce road trauma including through the prevention and detection of speeding, red light offences, driving under the influence of alcohol or drugs, driving while fatigued, and not wearing seatbelts;

Public order and safety: activities directed at maintaining public order and safety during major events and natural disasters—from planning to recovery. Public order issues include those related to public space enjoyment, street and nuisance offences, liquor licensing issues; and environmental design to reduce crime including alcohol fuelled violence; and

Service delivery support: activities to support the provision of core policing functions.³⁴

The following table taken from the Appropriation Bill 2013 compares the appropriations for the department for 2012-2013 and 2013-2014.

Appropriations	2012-13 \$'000	2013-14 \$'000
Controlled Items		
departmental services	1,918,782	1,923,604
equity adjustment	4,029	(3,369)
Administered Items	701	708
Vote	1,923,512	1,920,943

Source: Appropriation Bill 2013, page 13.

Budgeted capital expenditure for the QPS for 2013-2014 is \$110.6 million.³⁵ The capital works program for the QPS includes: refurbishing police facilities; upgrading closed circuit cameras in police watchhouses; providing additional police accommodation as part of the Police Housing program; improving information and communication technology; and the purchase of new and upgraded operational equipment.³⁶

³⁴ State Budget 2013-14, Service Delivery Statements – Queensland Police Service, page 15.

³⁵ State Budget 2012-13, Capital Statement – Budget Paper No. 3, page 93.

³⁶ State Budget 2012-13, Capital Statement – Budget Paper No. 3, page 93.

The following table provides a comparison of the budgets for the QPS for 2012-2013 and 2013-2014. $^{\rm 37}$

Agency	2012-13 \$'000	2013-14 \$'000
Queensland Police Service		
- controlled	1,979,059	2,000,725
- administered	701	708

Source: State Budget 2013-14, Service Delivery Statements, Queensland Police Service.

Other 2013-2014 Budget highlights for the QPS include:

- recruitment of 267 police officers in 2013-14, as part of a \$358.3 million commitment to provide an extra 1,100 police officers over four years;
- continuing to provide police helicopter services to the Gold Coast and South East Queensland. This is part of the Government's four year commitment from 2012-13 to establish a permanent Police Helicopter Wing to service the South East corner of the State;
- revitalising Neighbourhood Watch and Crime Stoppers as part of a four year plan;
- continuing to strengthen the School Based Policing and Adopt-a-School programs, as part of a \$0.10 million total commitment to be provided by 30 June 2015;
- allocating resources to continue planning to deliver security and public safety services for the 2014 G20 World Leaders' summit;
- supporting the continued deployment of mobile and fixed speed and red light cameras throughout Queensland, to reduce road trauma and improve road safety;
- a range of information and communication technology initiatives as part of an ongoing technology refresh and improvement program;
- continuing the \$12.7 million program to replace three Water Police patrol catamarans at Cairns, Townsville and Whitsunday by 30 June 2015. These vessels will provide an effective platform for long range patrols and search operations. Funding will also provide high-speed tender vessels that can be launched and retrieved from the parent vessel while it is underway; and
- completion of the \$1 million upgrade of Broadbeach police station.³⁸

4.1.1 Issues raised at the public hearing – Queensland Police Service

Issues raised by the Committee at the hearing in relation to the Queensland Police Service included:

- ethical standards and integrity of police recruits in relation to entry standards;
- the correlation between increases in rates of deaths and hospitalisations from serious crashes and cuts to staffing from the road safety program;
- the allocation of funding to the police helicopter services to the Gold Coast and South-East Queensland;
- the overrepresentation of young people in the criminal justice system;
- the 2014 G20 leaders' summit and the finance ministers meeting to be held in Brisbane and the safety and security measures to be provided during the events;

³⁷ The table indicates the agency budget. It may not represent the actual appropriation.

³⁸ State Budget 2013-14, Service Delivery Statements – Queensland Police Service, page 3.

- social media and community relations in relation to myPolice blogs implemented around the state;
- the department's response to the Premier's request to buy local and support Queensland businesses campaign;
- the sale of government owed land which houses community infrastructure;
- staffing levels at the Weapons Licensing Branch;
- the projected increase in car thefts;
- measure taken to address police staffing levels in the Torres Strait;
- measures taken to make roads safer, reduce road trauma and improve road safety;
- the implementation of automated public assistance devices (APADs), to provide a quick and easy alternative for members of the public to access information at a police beat shopfront if police officers are unavailable;
- staffing levels of QPS at the Gold Coast;
- crime rates at the Gold Coast;
- resources used to target gang activity;
- the issue of additional police officers in Papua new Guinea;
- update on the Keelty review into the Queensland Police Service and the Department of Community Safety; and
- update to the government's red-tap reduction initiative in relation to reducing the regulatory burden on business and the community.

4.2 Prostitution Licencing Authority

The Prostitution Licensing Authority (PLA) was established under the *Prostitution Act 1999* and commenced operation on 1 July 2000. The functions of the PLA include deciding brothel licence and approved manager's certificate applications and monitoring the provision of prostitution through licensed brothels. The PLA's activities contribute to:

- ensuring an effective and efficient brothel licensing regime that operates in accordance with community expectations and statutory requirements;
- promoting the health and safety of sex workers and clients;
- limiting the impact of prostitution on the community; and
- preventing the infiltration of organized crime and corruption in licensed brothels.

During 2013-2014, the PLA will continue to work with the Minister for Police and Community Safety and the Crime and Misconduct Commission on proposed refinements to the regulation of the state's sex industry designed to combat the illegal sector.³⁹

³⁹ State Budget 2013-14, Service Delivery Statements – Queensland Police Service, page 28.

The following table provides a comparison of the budgets for the PLA for 2012-2013 and 2013-2014. $^{\rm 40}$

Agency	2012-13 \$'000	2013-14 \$'000
Prostitution Licencing Authority	1,466	1,502

Source: State Budget 2013-14, Service Delivery Statements, Queensland Police Service.

No issues were raised at the public hearing regarding the Prostitution Licencing Authority.

4.3 Department of Community Safety

The Minister for Police and Community Safety also has ministerial responsibility for the Department of Community Safety. The Department has a number of distinct areas of operation as follows:

Ambulance services provide timely and quality emergency and non-emergency ambulance services to meet the needs of the community. This service area supports the needs of the community by providing pre-hospital ambulance response services, emergency and routine pre-hospital patient care and transport services, coordination of aero medical services, inter-facility ambulance transport, planning and coordination of multi-casualty incidents and disasters, and casualty room services.

Custodial services include Government and privately operated facilities, and a range of service providers to support the rehabilitation of offenders within and outside its facilities. It provides community safety and crime prevention through the humane containment, supervision and rehabilitation of offenders in correctional centres throughout Queensland.

Probation and Parole services provides supervision and rehabilitation of offenders in the community. Probation and Parole ensures offenders are appropriately supervised and receive the control and treatment interventions they need to reduce re-offending.

Emergency Management, Fire and Rescue services contribute to safer and sustainable communities through disaster management, community assistance, responses to structure and landscape fires, and rescue across all hazards. It includes the State Emergency Service, enhancing community resilience and mitigating risk through community safety programs.⁴¹

The following table taken from the Appropriation Bill 2013 compares the appropriations for the Department of Community Safety for 2012-2013 and 2013-2014.

Appropriations	2012-13 \$'000	2013-14 \$'000
Controlled Items		
departmental services	1,291,107	1,326,797
equity adjustment	(41,321)	(83,353)
Administered Items		
Vote	1,249,786	1,243,444

Source: Appropriation Bill 2013, page 8.

⁴⁰ The table indicates the agency budget. It may not represent the actual appropriation.

⁴¹ State Budget 2013-14, Service Delivery Statements - Department of Community Safety, page 8.

Budgeted capital expenditure for the Department of Community Safety for 2013-2014 is \$149.8 million. The Department will also provide \$4.4 million in capital grants in support of State Emergency Services and rural fire brigades.⁴²

The capital program for the Department of Community Safety includes:

- ambulance facilities, vehicles, operational and communications equipment and information systems development;
- post occupancy works, cell upgrades, Probation and Parole office accommodation and other property, plant and equipment;
- fire and rescue facilities, urban and rural fire appliances, operational and communications equipment, and information systems development;
- Emergency Management Queensland plant and equipment and information systems development; and
- completion of redevelopment of the Spring Hill complex and ambulance station.⁴³

The following table outlines a comparison of the agency budgets for the Department of Community Safety for 2012-2013 and 2013-2014.⁴⁴

Agency	2012-13 \$'000	2013-14 \$'000
Department of Community Safety - controlled	1,874,604	1,925,095

Source: State Budget 2013-14, Service Delivery Statements, Department of Community Safety.

4.3.1 Budget highlights – Department of Community Safety

2013-2014 Budget highlights for the Department of Community Safety included:

- recruitment of an additional 60 ambulance officers;
- progressing the implementation of accepted recommendations from the Queensland Commission of Audit, The Malone Review into Rural Fire Services in Queensland and the Keelty Review of Police and Emergency Services;
- enhancing disaster management training by expanding available educational options to improve the State's preparedness to respond to natural disasters with the provision of \$11 million over a three year period commencing 2013-14;
- delivering a community campaign, in partnership with the Department of Local Government, Community Recovery and Resilience, to improve community actions to prepare for disasters, supporting the Queensland Floods Commission of Inquiry recommendations relating to community education and building household resilience;
- the purchase of 15 floodboats to support State Emergency Service (SES) groups and complete the Queensland Floods Commission of Inquiry funded program of 56 floodboats;
- reforming the department's warehousing function saving \$0.6 million each year;

⁴² State Budget 2013-14, Capital Statement – Budget Paper No. 3, page 27; State Budge 2013-14, Service Delivery Statements – Department of Community Safety, page 17.

State Budget 2013-14, Service Delivery Statements - Department of Community Safety, pages 17-18.

⁴⁴ The table indicates the agency budget. It may not represent the actual appropriation.

- from 1 January 2014, increasing and broadening the coverage of the Urban Fire Levy to ensure a sustainable funding base for emergency services. The levy will be known as the Emergency Management, Fire and Rescue Levy and will be applied to all rateable properties. Local governments affected for the first time will be provided with transitional assistance; and
- roll-out the biometric reporting system across Probation and Parole services state-wide.⁴⁵

4.3.2 Issues raised at the public hearing – Department of Community Safety

Issues raised by the Committee in relation to the Department of Community Safety included:

- emergency services in relation to Kenilworth first responders, and a review to the services they provide;
- the emergency management fire and rescue levy;
- the community campaign in relation to disaster prevention and preparation activities;
- funding for emergency management, fire and rescue;
- an update on the implementation on the Malone review;
- staffing levels of ambulance officers;
- an update to the structural reforms to the Queensland Ambulance Service;
- the provision of new flood boats to the SES in relation to disaster management;
- an update to the project to upgrade the Woodford Correctional Centre's maximum security unit;
- an update on the comparison between the Victorian bushfire royal commission outcomes and the Malone and Keelty review;
- an update to the trial to potentially privatise ambulance patient transport services;
- the management of private prison operators delivering services to prisons;
- the implementation of community consultation in relation to dangerous prisoners pursuant to the *Dangerous Prisoners (Sexual Offenders) Act 2003*;
- the community service program within Queensland Corrective Services where prisoners provide the community with a source of labour;
- the provision of external high-rise rescue equipment for emergency services;
- an update on the apparatus available to fire fighters in emergency situations at Airlie Beach; and
- the reduction of staffing levels and its correlation with emergency response times.

⁴⁵ State Budget 2013-14, Service Delivery Statements - Department of Community Safety, page 3.

STATEMENT OF RESERVATION

LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE CONSIDERATION OF THE 2013/2014 PORTFOLIO BUDGET ESTIMATES

This statement of reservation is submitted by the Member for Rockhampton on behalf of the Labor Opposition.

GENERAL COMMENTS ON ESTIMATES PROCESS

The Opposition members note that the improvements in the Estimates process introduced in 2011 as a result of the new committee system were eroded in the consideration of the 2012-13 Budget Estimates, and have been further eroded in the consideration of the 2013-14 Budget Estimates. Ministers have failed to provide transparent information that allows a comprehensive review of the appropriations.

The removal of the Discontinued Measures and Discontinued Measures – Legislative Assembly into two separate volumes of the Service Delivery Statements is another diminution of the transparency of the appropriations, requiring persons wishing to scrutinise these measures to access a separate document, rather than having the information available in one place for ease of comparison with last year's papers.

The Budget Papers lack any sense of comprehension. The notes on major increases and decreases in expenditure lack any detail, and when a number of notes apply to the same measure, there is no break-down of the extent to which each of those different aspects impacts on the income or expenditure.

Questions asked by the non-government members of the Parliament as part of the Estimates process form a significant part of the scrutiny of the financial arrangements of the government. The answers furnished to those questions should be as accurate, fulsome and informative as possible to allow members to gain an insight into the background of the budget arrangements. This allows better scrutiny of the financial arrangements in the Estimates hearings.

The answers to the questions asked by non-government members were evasive at times, and did not fully address the questions that were asked.

It is the view of the Opposition that for future Estimates hearings, some oversight be given to the answers provided to ensure that the answers are responsive to the questions, and provide the information requested. This would greatly enhance the entire Estimates process, and improve the scrutiny that the committees can provide. The capacity for greater scrutiny was, after all, the purpose of the review of the Committee system so conscientiously undertaken by the 53rd Parliament.

Another issue of concern was the time allocated for questions by the Committee.

This year, as was the case last year, there was no consistent time period allowed for questions and answers by both non-government and government members. In fact, the Chair of the Committee, the Member for Ipswich Mr Ian Berry MP, commenced proceedings by saying he would operate on a twenty minute sequence. It was initially refreshing to see that he had taken on board the observations made by the Opposition members in their statement of reservation last year, where ten minutes had been allocated to questions, insufficient time to prosecute a line of questioning.

This was the format adopted for the first session, but shortly into the second session, the Committee seemed to change from government to non-government questions on an ad hoc basis. In fact, at one stage, in the middle of questions by the non-government members, the member for Broadwater asked a question to allow the Attorney to deliver a statement in relation to a recently-released media statement, and the questioning immediately went back to non-government questions.

It is unfortunate that there was a change to the format without any discussion or even advice that it would occur. More disturbingly, however, was the fact that the government members appeared to run out of questions to ask the Attorney-General. As the Chair of the Committee explained, 'I do not know that the government has run out of questions. I think they may need time to reflect on some of the answers. We just do not have the support staff to be able to have them faxed in.' He then unilaterally abandoned the twenty minute sequence for questions.

The Estimates process is an opportunity for all Members to ask questions of Ministers about their appropriations. It is a bi-partisan consideration by what is supposed to be a bi-partisan Committee of the Parliament to provide the type of scrutiny of the appropriations that the people of Queensland deserve. It was embarrassing to witness Government members of the Committee who, without the 'support staff' to 'fax in' questions for them, were unable to fully participate in the Estimates hearing. These Members have failed in their responsibility to their electorates to scrutinise the Government in its expenditures and to ensure the budget delivers services for the benefit of all Queenslanders, including their constituents.

DEPARTMENT OF JUSTICE AND ATTORNEY-GENERAL

Crime and Misconduct Commission (CMC)

Staffing of the CMC was raised by non-government members as a significant issue at this year's Estimates hearing, as it was last year. The Acting Chairperson of the CMC advised that 28 positions had been disestablished. The response to the question taken on notice indicated that at least eight positions have been abolished in the Misconduct and Integrity Division. They are largely fairly senior positions, being a Senior Officer, a PO5, an AO8, AO7, 3 positions at AO6 and a PO2.

The Acting Chairperson spoke of a number of investigations in the misconduct area that have been on the books for years, some going back for five years. It is concerning that positions have been lost from this area when there continues to be a backlog.

The budget papers reveal an amount of almost \$1 million withdrawn in equity from the budget of the CMC. The Director-General explained that this was because the CMC had, over a number of years, surplus cash reserves, which were transferred to Treasury. The Opposition members are of the view that those funds could have been better spent in maintaining the positions at the CMC and reducing some of the lengthy backlogs in the investigation of, in particular, misconduct matters.

The Acting Chairperson also provided information in response to a question taken on notice that indicates that 26 permanent positions were vacant at the CMC as at 30 June 2013. Of these, only nine are currently being back-filled. The Acting Chairperson has said that he does not believe the staff cuts will impact on the timelines of the investigation. This is something that the Committee should continue to monitor.

Similarly, CMC staff gave a concerning analysis to the Committee earlier this year in relation to the effect that the new criminal proceeds confiscation laws are likely to have on resourcing. The Director-General has given an assurance that this is unlikely to have much of an impact this financial year, that the major changes will have effect last year. The Opposition will be carefully scrutinising the budget next year to ensure that funding for this important task of the CMC is increased in a manner commensurate with the likely increase in the revenue likely to be restrained by the CMC in its applications to the Court.

Electoral Commission Queensland

Both the Minister and the Acting Electoral Commissioner were asked questions about the implementation of the recommendations of the government's proposed electoral reforms, particularly in respect of voter identification being required by voters.

When the Minister was asked about the plan, he referenced the previous implementation of a voter identification card, which was introduced by the former Government to make the voting process simpler and less time-consuming. However, the voter ID card was never compulsory, and there was never any suggestion that voters would be refused a vote if they presented at polling booths without their card.

This is in stark contrast with the position taken by the Attorney-General. In response to questioning, he was adamant that people will be required to bring a form of identification to a polling booth. The Attorney-General informed the Committee, 'If they do not they will not be able to vote'.

The Acting Electoral Commissioner had said that the number of instances of voter fraud is relatively low. This is reflected in the Department of Justice Electoral Reform Discussion Paper issued in January this year. On page 29 of the Discussion Paper, it states: *Given that Queensland would be the only jurisdiction to require proof of identity on polling day, there is a risk that the requirement would lead to voter confusion. Also, as there is no specific evidence of electoral fraud in this area, introduction of proof of identity requirements could be considered a disproportionate response to the risk.*

Later in the hearing when the Acting Electoral Commissioner was asked questions about the voter ID requirement, he gave a different view to the Attorney-General. He said, 'For example, if they are not able to produce the required identification on the day, there is nothing stopping us giving them a declaration vote and following up at a later stage.'

I hope that the account by the Acting Electoral Commissioner is correct, and the Attorney is incorrect. It would be a grave injustice if people, particularly elderly people or people whose work commitments make getting to a polling booth difficult, were denied the capacity to vote because they turn up on election day without the relevant ID. As first law officer of the State, the Attorney-General should see one of his roles as protector of the rights of all Queenslanders to exercise their democratic right to vote.

In exploring the government response to the electoral reform discussion paper, and the proposal by the Government to increase the donation disclosure cap to \$12,400, the Acting Electoral Commissioner made it clear that under the law as presently applies, donations under \$12,400 need to be disclosed. Donations under \$12,400 will not need to be disclosed under the Government's proposal. The Leader of the Opposition tabled documents showing that, of donations for a six-month period to the end of 2012, roughly 95 per cent of donations to the LNP were below \$12,400. For the ALP, the figure was 96 per cent.

The vast majority of donations will not be required to be disclosed under the new disclosure laws proposed by the Government. The Attorney's insistence that the disclosure will be required to be monthly rather than six-monthly makes it 'very transparent and more open than the current provisions provide for' is laughable at best. Making only 4 or 5 per cent of the donations that are currently required to be disclosed disclosable on a monthly basis rather than six monthly cannot be seen to be more transparent or open in any way.

The CMC released a report on political donations in December 2012. This report was the subject of much discussion and criticism by the Attorney-General at last year's Estimates hearings. The Acting Chairperson of the CMC advised that, despite having conducted such a

review, the CMC was not expressly consulted in the Government's Electoral Reform discussion paper process. It is reassuring to note that the CMC did, however, provide a submission of its own initiative following the public call for submissions.

Boot Camps

The Attorney-General was asked to provide an explanation for the serious failings of the Cairns boot camp. The Attorney-General gave a frank admission to the Committee that the residential component of the boot camp 'fundamentally went wrong', a matter for which he took 'direct responsibility'. The Opposition were keen to ensure that such a situation would not be repeated in relation to the Cairns, or any other boot camp, and asked for assurances as to how this could be guaranteed.

The Director-General outlined a process that will be adopted for future boot camps, which includes a guarantee that no boot camps would be established in residential areas or near residential areas.

In relation to the probity process, he has also guaranteed that in future, the selection committee is independent of Government,' *that is, of executive government in the sense of ministerial intervention*'. The Director-General will also personally be taking an interest to ensure that the persons who have been nominated by the selection panel have experience in the field, and that an incident like the one at Kuranda will not happen again.

It is reassuring that the Minister has been prepared to admit that 'the government has learned its lesson from that proponent of the boot camp and it will not happen again'. The Opposition trusts this is so. The Director-General has said, '*We are learning from our mistakes as we are going in this one*'. Hopefully there are no more expensive and foolish mistakes from which the Attorney-General and the Director-General will need to learn.

As the Minister said during the Estimates hearing about any potential boot camp operators, 'they have to show a dedication to fixing the issues. The groups have to show that they have the capabilities, the staff and the knowledge, and it would be helpful if they have runs on the board.'

The financial allocation for the further boot camps is \$3.1 million. It is unclear where this money will be allocated, or how much to each centre at this stage. We look forward to some greater clarification of these matters as the time comes. In response to Question on Notice No. 15, the Attorney-General explained that funding for this initiative has been made following a reallocation of moneys realised from savings achieved through "prudent" staff vacancy management practices progressed by the Department of Justice and Attorney-General during the 2012-13 financial year.

The Opposition members are interested to know how many positions in the Department have been sacrificed to make this financial commitment.

Budget Savings

The Attorney-General has provided advice that many of the initiatives he has announced since becoming Attorney have been funded from a reallocation of resources realised from savings achieved through "prudent" staff management. This includes the election commitment of boot camps, as advised in answer to Question on Notice No. 15 and the Callinan/Aroney Inquiry into the CMC, another LNP election commitment, according to the response to Question on Notice No. 17.

A similar situation exists in relation to the establishment of the Building Construction Compliance Branch. Another LNP election commitment, this has been funded, according to the response to Question on Notice No. 13, by re-directing funding previously allocated to Industrial Relations Services. This cut to an important service has been to fund an LNP election commitment.

It is clear from the Budget Papers, therefore, that the staff cuts, at least in the Department of Justice and Attorney-General, have largely been to fund election commitments, rather than to pay down debt, as has been repeated time and again by members of the government.

The Attorney-General was asked to explain the variation between the allocation of \$105 million in the 2012-13 budget for property, plant and equipment, and the estimated actual of \$46,982,000. The Director-General explained that 'the principal reason for the reduction from \$105 million to \$46 million was that the Queen Elizabeth II Courts of Law building came in under budget, basically \$45 million under budget'.

As the Leader of the Opposition pointed out, the building of the Courts of Law was a great initiative under the former Labor government. Construction on the building commenced in 2008, and it was opened in August 2013, a little over four months after the LNP Government took office. It was then a little disingenuous of the Attorney-General to claim that it was 'good savings by this government to come in under budget'.

The Leader of the Opposition also pointed out the fact that \$3.5 million in equity had been withdrawn from the Office of the Information Commissioner in 2012-13. The Director-General again explained that this was due to an excess of cash balance that was transferred back to Treasury.

The Opposition members are also concerned about transfers of funds of such a nature back to Treasury when the bodies could utilise the funds to ensure openness and integrity in Government.

Labour Day

In response to a question from a Government member, the Attorney-General explained why he had made changes to the public holidays in Queensland. He said,

'Early in the year we went from Christmas and New Year to Australia Day, Anzac Day, Labour Day and Easter. There has always been a high percentage of public holidays in the first half of the year. We had the Queen's Birthday holiday in June but there would be nothing for the rest of the year.

We set about making sure the good workers of Queensland could actually enjoy family time throughout the year, with public holidays not necessarily concentrated in the first half of the year, so we did move Labour Day to October. We have kept Labour Day, so the tradition of Labour Day and the marches can continue in October. The public holiday will be there so that people can have a free day. We have moved the Queen's Birthday holiday back to June.'

Later, in response to further questioning from the Member for Bundamba, the Attorney-General said, 'As we travelled around the state, even in opposition, I was always told about the discomfort of people having so many holidays in the first half of year and not the second half of the year. The government resolved to fix that for the workers of the state. They have the same amount of holidays but over a better mix of time periods.'

The Member for Bundamba then asked the Attorney-General, "You say here that it reduces the concentration of holidays in the first half of the year. Aren't there exactly the same number of public holidays in the first half of the year after the change as there were before?

Mr BLEIJIE: No, because Labour Day is being taken from May and put in October. Therefore, that is a reduction of one—and I am not replacing Labour Day with anything in the first half of the year, so no.

In fact, the Attorney-General was replacing Labour Day with a holiday in the first half of the year, changing the Queen's Birthday holiday from October back to June. The member for Bundamba then tabled a document setting out the Public Holidays throughout the year, which clearly showed that, by moving Labour Day to October, and moving Queen's Birthday from October to June, there remained the same number of holidays in the first and second halves of the year as had been before the change.

The Attorney-General then later sought to clarify the issue. As he said,

'Finally, the member for Bundamba asked about public holidays and the calculation of public holidays. Although remaining the same, the mix of public holidays in the first half of the year is in fact less one in terms of April where I used the period of Anzac Day, Easter and the former May Day. The Queen's birthday is in the middle of the year. That was returned to normal and that is in the middle of the year. So it is actually a decrease in the very first half of the year in terms of the public holidays.'

No matter how much the Attorney-General ties himself in knots seeking to explain things, June is in the first half of the year. October is in the second half of the year. There has been no change to the number of public holidays in the first and second halves of the year.

Ombudsman

The Ombudsman was questioned in relation to concerns he holds about recommendations made in the Callinan/Aroney Report. It was disturbing to see that the Attorney-General had refused to answer a question asked of him by the Member for Nicklin about any submission he had received about this matter from the Ombudsman, and brushed off the question by saying it could be obtained through Right to Information application. It has now become public that the Ombudsman had written in rather critical terms of the lack of consultation with either him or his office in the preparation of the Report.

The Opposition members are pleased to see that the Implementation Panel is working with the Ombudsman to address his concerns, and look forward to hearing whether those concerns have been adequately addressed in the final implementation of the report.

Union Accountability Measures

In addition to concerns about how the implementation of the Building Construction Compliance branch is to be funded, the Opposition members also hold concerns about the political motivation behind not only the establishment of this office, but also other legislative changes.

Whilst all Queenslanders are keen to ensure that all persons representing employers and employees act with integrity at all times, it is unfair to impose restrictions on one sector that do not apply to the other. We saw this with the recent legislative changes to disclosure by unions. The laws apply only to employee organisations, and not employer organisations, and are retrospective in nature.

This can only be said to be politically motivated. The Leader of the Opposition asked the Director-General a question in relation to this matter. She asked:

Director-General, I refer to the recent legislative changes for so-called accountability of industrial organisations. Is the director-general aware of any Queensland cases in the last decade where an industrial organisation was brought before the Queensland Industrial Commission over issues of alleged impropriety of office holders?

Mr Sosso: Leader of the Opposition, what do you mean in terms of 'impropriety'?

Ms PALASZCZUK: Any allegations about misuse of funds; any irregularities. I am happy for you to take it on notice.

Mr Sosso: I imagine that there may have been many over the years in terms of both trade unions and employer organisations in terms of individual matters. Is that what you are after?

Ms PALASZCZUK: Yes.

The question was taken on notice, and the Director-General provided the following response:

- The Registrar of the Queensland Industrial Relations Commission advises that there is one (1) ongoing investigation into the financial administration of the Queensland Retail Traders Association.
- I am advised that the registrar has not conducted any other investigation for wrongdoing by an industrial organisation in the past 10 years.

These facts speak for themselves, and for the motivation behind the legislation.

The SDS refers to the establishment of the Building Construction Compliance Branch. It lists amongst the Government commitments for 2013-14 as:

• introducing the *Implementation Guidelines to the Queensland Code of Practice for the Building and Construction Industry* and establishing the Building Construction Compliance Branch to improve productivity, reduce costs and stop unlawful industrial activity in Queensland's building and construction industry

As the Director-General has said, there is no evidence before the Queensland Industrial Relations Commission of any wrong doing by an industrial organisation in the past 10 years. The Attorney-General has never outlined what 'unlawful industrial activity' he is referring to. It is difficult to see why a Branch would need to be established for a specific purpose when there is no evidence that what is complained of actually exists.

However, the Attorney's duplicitousness in this matter goes further. He has made statements in relation to private sector industrial relations that are inconsistent and irreconcilable.

On the one hand, the Attorney-General slashed the jobs of industrial inspectors, whose function was to help ensure workplace health and safety was maintained and enforced for men and women working in Queensland. The Attorney-General justified the sackings by saying that because the Federal Government, and the Fair Work Act, covered private sector worksites, there was no role for the State Government in ensuring standards for Queensland workers on private sites.

Yet in the next breath, the Attorney-General dramatically referred to unlawful behaviour and militancy on private sector worksites and claimed the State Government had a role in attacking unions in the private sector, despite those workplaces being covered by the federal system and Fair Work Act.

It seems the Attorney-General has differing views on the State Government's role in private sector industrial relations when the protection of workers is concerned, compared with the opportunity to attack industrial organisations. It is disappointing to Opposition members of the Committee that ensuring that Queensland workers return home safely to their families at the end of the day is not a high priority for the Attorney-General.

Ministerial Diary

During the hearing, the Attorney-General was questioned about inconsistencies between his Ministerial diary for May and the lobbyists' contact log. The Attorney-General took the question on notice, and provided a response that verified that there were three lobbying contacts contained in the contact logs that were not contained in his Ministerial diary. Two such contacts came within the exemptions to the diary.

POLICE AND COMMUNITY SAFETY

The Opposition has concerns about the degree of accountability and transparency displayed during the Estimates hearing for the Police and Community Safety portfolio. The fact that key concerns of the Opposition, issues that go right to the heart of accountability and ethics in this State, remain unanswered does little to instil confidence in the public that all efforts are being made to improve safety for Queenslanders.

That the Minister sought to avoid any scrutiny of his Ministerial responsibilities, highlights a lowering of accountability standards. Queensland has made substantial progress in recent decades by improving the accountability of the Queensland Government and the Queensland Police Service.

It is the function of the Opposition during Estimates hearings to provide an in-depth examination of all aspects of Government expenditure and decision making in order to ensure the interests of Queenslanders are served and the services provided by Government are capable of withstanding scrutiny.

As has been stated in the Fitzgerald Report (at pages 123-4):

"It is much less likely that a pattern of misconduct will occur in the Government's public administration if the political processes of public debate and opposition are allowed to operate, and the objectives of the parliamentary system are honestly pursued".

"One of the functions of any opposition party in Parliament is to expose errors and misconduct by public officials. Unless the Opposition can discover what has happened or is happening and give consideration to events with expert assistance, it cannot expose and criticize activities and the people involved. It is effectively prevented from doing its job".

"It is essential that the Government is not able to claim that secrecy is necessary when the only thing at risk is the exposure of a blunder or a crime."

Any attempt to avoid scrutiny by the Minister strikes at the heart of the principle of responsible government. Further, it is the role of the Minister to provide an example of the high standard of behaviour that is expected of him, his staff, and the Department. The Minister struggled in this respect and thereby undermined public confidence in the Government.

Cairns Trip

The Opposition sought to pursue the Minister's trip to Cairns on the 25th and 26th of May 2012. The Minister refused to answer this question because the expenditure was from the previous financial year's budget. The Shadow Minister for Police has now written to the Director- General of the Department of the Premier and Cabinet, Mr Jon Grayson asking him to conduct an investigation into whether the spending by the Minister was within the Ministerial Guidelines and was appropriate in the circumstances, given the material contained in the email and the Minister's subsequent explanations.

At the time of the Estimates hearing the Shadow Minister was unaware of the nature of the personal event the Minister had on in Cairns and for this reason was offering the Minister a chance to explain the email, his use of Department resources and Ministerial spending on what appeared, at face value, to be a manufactured event to enable the Minister to claim Ministerial expenses for what was described by his own staff as a personal trip. Opposition members await the outcome of Mr Grayson's investigation.

Police Recruiting

During last year's estimates hearing, the Opposition raised concerns about the potential lowering of entry standards and training provided to recruits in the Queensland Police Service. This concern was primarily due to the large number of recruits required to fulfil the LNP election commitments.

The Minister answered, "In relation to recruiting, particularly in recent times such a large number have been coming through that we have to ensure we vet people properly" and "I just wanted to clarify that for the member's sake to ensure that he understands the support that this government has for the Police Service and its commitment to the highest ethical standards within the Queensland Police Service".

The member for Rockhampton raised issues with the Minister again at this year's hearing about Police recruitment practices, in particular the completion of the obstacle course by potential police recruits. The Minister referred that question to the Commissioner as it was operational in nature.

In his response, the Commissioner stated:

"we certainly look at a person's fitness as part of the entry standard. At the present time there is no obstacle course in our current program. That is not part of the standards that we use. We use a more scientific test called a beep test which is a back and forward running test that you may be aware of, sir.

The Member then raised questions about the integrity process, and comments being posted on the Facebook pages of potential recruits which may reflect on their suitability for acceptance as recruits. The Minister and the Chair of the Committee invited the member to put any concerns he may have in writing to the Commissioner, and gave an undertaking that the Police Service would investigate.

The Shadow Minister had previously written to the Minster in December 2012, outlining some of the concerns he had, including suitability of persons entering the Police Academy and the possible attempts of Outlaw Motorcycle Gangs to collect intelligence on potential police recruits. It is particularly concerning that people with links to the Rebels Outlaw Motorcycle Group had access to photos of police recruits and their family information as these recruits may be compromised in any future investigations involving bikie gangs or work in surveillance areas. The response from the Minister was, in the Member's view, less than satisfactory. The Estimates hearing was therefore the opportunity to raise these issues directly with the Minister to ensure the integrity of the recruiting process and to ensure that the best possible applicants enter the Queensland Police Service.

The Shadow Minister has now written to the Commissioner of Police outlining further material in relation to his concerns with the recruitment standards, and enclosing a copy of the letter to the Minister from December last year, for his consideration and investigation thereof.

In this letter the Opposition also requested a clarification from the Commissioner about his statement during the hearing that an obstacle course was not part of the selection process. It appears from accessing the recruit website and comments from recruits that an "*Urban Environmental Simulator and Dummy Drag*" is part of the testing process, which is described as an "*exercise is designed to reflect the types of obstacles encountered by police in an urban environment and the rescue of a person. It is a timed test that requires you to negotiate four obstacles and then drag a 30 kilogram dummy for 10 metres to a finishing point".*

The Opposition's concern that bikie gangs may be using Facebook groups to infiltrate the Police Service and target Police officers is shared by the Australian Crime Commission, which states in its report that bikie gangs are targeting police and other public officials through social media. The Opposition has observed examples of police recruits "liking" tattoo

parlours and bodybuilding groups which appear to mirror the concerns expressed by the Australian Crime Commission.

The December 2012 letter to the Minister also highlighted the Opposition's concern that any person who enters the Police Academy who is associated with racist or sexist attitudes or comments might be compromised in their future investigation of matters involving members of these groups.

Again, the Opposition members of the Committee await the Commissioner's advice in relation to the outcome of his investigation of these matters.

Upward movement of Estimate targets for traffic accidents and vehicle theft

Opposition members find it difficult to comprehend that certain "target/estimates" measurements as outlined in the budget have been shifted upwards. This means that the Queensland Police Service Budget is predicting increases this year in traffic accident deaths, hospitalisations from collisions and vehicle thefts.

Whilst the Minister described the increases twice as "aspirational estimates", the Opposition would aspire to a lowering of those targets. Interestingly the Minister is happy to use the term target/estimate in the hearing when the SES exceed the target, but will not use the term when he fails the community in the important areas of road safety and vehicle theft.

The Opposition notes that 45 less staff were actually employed by the Queensland Police Service in the area of road safety, compared with the staffing level actually budgeted for. It is of concern that police officers may have been off the road completing work that was previously done by administrative staff. Vital education about road safety was highlighted as being so important by the Commissioner and the Opposition hopes that no cuts to staff were from this area given the increase in the road toll.

Similarly the "target/estimates" have been dramatically shifted upward for vehicle thefts. The actual vehicle thefts this year were above the upper target level. It is simply not good enough to increase the targets so that, by meeting the increased target next year, the Minister can claim a dubious success.

The Minister was offered a chance to explain why the targets have been increased and what funding would be required to bring the traffic accidents and vehicle thefts back to pre-LNP Government figures.

Gold Coast Policing numbers

The estimates hearing also highlighted the fact that the Premier's public statements that 130 Police Officers had been transferred to the Gold Coast were incorrect. The Commissioner revealed that 137 police officers had gone to the South Eastern Region. The Member for Logan boasted Logan District (part of the South Eastern Region) received 71 police officers leaving 66 Police officers for the Gold Coast and Coomera. Senior Police on the Gold Coast have made public statements that they believed the number of extra police on the Gold Coast was around 60, consistent with the numbers exposed during estimates. It is incumbent on the Minister to ensure that the Premier not make any further public statements misleading the Gold Coast Community by indicating they have 130 extra police when clearly 71 of those officers are based in Logan.

Operational Intelligence

Statements made by the Minister in relation to bikie gangs prompted the Shadow Minister to request a picture of what was happening on the ground on the Gold Coast. The Opposition accepted the Commissioner's view that the information requested was subject to operational

intelligence and a private briefing was more appropriate. The Shadow Minister will follow up that invitation from the Commissioner.

Whilst the Shadow Minister was very happy with the Commissioner's undertaking to brief the Opposition privately in regard to the situation, it was disappointing to watch the news the following day to see information of the nature requested, which included the fact that officers were being threatened, 57 businesses with bikie links were operating on the Gold Coast, 285 patched bikie gang members operated on the Gold Coast, the Bandidos control Broadbeach and the Finks control Surfers Paradise, with six other Gangs operating on the Gold Coast, that Police had commenced secret operations and over the last 18 months police had been profiling bikie gang members.

The Opposition wish to place on the record our support for measures undertaken to combat bikie and organised crime in Queensland and are confident the Queensland Police Service want to ensure the Minister is providing the appropriate resources to combat organised crime and utilise to full effect the organised crime legislation passed by the previous Government and opposed by the LNP in Opposition.

Rural Fire Service

The Rural Fire Service remains in a holding pattern awaiting the findings of the Keelty Review. Questions remain over the implementation of the Emergency Services Levy, particularly with respect to council collection of the levy and the flow of funding back to the Rural Fire Service. It appears warnings had been given by the Department that Councils might refuse to collect the levy. The Minister has a responsibility to communicate to the hardworking volunteers what the true financial position is of each Brigade as they plan for the future.

The Opposition is concerned that while there is an increase in the funds being collected through the increased tax, this comes at a time families are struggling with the cost of living, only to see the tax revenue be handed back to the Government and not used for the intended purpose of supporting emergency services volunteers. The Minister has clearly failed to guarantee funding to the Rural Fire Service; these concerns are being felt in Brigades across the State.

The Minister's relationship with the Unions/Keelty Review

The Minister was asked a question about the serious concerns and risks to public safety that had been publicly expressed by the Queensland Fire and Rescue Service Senior Officers Union. This union comprises the most senior professional officers in the Queensland Fire and Rescue Service, and their views are worthy of respectful consideration.

The Minister, rather than answering the question, chose to use this as an opportunity to make comments critical of the United Firefighters' Union, an industrial organisation that had nothing to do with the comments. The Minister should be embarrassed by his comments, and should apologise to the Union for his outburst.

It is incumbent on the Minister to listen to his employees. By refusing to do so, the Minister risks the possibility of disregarding an important warning that could result in the loss of lives. Importantly to the Estimates Committee, it appears the Minister failed to fully outline, in his answer during the hearing, the total cost of the review. By only providing his department's actual spend, and failing to include all the consultation fees and travel etc., which is being paid by the Department of the Premier and Cabinet, the figure provided by the Minister is not an accurate reflection of the actual cost of the review. That figure remains unknown.

Ambulance Patient Transports

During the Estimates hearing the Opposition attempted to get a definitive answer on what the future holds for Ambulance Patient Transport Officers, who have been contacting the Opposition Office with their genuine concerns that their work will be outsourced following the introduction of a new trial currently being conducted in the Metro South Hospital and Health Service.

The Minster failed to outline the process and again hid behind the Keelty Review. From documentation tabled by the Opposition, it is clear that this outsourcing option was being discussed in the very early stages of the LNP Government.

The Opposition understands an interstate company is conducting the trial and has been unable to ascertain how they were awarded the trial at the expense of other private providers, particularly given the Government's commitment to the "Buy Locally" campaign.

Should the Government outsource this work following the trial, the Opposition will seek a commitment from the Minister that workers' entitlements and rights are protected.

Private Prison Providers

Following questioning in relation to the penalties imposed on private prison providers, the Minister tabled a document in his response to the question taken on notice that illustrates breaches of provider contracts. The data as illustrated in the table below Raise concerns. Considering that multiple reviews into prisons including the Costello Audit, have recommended expansion of prisons run by private prison providers, the Opposition members demand that the Government maintains appropriate oversight to ensure the number of incidents is reduced. The Opposition members are particularly concerned that some of the assaults and other offences against Corrective Services Officers are not considered serious enough to warrant action.

Month / Year	Incident Type	Provider	Action
July 2012	Discharge in Error	GEO Group Australia	\$25,000 penalty imposed.
September 2012	Discharge in Error	GEO Group Australia	\$25,000 penalty imposed.
September 2012	Discharge in Error	Serco Australia	\$25,000 penalty imposed.
October 2012	Discharge in Error	GEO Group Australia	\$25,000 penalty imposed.
January 2013	Death in Custody Maximum Security Unit	GEO Group Australia	QCS Office of the Chief Inspector conducted a full investigation into this incident with the centre required to provide response. \$100,000 penalty imposed.
May 2013	Discharge in Error	Serco Australia	\$25,000 penalty to be finalised.

Enterprise Bargaining Agreements

The Minister took the a question on notice in relation to what proportion of the Department of Community Safety's underspent in the 2012/13 budget was attributable to the failure to pay predicted wage rises to employees including Ambulance Officers and Fire and Rescue officers. The response was that \$20.6 million was not spent that was attributed to employee wage increases for 2012/13. This means that the families of some of our most respected employees are \$20.6 million worse off because the Minister is unable to reach agreement with his Ambulance and Fire and Rescue officers.

Bill Byrne MP Member for Rockhampton