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FIRST SESSION OF THE FIFTY-SIXTH PARLIAMENT

Wednesday, 27 February 2019

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WEDNESDAY, 27 FEBRUARY 2019


 The Legislative Assembly met at 9.30 am.

Mr Speaker (Hon. Curtis Pitt, Mulgrave) read prayers and took the chair.

Mr SPEAKER: Honourable members, I respectfully acknowledge that we are sitting today on the land of Aboriginal people and pay my respects to elders past and present. I thank them, as First Australians, for their careful custodianship of the land over countless generations. We are very fortunate in this country to have two of the world's oldest continuing living cultures in Aboriginal and Torres Strait Islander peoples whose lands, winds and waters we all now share.


SPEAKER'S STATEMENTS

Queensland Parliament Flood Appeal Reception

 **Mr SPEAKER:** Honourable members, the Queensland Parliament Flood Appeal Reception, which is being co-hosted by me, the Premier and the Leader of the Opposition, will be held on the Speaker's Green on Thursday, 28 March commencing at 6 pm. Last year members and the wider community came to Parliament House to show our support for the Queensland Parliament Drought Appeal Reception.

As we have seen over the past few weeks, and as we heard passionately yesterday from many members, the people of Townsville and rural families and communities across the north-west are in need of a hand up after suffering nature's fate. I strongly urge all members to purchase a ticket—or a few tickets if it is within your capacity—and support the Queensland Parliament Flood Appeal Reception. I assure you that it will be another great night for a critical cause but, importantly, we will have the best of wines, beers and Queensland produce generously donated, prepared and cooked to perfection by the parliamentary chefs. I strongly recommend the reception to all members.

Allegations by Members, Duties

 **Mr SPEAKER:** Honourable members, I draw the attention of all members to part 2.2 of the *Code of Ethical Standards* together with the *Guide to the Code of Ethical Standards and Rules* relating to the code of conduct of members, which states in part—

Article 9 of the *Bill of Rights 1688* (UK), which applies to the Queensland Parliament, enshrines the most important provision relating to parliamentary privilege—freedom of speech and debates of the Parliament. The article provides that speeches, debates or other proceedings in Parliament cannot be impeached or questioned in any court or place out of Parliament.

One of the effects of Article 9 is to ensure that words spoken in the Parliament cannot be used as the basis for legal proceedings. Therefore, for example, a person cannot use words spoken in Parliament as a basis for defamation proceedings. The article does not, however, provide complete immunity to Members for what they say in the House. This is because the House itself can inquire into a Member's statements in the House.

In particular, the House has always possessed the power to order a Member to correct any statements made if those statements are inaccurate, or to punish for any deliberate misleading of the House as a contempt.

...


Whilst Members are immune from legal action in relation to speeches and documents tabled in the House, Members should remain circumspect in exercising that 'freedom of speech' immunity and apply due diligence in preparing such speeches or documents so as to avoid allegations of abuse of privilege.

Honourable members, I note that there are a multitude of agencies available for members to refer serious allegations for proper investigation, including the Queensland Police Service, the Crime and Corruption Commission, the Auditor-General, the Ombudsman and many other independent agencies. Members should not just come into the Assembly and repeat serious allegations. Members should consider referring matters to an appropriate agency before making serious allegations public in the Assembly, especially if the evidentiary basis for the claims are weak.

Members have a duty to ensure that serious allegations are of substance and undertake due diligence to ensure themselves of the veracity of such allegations. To turn a blind eye to the veracity of allegations simply to take political advantage of them is not in accordance with the spirit the *Code of Ethical Standards*. If a member does not genuinely believe in the veracity of an allegation, then the

member is deliberately misleading the Assembly. In my view, if allegations made in the Assembly are later found to be unsubstantiated, then the member has a moral duty to correct the record and apologise to those harmed by the initial revelations in the Assembly.

School Group Tours

 **Mr SPEAKER:** Honourable members, I wish to advise that we will be visited in the House this morning by students and teachers from Wisdom College in the electorate of Algester and Hercules Road State School in the electorate of Murrumba.

PETITION

The Clerk presented the following paper petition, lodged by the honourable member indicated—

Gold Coast, Casino Proposal

Mr Molhoek, from 42 petitioners, requesting the House to oppose the granting of a second casino licence on the Gold Coast [\[256\]](#).

Petition received.

TABLED PAPERS

TABLING OF DOCUMENTS (SO 32)

MEMBER'S PAPER


The following member's paper was tabled by the Clerk—

Member for Glass House (Mr Powell)—

[257](#) Nonconforming petition, titled 'Petition to tell Labor to cancel the unfairly issued 4X4 fines'

MINISTERIAL PAPER


Ministerial Expenses

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.35 am): I lay upon the table of the House the public report of ministerial expenses for the period 1 July 2018 to 31 December 2018.

Tabled paper: Public Report of Ministerial Expenses for the period 1 July to 31 December 2018 [\[258\]](#).

MINISTERIAL STATEMENTS

Jobs


 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.36 am): Under my government more than 180,000 jobs have been created in Queensland, with another 3,500 in January. Importantly, all of the new jobs in January were full-time jobs. My government is doing all that we can to advance Queensland and create jobs and a strong economy. We are focused on diversifying the economy to make it more resilient as well as building on our traditional strengths to provide for secure full-time jobs.

That is why we are delivering a \$46.3 billion infrastructure program over four years, supporting 38,000 jobs. That means we are backing Queensland companies like Clickchamp. This company, which makes video conversion software, is based at The Precinct in Fortitude Valley, in Minister Grace's electorate. In 18 months it has more than doubled its number of users to six million worldwide. It has tripled its workforce to 19 people in highly skilled jobs and is recruiting another seven.

We have also recently rolled out another round of our Made in Queensland grants to make our manufacturers more competitive, protect existing manufacturing jobs and create new jobs. The company Elexon at Brendale, in the Pine Rivers electorate, has received almost \$900,000 in funding to support the export of their high-tech environment testing systems for use in mines. That funding will allow them to employ 12 more people—again highly skilled jobs of the future. We are committed to supporting businesses to make products in Queensland rather than having jobs go offshore.

We are also making our power and gas prices the lowest on the eastern seaboard by increasing supply. That gives our manufacturers and small businesses an edge. Through our Advance Queensland Industry Attraction Fund and Jobs and Regional Growth Fund, we have secured new investments worth more than \$535 million that will support thousands of jobs. We have surpassed 18,000 people who have been supported into jobs through our Back to Work program, and more than 21,000 Queenslanders have now been supported back into work through Skilling Queenslanders for Work—a program that my government is immensely proud of. Earlier this month we opened the latest round of funding to help Queenslanders gain job-ready skills. My government is continuing to advance Queensland to support an economy that provides secure and stable jobs because we know that Queensland's best days are ahead of us.

Biofuels Industry


 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.38 am): My government is focused on generating jobs in new and traditional industries, and biofuels is one of the 'sweet spots' in that goal. The biofuels industry sustains existing jobs in agriculture while creating new jobs in a renewable fuel industry that helps address climate change.

As our 50 per cent renewable energy target is tackling emissions from energy, technologies like biofuels and electric vehicles tackle emissions from transport. Renewable diesel is a much more environmentally friendly alternative to traditional mineral diesel, and we are producing it in Gladstone—right here in Queensland!

This trial, using 100 per cent renewable diesel to fuel a test engine, is an Australian first. Later today the member for Gladstone will join me and Minister Dick to welcome executives from Southern Oil—or should I now say 'Northern Oil'—as they launch this important project. The trial, which will run over the next 12 to 18 months, aims to show that renewable diesel performs identically to petroleum based diesel in terms of engine wear and performance.

As a nation we import 96 per cent of our fuel. A large-scale biofuels industry would improve our fuel security for the long term. This is part of my government's concerted push to develop a \$1 billion industrial biotechnology sector that is both sustainable and export oriented. This will attract significant international investment and create highly skilled, long-term jobs, especially in our regions, where it is very important. This project and this industry form a catalyst for new infrastructure, new investment and new jobs in regional Queensland.

Queensland Economy

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships) (9.40 am): The Palaszczuk government's economic plan is delivering an economy that is growing and creating jobs. According to the latest Queensland State Accounts, the Queensland economy grew by 3.5 per cent over the year to the September quarter 2018. That is compared with growth of 2.9 per cent in the rest of Australia. Our exports have benefited from higher coal and oil prices, with the value of Queensland's overseas merchandise exports increasing by \$11.5 billion over the year to a record—

Mr SPEAKER: Members, there is too much general conversation in the chamber.

Ms TRAD: Our exports have benefited from higher coal and oil prices, with the value of Queensland's overseas merchandise exports increasing by \$11.5 billion over the year to a record \$81.7 billion in 2018.

The value of LNG exports, an industry facilitated under Labor, rose by \$3.9 billion, to \$13.5 billion, and LNG has become Queensland's second most valuable export. LNG is an industry that did not exist in Queensland a decade ago. It was a Labor government that helped create this industry and the jobs that came with it. That is what Labor governments do: build new industries that create—

Opposition members interjected.

Ms Jones interjected.


Mr SPEAKER: Members to my left and minister for tourism. The interjections are starting way too early today.

Ms TRAD: That is what Labor governments do: build new industries that create good, secure jobs. We did it with LNG; we are doing it now with renewable energy and biofuels, advanced manufacturing and defence.

Our services exports also continue to go from strength to strength. In the year ended September 2018 a record 2.8 million overseas visitors, including many international students, travelled to Queensland, spending 54 million nights in our state. Overseas education is also booming. International student enrolments increased by 9.7 per cent in the first 11 months of 2018, to a record 133,415. This followed growth of eight per cent in 2016 and 11.2 per cent in 2017.

Strong growth in industries like these means more jobs for Queenslanders. The Palaszczuk government is working hard to support and foster ongoing strong economic growth. Following on from decade-high jobs growth in 2017, we have seen continued employment growth over the past year. A further 27,700 Queenslanders found employment over the year to January 2019. Importantly, 92.7 per cent of all those jobseekers found full-time employment. January 2019 represented the 28th consecutive month of trend employment growth in Queensland—the longest unbroken stretch since the global financial crisis. Under the Palaszczuk Labor government more than 180,000 additional Queenslanders have found work in our growing economy. That is a record we are proud of.

Biofuels Industry

 **Hon. CR DICK** (Woodridge—ALP) (Minister for State Development, Manufacturing, Infrastructure and Planning) (9.43 am): At the last election only Labor had a plan to grow new Queensland industries. It is a plan the Palaszczuk Labor government is delivering as we build the foundations for a renewable fuel industry to create more jobs for regional Queensland.


As the Premier has announced this morning, later today I will join with her and the member for Gladstone to launch in our state an Australian-first trial using 100 per cent renewable diesel. Southern Oil's advanced biofuels pilot plant at Yarwun, near Gladstone, is pioneering the refining of renewable diesel made from agriculture and forestry waste, biosolids, waste plastic and old vehicle tyres. Today's trial is the first step towards proving a renewable fuels industry is technically and commercially feasible and could be cost competitive with fossil fuels. It is all thanks to a grant from the Queensland government's Advance Queensland Industry Attraction Fund, which brought Southern Oil's \$25 million biofuels plant to our state in 2017. This grant has only been made because Labor was elected.

Only the Palaszczuk government is committed to delivering a \$1 billion sustainable and export oriented biotechnology and bioproducts sector by 2026. Over the next 12 to 18 months Southern Oil will trial the fuel in a Scania test engine to show it performs identically to petroleum based diesel. Endorsement by original equipment manufacturers like Scania is crucial to creating commercial demand for renewable diesel. As a result of the trial, renewable fuels company SynBio, a wholly owned subsidiary of Southern Oil, will immediately relocate from New South Wales to Queensland. SynBio anticipates this will create at least 11 direct and 25 indirect jobs within six months.

Today's demonstration will show there is a huge opportunity to produce 100 per cent renewable diesel fuel in Queensland and reduce industry's reliance on fossil fuels. Australia, as the Premier has noted this morning, imports 96 per cent of its fuel, so creating a homegrown renewable fuels industry would underpin domestic fuel security and provide economic, social and environmental benefits to our state's regions.

Queensland is now leading the country when it comes to the bioeconomy and renewable fuels. The Palaszczuk Labor government will continue working hard to build new industries and create more jobs for the benefit of all Queenslanders.


Ignite Ideas

 **Hon. KJ JONES** (Cooper—ALP) (Minister for Innovation and Tourism Industry Development and Minister for the Commonwealth Games) (9.46 am): We are creating the jobs of the future right here, right now in Queensland. Through our Advance Queensland fund we have created more than 12,500 jobs under the Palaszczuk government. That is why I am proud to announce today up to \$8 million in new funding for businesses through round 5 of our Ignite Ideas program. Through Ignite Ideas alone we have created 1,000 jobs, with \$34 million in funding over the past three years. We have helped companies like FlyFreely, a drone software company, that has now been able to expand into two new countries thanks to our support, and Aurtra, a tech company that has expanded into the US and employed eight extra staff thanks to our support. That is exactly what our innovation agenda is about: more jobs right here in Queensland.

In a climate where the federal government was dragged kicking and screaming to deal with the skulduggery by the banks and then slashed funding for science and technology, our investment in entrepreneurs and new businesses is a game changer. Programs like Ignite Ideas are specifically designed to help our entrepreneurs take their businesses to the next level. We are committed to

supporting our best and brightest to achieve. That is why we have committed a record \$650 million to create the jobs of the future here in Queensland. We will continue to invest in Queensland businesses to make sure we remain ahead of the curve.


Court System, Facility Upgrades

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice) (9.47 am): Queenslanders deserve access to a strong and robust court system no matter where they live. That is why the Palaszczuk government is investing significantly in jobs to boost our justice system, specialist courts to address both offending and rehabilitation, and court upgrades statewide. More than \$44 million was set aside in the 2018-19 state budget for the Department of Justice and Attorney-General's capital budget. This will fund important construction work for eight projects across the state which will provide 134 full-time jobs over the life of these projects. To some this might sound like a meaningless figure, but it means safety and justice for the victims of domestic violence who attend specialist domestic and family violence courts in Townsville, Beenleigh, Richlands and Pine Rivers. The Palaszczuk government is providing these specialist courts and facilities—with secure areas and entrances—to make what is an incredibly difficult process as safe and easy as possible.

To those working in the construction industry in the areas it means 75 full-time jobs over the life of those projects. Fifty jobs will be created until the completion of works at courthouses in Rockhampton, Bundaberg and Mackay. Rockhampton's courthouse is undergoing significant external work; Bundaberg will see a new front entrance, security checkpoint and upgraded amenities and window system; and 87 windows at the Mackay courthouse will be replaced to address water issues. Nine construction jobs will be created at the Queensland Civil and Administrative Tribunal to reconfigure levels to accommodate additional staff and to improve mediation rooms, hearing rooms and public and member facilities.

These upgrades are great news for locals and Queensland based contractors thanks to the Palaszczuk government's Charter for Local Content built into all construction tenders to encourage the use of local businesses and subcontractors wherever possible. There is no doubt that Queensland courts are among the busiest in the nation. I thank our judicial officers and court staff for their hard work and determination to provide efficient and accessible court services to the community and I thank those who are helping build and enhance courts statewide.

Health System; Nursing and Midwifery Workforce

 **Hon. SJ MILES** (Murrumba—ALP) (Minister for Health and Minister for Ambulance Services) (9.49 am): Yesterday afternoon the member for Mudgeeraba raised a series of very serious allegations. I want to assure the House that all materials tabled have been referred to the Queensland Health Metro North Integrity Unit for investigation and referral to appropriate bodies. I will not be making any comment that could jeopardise that investigation. I strongly urge anyone with evidence of misconduct to contact the integrity unit of their hospital and health service.

More than four years ago the Palaszczuk government made a promise to strengthen and support our nursing and midwifery workforce in Queensland. We said that we would hire more nurses and midwives and make graduate—

Honourable members interjected.

Mr SPEAKER: Order!


Dr Robinson interjected.

Mr SPEAKER: Member for Oodgeroo, you are warned under the standing orders. I called the House to order.

Dr MILES: We said that we would hire more nurses and midwives and make more graduate positions available. We said that we would legislate for safe minimum nurse-to-patient ratios to look after both our nurses and our patients and we committed to hiring nurse navigators to help patients find their way through the modern health system, and we are doing all of those things. We have employed more than 6,189 full-time-equivalent nurses and midwives to take care of sick Queenslanders and we have employed 236 full-time-equivalent nurse navigators across the system. We also passed legislation to make minimum nurse-to-patient ratios mandatory in designated adult acute medical, adult acute surgical and two adult acute mental health wards in Queensland's public hospitals. The law came into effect from 1 July 2016, and since March 2017 the statewide compliance rate for those ratios has been 100 per cent.

International research in 30 other countries has shown that investing in nurses improves patient outcomes and improves hospital safety. We are also finding ways to better support our graduates working in rural and remote areas. Through our Refresh Nursing guarantee, the RSQ education support program is a two-year program that provides seven-day-a-week support. In the 18 months to December 2018, the program has now trained more than 5,290 attendees across 678 sessions. The training covers a wide range of topics and areas of practice including triage, anaphylaxis, drowning, electrocution, sepsis, traumatic eye injuries, preparing patients for retrieval, care of the critically ill and more. It is so successful that this training model is being sought after not just by nurses and midwives but by allied health workers such as doctors, paramedics and administrators. The Palaszczuk government is employing, training, protecting and supporting our nurses and midwives because we highly value them and the hard work that they do for the health of the people of Queensland.

Silicosis

 **Hon. G GRACE** (McConnel—ALP) (Minister for Education and Minister for Industrial Relations) (9.53 am): The Palaszczuk government continues to lead the nation in responding to the threat of silicosis. On 18 September last year this government immediately banned dry cutting and issued a public health alert about the hazards surrounding unsafe practices with engineered stone. Since then, considerable work has been undertaken by Workplace Health and Safety Queensland and WorkCover to meet two priorities: minimise the exposure of workers to silica dust and ensure employers are providing safe workplaces in this industry.


By the end of 2018 my department completed audits of all 138 known engineered stone benchtop fabricators. A total of 562 statutory and infringement notices have been issued by Workplace Health and Safety Queensland for breaches relating to exposure to silica from unsafe work processes, with on-the-spot fines totalling \$36,000 issued. Nine workplaces are currently subject to comprehensive investigations to ensure full compliance with obligations under the act and, once completed, prosecution action may flow. Free health screening for 810 workers in the industry has also been arranged and funded by WorkCover at an estimated cost of \$3 million to \$4 million, with 106 claims accepted to date.

On 9 November a medical forum organised in conjunction with WorkCover was facilitated by US leading international expert Professor Robert Cohen and local expert Dr Ryan Hoy and attracted 40 medical specialists. The aim was to ensure a consistent approach to diagnosis, rehabilitation and treatment for affected workers. An industry forum was held later that day for more than 130 employers and workers from within the industry to raise awareness on required safety standards and supports available to workers. Following the forum, arrangements were made for a medical reference group to be established. Final nominations for this group, which will include leading medical experts in fields such as thoracic, occupational and environmental medicine and radiology, were received late last month. This group will meet next week to consider issues raised with regard to guidance for medical practitioners treating those diagnosed with this terrible disease.

There is still work to do to address the threat of silicosis. WorkCover and the Office of Industrial Relations are committed to working with all medical specialists to ensure workers with silicosis get the best treatments available. The development of new regulations to prohibit dry cutting and grinding along with a code of practice is well advanced and soon to be finalised. I have also written and urged the Morrison government for a national response, including the restriction or control of the importation of engineered stone. However, this request has fallen on deaf ears.

Queensland is leading the nation in addressing this issue, and we will continue to work with all stakeholders to introduce the best health and safety standards to protect workers. We will also ensure that workers diagnosed with silicosis and their families will receive the support they require through our best workers compensation system.

Lindum Railway Crossing, Death; Road Safety

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (9.56 am): On behalf of the House I wish to express our sincere condolences to the family and friends of the woman who tragically lost her life at the Lindum rail crossing last night. Our thoughts are also with the Queensland Rail staff and members of the public who witnessed this upsetting event. The circumstances of this incident are being investigated by the Queensland Police Service's Forensic Crash Unit, and a separate investigation into what has occurred is also being carried out by Queensland Rail.


When the Palaszczuk government launched Queensland's road safety strategy in 2015 we committed to reducing trauma by 30 per cent. We are currently working towards this vision through our Road Safety Action Plan. Sadly, in 2018, 245 people were killed on Queensland's roads. Every death

is a tragedy and a priority is to invest in clearly targeted infrastructure initiatives that make Queensland's roads safer for everyone. My department has identified 26 sections of state controlled road network, each about 20 kilometres in length, as high risk. While representing only 1.4 per cent of Queensland's state controlled road network, these roads account for 10 per cent of the state's fatal and serious injury crashes.

The Palaszczuk Labor government has already funded \$140 million worth of safety improvements on 11 of these high-risk roads. Today I am very pleased to inform the House that we have approved an additional \$112 million over three years for safety upgrades on a further nine high-risk roads. This funding will create 91 mainly regional jobs for Queenslanders. In Far North Queensland, \$18 million will be invested to make the Gillies Range Road safer, while the Captain Cook Highway will receive \$2.4 million for intersection upgrades and speed reductions near Mossman.

Some \$43 million has been allocated to upgrade intersections and install wide centre line treatments, safety barriers and tactile line marking on the Kennedy Highway between Cairns and Mareeba; \$19 million will deliver right-turning lanes, road widening, wide centre lines and tactile line marking on the New England Highway between Warwick and Wallangarra; and \$14 million will be invested in intersection upgrades, safety barriers and other works on the Mount Lindesay Highway on top of the \$100 million the Palaszczuk Labor government has committed to since 2015. A \$2.3 million upgrade of Mount Cotton Road at the German Church Road and Coorang Road intersections will start this year and upgrades will also be delivered to the Bundaberg Gin Gin Road, Rockhampton-Yeppoon Road and East Street and Fitzroy Street in Rockhampton. These major upgrades are supported with a further \$40 million in funding for 71 smaller—but important ones—safety upgrades across Queensland over the next three years, including 17 specific projects to improve cyclist and pedestrian safety. These projects will create jobs and make a real difference to the safety of Queenslanders who drive, ride or cross these roads every day.

Mining Industry


 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (9.59 am): The Palaszczuk government continues to work hard to support our resources sector. Over the past four years we have facilitated more than \$9 billion worth of mining investment, supporting 5,500 jobs. In the year to November 2018, our coal exports rose 12.6 per cent and our mineral exports rose 10.6 per cent to a combined value of more than \$43 billion. In the year to December 2018, exploration investment hit \$74.7 million and minerals exploration investment was the highest since 2012.

Exploration is essential to the job-generating projects of the future. That is why, during the global mining downturn, this government gave explorers concessions—critical financial relief—to keep them in the field. Exploration is what will keep us up to date with the world's thirst for technology minerals and our own manufacturing sector's ongoing need for high-quality base metals. New coal deposits offer energy security as we progressively transition to our renewable future and coking coal to make the steel that is essential for our manufacturing and construction sectors.

This government's initiative in releasing an annual exploration program is fuelling the ongoing enthusiasm for Queensland's world-class resources. Earlier this month, I announced the successful tenders for our latest minerals and coal tenders for base metals in our world-leading north-west minerals province and for coal in the Bowen and Surat basins. A new goldmine is about to kick off near Forsyth in our historic Far North Queensland goldfields and next week the Premier, the Minister for State Development and I will be at the official opening of the \$2.6 billion Amrun bauxite mine near Weipa. Resource sector exports have increased 114 per cent since this government came to office.

In looking to the future, our pipeline of potential projects clearly demonstrates confidence in Queensland as a resources investment destination. We have almost \$25 billion worth of projects either committed or publicly announced. If the publicly announced projects and those that are in feasibility were to go ahead, they would add more than 30,000 construction jobs and more than 27,000 operational jobs to the Queensland economy. This trajectory demonstrates that Queensland has the right policy settings and investment climate to bring on the next wave of resource projects and jobs.

Police and Corrective Services Portfolio, Jobs

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Minister for Corrective Services) (10.02 am): The Palaszczuk government has a clear economic plan to drive growth and, most importantly, create jobs for Queenslanders. We stand for jobs and it is jobs that we are delivering. I will give some examples. We have invested over \$46 million in building a new Counter Terrorism and Community Safety Centre in Wacol, which will be a world-class use-of-force, weapons and


counterterrorism training facility. Today, I am pleased to announce that the project is currently in its final stages of tender and an announcement will be made very soon. During construction, this project will support over 130 jobs.

Further, the refurbishment of the heritage listed building Silky Oak House and the new warehouse facility at Wacol are already well underway and will support a further 60 jobs during construction. These projects are creating local jobs and also offer a range of opportunities for local businesses thanks to our Buy Queensland procurement policy. Our government is also funding the front line, with 85 new counterterrorism specialists to be embedded statewide, with that rollout already underway.

Also, our \$241 million expansion of the Capricornia Correctional Centre is delivering much needed jobs for the wider Rockhampton community. More than 140 jobs will be delivered during the construction phase. I am also very pleased to announce today that, as a result of our Buy Queensland procurement policy, to date 91 per cent of the project's workforce has come from the region—local jobs—and that \$53 million has already been injected into local industry, supporting local businesses. The Palaszczuk government delivers opportunity for all Queenslanders, no matter where they live in our state.

Once construction is complete on this project, an additional 115 full-time jobs will be delivered for the correctional centre. Since being elected, we have boosted the corrections front line in the Rockhampton region by 55 staff. Queensland Corrective Services is now one of the region's biggest employers, with over 300 staff committed to keeping that community safe. Labor governments build the infrastructure, we provide the training, we invest in new and emerging technologies but, most importantly, we invest in Queenslanders—providing jobs for Queenslanders and opportunities for Queensland businesses.

Challenging Plastics Forum


 **Hon. LM ENOCH** (Algera—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (10.05 am): The Palaszczuk government's reforms in the waste sector will help grow the resource recovery industry and create jobs. One of the positive outcomes from improved recycling is the number of potential jobs it creates. As has been said many times, for every 10,000 tonnes of waste sent to landfill fewer than three jobs are created but, when that same amount of waste is recycled, more than nine jobs are created. This is the kind of investment that our government cares about.

Last week, I attended the inaugural Challenging Plastics forum, co-hosted by the University of Queensland. Over the past 12 months, the Queensland government has been laying the critical foundations that will help drive significant improvements to waste management and resource recovery in Queensland, including how we reduce plastic pollution. Our draft waste management and resource recovery strategy is currently out for public consultation and is a significant step in reforming how Queensland manages waste.

The draft strategy identifies plastic as a priority action area. We all know that plastic is an extremely useful material. However, plastic in the wrong place can have harmful impacts on our environment and our wildlife. A plastic pollution reduction plan is currently being developed. The aim of the plan is to provide a coordinated approach that prioritises action to reduce the amount of plastic entering the environment. Through the Challenging Plastics initiative, the Queensland government has created a platform for stakeholders to share knowledge and generate investment and market opportunities. Events such as this forum will ensure that the necessary conversations between key parties take place.

I am pleased to report that the conversation facilitated by the forum focused on positive outcomes and opportunities. Over 100 attendees at the Challenging Plastics forum discussed opportunities to attract recycling and remanufacturing to Queensland, the enablers that are needed to help businesses take leadership in developing plastic solutions and opportunities, and the drivers needed to improve collection infrastructure and develop new markets for plastic in Queensland. A second Challenging Plastics forum is proposed for October later this year. As our government invests in reforms in the waste sector, we are investing in a future where there are more jobs and better environmental outcomes for Queensland. That is great news for our state.

Child Protection

 **Hon. DE FARMER** (Bulimba—ALP) (Minister for Child Safety, Youth and Women and Minister for the Prevention of Domestic and Family Violence) (10.07 am): The Palaszczuk Labor government is committed to making sure vulnerable children are kept safe from harm and have every opportunity to

succeed in life. In Queensland, we have embarked on a 10-year reform road map as the result of the Carmody report. This commenced with a commitment of \$406 million over five years in the 2014-15 budget.


Today, we are in the fifth year of fulfilling the Carmody reforms and we are seeing the results. Over three state budgets, we have added more than 450 child safety staff, including 93 this financial year, and those staff are making a difference in the lives of vulnerable children. Our investments have also contributed to more than 700 additional jobs in the non-government sector. That means that, since 2015, the Palaszczuk Labor government has made it an absolute priority to restore services to Child Safety and, as a result, we have seen more than 1,200 jobs created in that sector. That averages at more than four jobs a week to protect some of Queensland's most vulnerable children.

We have invested over \$556 million into implementing our child and family reforms and, despite increasing demand for services, continue to see steady improvements. Response times for our most urgent cases—those needing to be seen within 24 hours—are at 92.8 per cent. This is at the same time as our staff are dealing with increasingly complex cases, including domestic and family violence, mental health issues and drug addiction.

Our investment in new staff has driven down case loads to 16.9, which means child safety officers can spend the time they need on complex cases. Hardworking child safety officers and NGO staff do their best every day to make sure our children are safe. They deserve our full support in their work with Queensland children. That is why this government is supporting them to be there for our children every day. Queensland children are safer because of these additional staff who work tirelessly to protect the most vulnerable in our society. The hard work of child safety staff and partner agencies is clearly paying off and more and more vulnerable Queensland children are being afforded the same hope and opportunity as every other child in Queensland.


MOTION

Suspension of Standing and Sessional Orders

 **Hon. YM D'ATH** (Redcliffe—ALP) (Leader of the House) (10.10 am), by leave, without notice: I move—

That, notwithstanding anything contained in standing and sessional orders, government business notice of motion No. 1 be moved at 4.26 pm today with the following time limits to apply—


- five minutes for each member;
- total debate time before question put—30 minutes.

 **Mr BLEIJIE** (Kawana—LNP) (10.10 am): So as not to delay question time this morning we will not oppose the motion. However, this motion on a procedural basis deals with Minister de Brenni's motion with respect to subbies and the big issue facing subcontractors. Half an hour does not cut it. Half an hour is not enough time to deal with the huge issue facing subbies across the state. The Liberal National Party has called for a royal commission into subcontractors to let the sunlight in to disinfect this issue.

Mr SPEAKER: Member for Kawana, it is a procedural motion so I would bring you back to the point of the motion.

Mr BLEIJIE: Half an hour as just set out by the Leader of the House is not sufficient for members of parliament to talk about this very important issue. We all have subbies in our electorates who have been impacted by these particular issues and that is why we do not think half an hour is sufficient time to relay the stories that the subcontractors are telling us. If the government were serious about this issue it would allocate more than half an hour for members of parliament to speak. Each member only has five minutes to speak. That is three speakers on each side of the House. Only three government members will speak on this very important issue and only three opposition members, including crossbench members. Out of the whole House, all the members of parliament, we will have six speakers speaking on this very important issue.


Only giving half an hour to this issue shows the total lack of regard and intention the government has to fix it. They are not serious about it. This is more political play. It is tokenism. It is not serious and we should, I put to the Leader of the House, have more than half an hour to stand up and talk for the subbies in the state because anything less is not serious.

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships) (10.12 am): Briefly, it is disingenuous in the extreme to suggest that there are no other opportunities in this House for any member to get on their feet and make a contribution around subcontracting in this state. Private members' statements are on tomorrow, there are adjournment speeches available to members in this House—

Opposition members interjected.

Mr SPEAKER: Order, members! I will have order in this House!

Ms TRAD: As I was saying, there are plenty of opportunities to speak provided to members in this House. Have a look at the *Notice Paper*, make a decision to get up and speak on this topic. No-one will stop those opposite from introducing their own motion. There are plenty of opportunities in this House for members to speak on issues of any importance to them or their constituents. I think what the member for Kawana is frustrated about is we probably pipped him at the post in terms of this issue.

 **Mrs FRECKLINGTON** (Nanango—LNP) (Leader of the Opposition) (10.14 am): There lies the open, transparent government that we were promised by the Premier. We are being given only half an hour for one of the most important issues in this state: protecting hardworking subbies. The Deputy Premier has not been here long enough to read the procedural rules around anticipating debate. It clearly shows that the Deputy Premier has no clue when it comes to what actually goes on in this House. She spends her entire time trying to stop the opposition speaking. To say members can speak in an adjournment about the issue shows just how out of touch this Premier is and it shows who is running the show over there.

I put to the House that the arrogance is there for everyone to see. To give us half an hour, or even less—15 minutes—to speak on this motion shows the arrogance of the government. It shows how out of touch this Premier is. She has completely lost control of her government.

Mr Hinchliffe interjected.

Mr SPEAKER: Order! Minister for Local Government, you are warned under the standing orders.

Ms Palaszczuk interjected.


Mr SPEAKER: Premier, I will wait for silence before putting the question.

Question put—That the motion be agreed to.

Motion agreed to.

TRANSPORT AND PUBLIC WORKS COMMITTEE

Report


 **Mr KING** (Kurwongbah—ALP) (10.16 am): I lay upon the table of the House report No. 16 of the Transport and Public Works Committee.

Tabled paper: Transport and Public Works Committee: Report No. 16, 56th Parliament—Subordinate legislation tabled between 19 September and 30 October 2018 [[259](#)].

The report covers portfolio subordinate legislation tabled between 19 September 2018 and 30 October 2018 considered by the committee. I commend the report to the House.

NOTICE OF MOTION

State Schools, Air Conditioning

 **Mr BLEIJIE** (Kawana—LNP) (10.16 am): I give notice that I will move—

That this House calls on the Palaszczuk Labor government to adopt the LNP's plan to air-condition every Queensland state school—

Government members interjected.

Mr SPEAKER: Order! I have asked repeatedly to have these motions heard in silence. That is the last warning I will issue today.

Mr BLEIJIE: I give notice that I will move—

That this House calls on the Palaszczuk Labor government to adopt the LNP's plan to air-condition every Queensland state school classroom.

QUESTIONS WITHOUT NOTICE

Mr SPEAKER: Question time will conclude today at 11.17 am.

Manufactured Stone Industry, Silicosis

Mrs FRECKLINGTON (10.17 am): My first question is to the Premier. Dr Graeme Edwards said on ABC Radio last week that he was frustrated by the slow response to the silicosis outbreak in workers dealing with manufactured stone. Will the Premier allocate the \$2 million requested by Queensland respiratory physician Professor Dan Chambers to fast-track a life-saving treatment for this terrible disease?

Ms PALASZCZUK: I thank the Leader of the Opposition for the question because this is a very important topic and it is one that is having an impact on a lot of Queenslanders and Australians. It was my government, through the leadership of the Minister for Industrial Relations, that brought this issue to the forefront.

Mr Bleijie interjected.

Mr SPEAKER: Member for Kawana, you will refer to members in this House by their correct title. You are warned under the standing orders.

Ms PALASZCZUK: Minister Grace not only raised it at the state level; she made it a national issue and put it on the national agenda. This is a very important issue. The first urgent safety warning was issued on 18 September 2018. The minister not only raised this issue in cabinet; she raised it in the House. Since that first urgent safety warning was issued we have undertaken audits of all known 138 engineered stone benchtop fabricators in Queensland; we have arranged health screening of 810 workers in the engineered stone benchtop industry, with an estimated cost of around \$3 million to \$4 million; we have hosted two forums in relation to silicosis; and on 9 November 2018 a medical forum was held and facilitated by a number of key experts which over 130 people attended.

We have worked closely with medical specialists and relevant specialist medical colleges, including to establish a medical working group. Final nominations for that important group were received in late January, for a meeting that occurs next week. WorkCover has also provided in-principle support for a wide range of treatment options, including lung washing for diagnosed workers.

My heart goes out to the families and their loved ones who have been impacted by this. It is through the hard work of a minister in my government, Minister Grace Grace, that this issue has become a national issue. She has shone a national spotlight on a very important issue. As the minister said in a statement to the House this morning, the audit found that dry cutting was going on, which has a deadly impact. We also found out that a lot of young men are being impacted by this.

Mr BLEIJIE: Mr Speaker, I rise to a point of order under standing order 118(b). The question asked the Premier whether she would commit the \$2 million requested by a Queensland respiratory physician to alleviate or come up with a cure for the illness. The Premier has not talked about the \$2 million requested.

Mr SPEAKER: In relation to your point of order, the question talks about the broad issue and it also refers to funding. In doing so, it refers to a request for funding and a government response. I believe that the Premier is outlining the government's response. The Premier has 25 seconds remaining on the clock to round out her answer.

Ms PALASZCZUK: As I said, the first priority is health screening, which is \$3 million to \$4 million. The final point that I leave those opposite with is that we have called for a restriction on or the control of the importation of that engineered stone. To date, the Morrison LNP government has refused that request.

Rural and Regional Queensland, Maternity Services

Mrs FRECKLINGTON: My second question is also to the Premier. Last weekend's media exposed that the health minister did not know that Queensland's public doctors were handing out do-it-yourself birthing kits to mums-to-be. Will the Premier explain why Queensland rural and regional families have to put up with Third World quality health care under Labor?

Ms PALASZCZUK: I thank the Leader of the Opposition for the question. Of course, maternity services are an important issue for many Queensland—

Mrs Frecklington interjected.

Ms Grace interjected.

Mr SPEAKER: Order! Minister for Industrial Relations, you are warned under the standing orders. Leader of the Opposition, you are warned under the standing orders. Members will put their comments through the chair.

Ms PALASZCZUK: This is a very important issue. I will make a couple of comments, which I made publicly the other day. Firstly, attracting specialist midwives and specialist doctors to some of our more rural and remote places in Queensland is a tough job. I am prepared to work with the Morrison government or a future Shorten Labor government to attract doctors to some of our most rural and regional places.

Secondly, I am advised by the health department that the kit had not been issued since 2013, when those opposite were in government. I am advised by the health department that, under the LNP, over 30 midwives were cut from the health service. That was when the LNP was in government. I am also advised by Queensland Health that when they rolled out maternity services to Beaudesert, there were some issues in terms of the way in which that rollout was conducted. That was under the LNP.

Opposition members interjected.

Ms PALASZCZUK: They do not like the history lesson, but they will get it.

Opposition members interjected.

Mr SPEAKER: Members, I cannot hear the Premier's answer. I need to hear the Premier's answer, as does Hansard.

Ms PALASZCZUK: It seems that they have erased from their memories the savage health cuts that they made to Queensland Health, time and time again, over the three years that the member for Clayfield was the treasurer and the member for Nanango was the assistant treasurer who sat around the CBRC table, according to what she has said previously. While on my feet, the other point I will raise is that we are still waiting for the back payment of health funding owed to Queensland of \$314 million. I challenge the Leader of the Opposition to write a letter to her LNP Prime Minister about the \$314 million that is owed to Queensland families.

(Time expired)

Small Business, Exports

Mr BUTCHER: My question without notice is to the Premier. Will the Premier update the House on what her government is doing to help small business, particularly in regional Queensland, tap into Queensland's booming export market?

Ms PALASZCZUK: I thank the member for Gladstone for that very important question. We know very clearly how important the export industry is to our state, with over \$81 billion worth of exports over the past financial year. Exports have increased by 85 per cent in the four years since my government took office. I will say that again: under this government, exports have increased by 85 per cent and are worth \$81 billion. We will back our industries and our small businesses and make sure that we give them every opportunity to continue trading with our neighbours and our large export markets. When I talk about export markets, I note that China is up there at the top. I have done several trade missions to Japan. It is very important for our metallurgical coal industry and also our LNG industry, which, as the Deputy Premier said, is quickly increasing and, in fact, is our second-largest export market.

I have been advised that Trade and Investment Queensland will be conducting forums across regional Queensland to get small businesses ready for export markets. I hope that they will be able to help attract investment and also that they will get advice from TIQ about how to enter those markets and what those markets are looking for from Queensland. In addition, it is about cultural awareness. When you are dealing with different countries, it is very important that you have an appreciation of the cultural practices of those countries. Forums will be held in Cairns, Townsville, Mackay, Rockhampton, Gladstone, Bundaberg, the Sunshine Coast, Ipswich, Toowoomba, the Gold Coast, Mount Isa and Maryborough. If local members want to participate, I encourage them to contact Trade and Investment Queensland. I am happy to provide information to them individually. It is very important that we get behind our small businesses across Queensland to make sure that they are ready to deal with the opportunities that are presented, as we continue to trade more into the future.

As we know, new industries will bring great opportunities. Already today in this House we have spoken about biofuels. Battery technology will also bring a lot of opportunities, especially in the North West Minerals Province and outside Townsville, in terms of utilising new minerals that we have in Queensland. Finally, today we have heard comments about the LNG industry and I firmly believe that hydrogen will be one of Queensland's best new industries into the future. It has the potential to create thousands of jobs.

(Time expired)

Traffic Infringement Notice

Mr MANDER: My question without notice is to the Minister for Police. I refer to media reports that the Police Commissioner's wife had an infringement notice for running a stop sign torn up after appealing to the officer in charge at the local station. Will the minister tell the House when he was advised that this infringement notice had been torn up and what investigation he instigated in response?

Mr RYAN: Mr Speaker, you made a ruling this morning about members being very careful about the insinuations and inferences they make in this House.

Honourable members interjected.

Mr SPEAKER: Order! Member for Buderim, you are warned under the standing orders.

Mr RYAN: The first I was made aware of this matter was yesterday. If anyone has any allegations or information about any concerning conduct around any matter involving the Queensland Police Service then there are appropriate avenues for people to make complaints.

Honourable members interjected.

Mr SPEAKER: Order! Members.

Mr Harper interjected.

Mr SPEAKER: Member for Thuringowa.

Ms Jones: Haven't seen a gutter you don't want to get into.

Mr SPEAKER: Member for Cooper, you are warned under the standing orders. I take a very dim view of members who interject after I have called the House to order and have asked for silence. Member, will you withdraw your unparliamentary language.

Ms JONES: I withdraw.

State Netball Centre

Mr RUSSO: My question is to the Premier and Minister for Trade. Will the Premier tell the House about Queensland's outstanding new headquarters for netball?

Ms PALASZCZUK: I thank the member for Toohey for the question. I have good news for Queensland. Netball Queensland now has a new home that has been completed and was officially opened on Sunday. I was joined by the member for Toohey, Minister Mick de Brenni and around a thousand keen netballers on Sunday.

My government made a commitment and investment of over \$34 million into the construction of the new facility. We had roughly \$10 million from the federal government, and the council transferred the land. Once again, all three levels of government worked together. It was an absolute delight to join those members for the official opening of the State Netball Centre on Sunday.

This will also become the home of the Firebirds. I know that the Deputy Premier is the patron of the Sunshine Coast Lightning. We are expecting some good competition this year. A new netball centre will be built for the Sunshine Coast Lightning up on the Sunshine Coast.

We understand how important sport is. Not only that, we understand how important women's sport and girls' sport is. In fact, this is probably the first key investment of any government into women's sport of this size and nature in the state. It is landmark. I think it shows very clearly that we are about equality. We are seeing more participation of women in sport and more spectators going along to watch.

Over 130 jobs were involved in the construction and there are about 40 ongoing jobs. It is a great result for everyone. Five thousand people will be able to go and watch the netball. There are eight courts. For the first time the Firebirds actually have their own change room. The Firebirds have never had that before. This is about saying we support women's sport as much as men's.

I also acknowledge that the John Eales statue was unveiled on Monday. Minister de Brenni and Minister Jones were there. I pay tribute to John Eales. He is an outstanding Queensland and Australian rugby champion. This is well deserved. He was very humble when the statue was announce.

I also congratulate the Brisbane Heat, the Women's Big Bash League champions. There is some good news there. The Heat were the first team outside of New South Wales to win the Women's Big Bash League title. Tomorrow the Brisbane Bandits—our winning baseball team—will be here. I would encourage all members to come and see them. I have just been handed a note saying that the Brisbane Bullets are playing Perth in the semifinals this week. Go Queensland!

Traffic Infringement Notice

Mr WATTS: My question is to the Premier. I refer to the report that the Police Commissioner's wife had an infringement notice torn up. Given the police minister has completely failed to deal with this matter, will the Premier show some integrity and refer this matter to the Crime and Corruption Commission immediately?

Mrs D'ATH: I rise to a point of order, Mr Speaker. I would ask for your ruling as to whether there is imputation in these questions on the basis that no allegations have actually been put. The way these questions are being framed there are certainly imputations in them.

Mr BLEIJIE: I rise to a point of order, Mr Speaker.

Mr SPEAKER: I am taking advice at the moment, I will deal with your point of order shortly. I am prepared to give a ruling on the Leader of House's point of order. I will hear your point of order unless it relates to a different matter.

Mr BLEIJIE: No, Mr Speaker. It is simply that the question was about a report today. There was no allegation raised. It was about the report in the media.

Mr SPEAKER: I will respond to the point of order raised by the Leader of the House. Leader of the House, the question with the subject matter relating to the Police Commissioner does not contain imputations. It is highlighting a concern to the House. However, I believe the language used in the question asking the Premier to show integrity may be impugning the Premier. I would ask that the question be rephrased. I will ask the member to ask the question again.

Government members interjected.

Mr SPEAKER: Order! Members, that is not an invitation for you to talk.

Mr WATTS: Given the police minister has completely failed to deal with the matter of the Police Commissioner's wife receiving an infringement notice, will the Premier show some integrity and refer this matter—

Mr SPEAKER: Sit down, member.

Government members interjected.

Speaker's Ruling, Question Out of Order

Mr SPEAKER: Member, please resume your seat. I gave you an opportunity to rephrase the question. I gave you clear instructions as to the component of the question that needed to be rephrased and you did not do so. I rule the question out of order.

Queensland Economy, Jobs

Mr KING: My question is to the Deputy Premier. Will the Deputy Premier advise the House on how the government is keeping its commitment to grow the economy and create jobs and whether there are alternative economic plans?

Ms TRAD: I thank the member for Kurwongbah for his question. We on this side of the House, the Labor Party, actually believe in growing a strong economy and creating jobs in that strong economy. That is why we have facilitated the creation of more than 180,000 jobs within our economy. We have seen this largely driven through a significant infrastructure spend in last year's budget of \$46 billion—infrastructure right across our state, 65 per cent of which is outside the South-East Queensland corner.

We know that in order to ensure that we continue to deliver the jobs, the services and the infrastructure that Queenslanders need, wherever they live in our state, we have to manage our budget responsibly. That means we need to manage expenditure and manage revenue in a very responsible way. We have done that. We have taken to the people of Queensland very responsible, modest revenue measures. We are getting on with the job of managing the budget and delivering the jobs, services and infrastructure that Queenslanders need.

However, I do have to say that those opposite have opposed and voted against every single one of our revenue measures. This represents in terms of the Queensland budget a \$2 billion black hole. It gets worse when you start adding up the big expenditure items that those opposite have already announced. We have heard them come out with a plan. I do not want to anticipate debate, but they have talked about air-conditioning all state schools. Originally it was all schools in Queensland. Then the Deputy Leader of the Opposition had to correct the Leader of the Opposition and say, 'No. It was just state schools.'

Mr Mander interjected.

Mr SPEAKER: Member for Everton.

Ms TRAD: Then they made the announcement about a second M1—\$2.4 billion for that project. Of course they promised all of this new expenditure without any new taxes and while driving lower debt. I do not know how you do that when taking away \$2 billion worth of revenue measures and adding another \$4 billion worth of expenditure. That represents a significant black hole—in fact, a \$6 billion black hole.

It would be really, really helpful if those opposite could talk to the people of Queensland in an honest way and say how they are going to fund their big spending tickets, their big spending items, or can Queenslanders expect to see from the next LNP government exactly what they saw when they were last in government—a government focused on cutting, sacking and selling?

Opposition members interjected.

Mr SPEAKER: Order! The House will come to order. Member for Nicklin and member for Chatsworth, I have already asked you to cease your interjections today. You are both warned under the standing orders.

Traffic Infringement Notice

Mr POWELL: My question is to the Minister for Police. Has the minister directed the police Ethical Standards Command to investigate whether the commissioner's wife's infringement issuing officer being currently on sick leave is connected to the circumstances around the infringement notice being torn up?

Mr RYAN: I have already answered this question. If anyone has any specific evidence or allegation or concern about any member of the Queensland Police Service, there are appropriate authorities to refer it to. Every citizen in Queensland has the right to challenge an infringement. Every citizen has that right. There are members opposite who have had infringements before and it has come back to haunt them, but they, too, had the right to challenge those infringements.

Opposition members interjected.

Mr SPEAKER: Order, members to my left!

Mr RYAN: You cannot just come into this House and throw around insinuations and inferences without any evidence to back it up. If they have any evidence, they should send it to the CCC.

Indigenous Communities, Jobs

Ms LUI: My question is to the Minister for State Development, Manufacturing, Infrastructure and Planning. Will the minister please advise the House what the government is doing to support jobs and the economy in Indigenous communities across Queensland, and is he aware of any other approach?

Mr DICK: I thank the member for Cook for her question and for her strong support for growing regional jobs in Queensland. Our government is working hand in hand with local councils across the state to deliver our Building our Regions program. That is a \$295 million investment in regional and remote Queensland including Indigenous communities.

At Wujal Wujal, which is located between Cairns and Cooktown in the beautiful electorate of Cook, Building our Regions is funding a \$1 million ecovillage upgrade. Those upgrades will give tourists and visitors to Wujal Wujal access to more accommodation opportunities in an area of outstanding natural beauty and help that community rise to its vision of being an arrival point for grey nomads in particular in that part of Queensland.

Another Indigenous community benefiting from the latest round of Building our Regions is the Cherbourg community in the electorate of Nanango. I am pleased to say that the local recycling facility there will triple its capacity through a \$1 million Building our Regions grant and a \$15,000 grant from the Cherbourg Aboriginal Shire Council. By boosting the recycling capacity from approximately 3,500 tonnes to 10,000 tonnes per annum, the facility will support three new jobs in that community during construction and create four ongoing operational jobs. This will be the first facility of its kind in an Indigenous community in the country. That is the sort of thing the Labor government does.

We know that members opposite oppose the waste levy. The Leader of the Opposition opposes that. She supports Queensland being the No. 1 dumping ground in the Commonwealth.

Mr Crisafulli interjected.

Mr SPEAKER: Member for Broadwater.

Mr DICK: You would have thought she would have supported an initiative in her community, but they attack Building our Regions. They attacked it in estimates last year. In the greatest and most devastating attack on the government since someone gave the member for Toowoomba North a piece of paper with words to read, my shadow minister claimed that the opening and the renewal of the Mackay showgrounds was delayed. He attacked me on that. That was of course one month after it had been opened. That is what they think about Building our Regions. That was probably the greatest political attack since the member for Everton in estimates said there were too many women on the Parole Board! We remember that, too. They are worried about policing today, but they are not talking about women on the Parole Board.

They attack programs because they want to cut. Let's face it: the Leader of the Opposition has to find compensation for the coalmine she does not want in Kingaroy. She has to find compensation for that proponent there. The Leader of the Opposition cannot mount a coherent argument about coal. They attack Building our Regions when it is supporting their regional communities. The Leader of the Opposition does not want the member for Broadwater speaking on his portfolio, but he does not have to worry about her gagging him anymore because he will be speaking more—

Mr SPEAKER: Order! The minister's time has expired.

Mr Crisafulli interjected.

Mr SPEAKER: Member for Broadwater, I had to talk to you during the minister's contribution. You are now warned under the standing orders.

Fardon, Mr RJ

Mr JANETZKI: My question is to the Premier. I refer the Premier to the decision to allow Queensland's most notorious sexual predator, Robert John Fardon, to live within a few metres of a kindergarten and in the same local street as a primary school in Salisbury. Can the Premier tell the House whether it was the housing minister or the police minister who was responsible for the decision to allocate a government house to a convicted child rapist just a stone's throw away from a kindergarten?

Ms PALASZCZUK: I want to make a couple of comments about this. Let me say from the outset that the Police Commissioner knows where Mr Fardon is at all times. It is an operational issue in terms of where he lives. Neither the minister nor the Premier gets involved in those operational issues—nor should we. Under our tough laws he is a reportable offender for life—laws that those opposite voted for.

Mr Mander interjected.

Mr SPEAKER: Member for Everton.

Ms PALASZCZUK: The Queensland Police Service is aware of where he lives; where he works; the name of his employer and the address; the nature of his employment; the make, model, colour and registration of any car that he owns—

Mr Mander interjected.

Mr SPEAKER: Member for Everton.

Ms PALASZCZUK:—or drives for at least seven days within one year; any tattoos or distinguishing marks including changes to these marks; details of internet and phone providers and phone numbers; passwords for emails; internet user name including instant messaging service and chat rooms; details of any social networking site he joins, participates in or contributes to including passwords.

Mr JANETZKI: Mr Speaker, I rise to a point of order. The question was quite clear in that the question related to whether it was the housing minister or the police minister who directed where Robert John Fardon would live. I would ask that the Premier move towards an answer.

Mr SPEAKER: I have listened to the Premier's contribution. I believe she has answered that component.

Ms PALASZCZUK: Thank you.

Mr SPEAKER: However, I ask the Premier whether she has anything further to add.

Ms PALASZCZUK: Yes, I do, Mr Speaker. Let me make it very clear that under the legislation that everybody in this House supported and voted for—everyone supported it—any breaches of these reporting obligations and other reporting obligations listed under the act can lead to imprisonment.

Finally, whilst I am on my feet let me say this: when Mr Fardon first went out into the community it happened under the LNP in 2013. No-one told the community—no-one. The attorney-general at the time was the member for Kawana. Finally, our tough new laws mean that he is, along with others, a reportable offender for life.

Mr Janetzki interjected.

Mr SPEAKER: Member for Toowoomba South.

Ms PALASZCZUK: As I said, every single member in this House voted for these laws.

Mr Janetzki interjected.

Mr SPEAKER: Member for Toowoomba South, you rose to a point of order. I ruled on that point of order. You continued to interject suggesting that the question was not being answered when I had already made a ruling that I believed that the Premier was being responsive. You are warned under the standing orders.

Major Events

Mr O'ROURKE: My question is to the Minister for Innovation and Tourism Industry Development and Minister for the Commonwealth Games. Will the minister please update the House on the growth of Queensland's major events industry?

Ms JONES: I thank the honourable member for Rockhampton for that question. I want to acknowledge on the record what a great job he is doing in representing the people of Rockhampton. Another great Rockhampton person whom I had the honour of being with yesterday was Anna Meares.

An honourable member: 'Schwarto'.

Ms JONES: Another great Rockhampton person too—I take that interjection. He stands up for Queenslanders, unlike those opposite. Anna Meares, a former Rockhampton resident and four-time Olympian, has now come on board as the official ambassador for the Brisbane Cycling Festival. This is a great win for one of our new major events. Mr Speaker, you would be very pleased to know that I too have my charter letter from the Premier. The Premier has instructed me that I have to build \$36 million worth of new events, and I would like to report to the House and to the Premier that I am delivering on that responsibility.

Mr Mander: Congratulations!

Ms JONES: Thank you; I take that interjection. This includes the brand-new Brisbane Cycling Festival, which I have just mentioned; the 2024 Lifesaving World Championships on the Gold Coast; and the 2019 UCI Track Cycling World Cup which will also be at the Anna Meares Velodrome. We can have these international competitions now because we have built the velodrome as part of our Commonwealth Games commitment. It also includes the Tour de Brisbane as part of the UCI Gran Fondo World Series; the 2020 World Masters Ultimate Club Championship on the Gold Coast; and the 2019 SportAccord conference on the Gold Coast.

Combined we expect that this will generate 228,000 visitor nights here to Queensland. An event we did not sponsor was #roadtrip #shadowminister #localmp. This occurred in the Whitsunday region on Tuesday, 29 January. I table a picture of the honourable member for Surfers Paradise with the then LNP member for Whitsunday, who is now an Independent.

Tabled paper: Photograph, dated 29 January, depicting people including the member for Surfers Paradise, Mr John-Paul Langbroek MP, and the member for Whitsunday, Mr Jason Costigan MP [\[262\]](#).

I note that this has now been taken down from his Instagram account. What is interesting is that this event happened on the Tuesday after the Sunday meeting that the LNP had to listen to those complaints.

Honourable members interjected.

Mr SPEAKER: Order! Pause the clock. Minister, resume your seat. Some of these interjections have very little to do with the subject matter, and I would like to bring the minister back to the core of the question.

Ms JONES: The point is that this happened on the Tuesday after the member for Whitsunday was summonsed to a meeting with the LNP on Sunday. They thought so little of the member for Surfers Paradise that they did not bother to tell him that their colleague was under investigation for very serious allegations of sexual harassment. It just shows that the right hand is not talking to the left hand and there is no real leadership in the LNP.

Fardon, Mr RJ

Mrs WILSON: My question without notice is to the Premier. Can the Premier guarantee that Robert John Fardon is not living within one kilometre of a playground, school or kindergarten?

Ms PALASZCZUK: As I said, this is an operational matter for the Police Commissioner.

Health, Federal Funding

Ms BOYD: My question is to the Minister for Health and Minister for Ambulance Services. Will the minister update the House on recent federal government health commitments for Queensland and inform the House how they will benefit Queenslanders?

Dr MILES: I thank the member for Pine Rivers for what is a very important question. After six long years of health cuts under the Abbott, Turnbull and Morrison governments, Queenslanders will soon get a chance to end the cuts and elect a government that will deliver more and better health services from the top of the cape to the Gold Coast and including our neck of the woods in Pine Rivers. The member for Pine Rivers, I am sure, knows that electors in her area will soon be able to vote to end the cuts to Brisbane north health services and instead deliver an MRI licence at Redcliffe Hospital, one at the Prince Charles Hospital and a new chemotherapy unit at the Caboolture Hospital. I am sure that the members for Cairns, Cook and Barron River know that their electors can soon end the cuts to Far North Queensland health services and instead elect a government that will deliver a new \$15 million emergency department at the Cairns Hospital. Scott Morrison not only cut funds to Cairns health services but also promised not one single cent from the LNP to a new emergency department.

In the last sittings I praised the member for Pumicestone for putting politics aside and accepting that the best thing for her community would be the election of a Bill Shorten Labor government, and it is about time more members opposite did the same. They cannot do it in Far North Queensland; they do not have any members there. The member for Burdekin, for example, could follow the member for Pumicestone and say that he is sick and tired of the Morrison government's \$20.7 million cuts to Townsville health services and instead will support a Labor government that will deliver a 33-bed ward to Townsville Hospital at a cost of \$13 million.

Wide Bay members might say that they are sick of the \$11 million of cuts to Wide Bay HHS and instead will support a Labor government to build a \$15.7 million mental health centre in Bundaberg. They could follow the member for Pumicestone—in fact, many members could—because Labor will not only stop the cuts but also deliver a hybrid cardiac catheter lab in Rockhampton. They will deliver an emergency department upgrade in Emerald. They will deliver a \$33.4 million urgent and special care centre in Logan. Very soon all of us and all Queenslanders will get a chance to end the cuts and deliver a government that will deliver more and better health services.

North Queensland, School Bus Air Conditioning

Mr KNUTH: My question without notice is to the Minister for Transport and Main Roads. I table letters including those from students who travel more than an hour and a half each way on buses in up to 50-degree heat with little ventilation. Will the minister agree to install air conditioning on school buses on these routes?

Tabled paper: Bundle of correspondence to the member for Hill, Mr Shane Knuth MP, seeking air conditioning for school buses in the Hill electorate [\[263\]](#).

Mr BAILEY: I thank the honourable member for his question. We all know that North Queenslanders live through some of the most extreme weather this state experiences, particularly this time of year. We recognise that heat can be a concern for children travelling on buses to and from school, especially when that trip can be quite a long one over a long distance like in the member's electorate which takes up a lot of geography.

Section 30 of the Transport Operations (Passenger Transport) Standard 2010 requires public passenger operators to take reasonable steps to ensure that each vehicle providing general services is maintained in a clean, tidy and reasonably comfortable condition. Compliance with the standard is enforced by issuing noncomplying operators with a written direction to comply with the requirements of that standard.

I can inform the honourable member that there is no mandatory requirement for school buses to be air-conditioned in Queensland and, as such, it is a commercial business decision for any operator. However, I am happy to inform the honourable member that the Department of Transport and Main Roads recognises that heat can be a concern and provides options for partner operators to upgrade

their fleet with newer vehicles including those with air conditioning. TMR provides funding to eligible school bus operators to assist with the purchase of new buses through the School Bus Upgrade Scheme.

I am pleased to update the member that on 25 February this year Trans North Pty Ltd has advised that it will apply for school bus funding as each of its non-air-conditioned vehicles reach their qualifying age for replacement funding under the scheme. I am happy to continue to facilitate those discussions between my department and local bus operators to ensure a good outcome for local residents in the honourable member's electorate. I thank the honourable member for advocating on behalf of his local school students, and we look forward to working further to ensure that the outcomes for local students improve.

Queensland Procurement Policy

Mr MADDEN: My question is to the Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport. Will the minister update the House on how the government's Procurement Policy, based on advice from industry, provides jobs for Queenslanders and the outcome of alternative approaches?

Mr de BRENNI: I thank the member for Ipswich West. The member for Ipswich would be familiar with this document with the headline 'Backing Queensland Jobs'. That is the headline that appears on the Palaszczuk government's Buy Queensland procurement strategy. Since the Premier announced our procurement strategy back in September 2017, Queensland job creation has grown by a further 71,000 jobs. We are putting Queenslanders first by putting Queensland jobs first because, as the Premier often says in this place, with work you have dignity.

Our government has been working closely with industry over our last two terms to understand how to be a better customer when it comes to government procurement. Only Labor can be trusted to govern in the interests of all. We consulted on the Buy Queensland procurement policy and it is working. I want to update the House and the member for Ipswich on the outcomes. QTenders data at 31 January shows that 83 per cent of contracts were awarded to Queensland businesses and 85 per cent of the value of contracts went to Queensland businesses. As I said yesterday, in Townsville 99 per cent of the nearly 3,000 work packages are being performed with local Townsville contractors.

We are learning how to be a better customer but some governments never learn. The LNP does not listen and we know that it does not learn. It has a long list of procurement fails. The most notable one that I can think of is the New Generation Rollingstock. That contract was sent offshore—all good, unless you have a disability. Let us not forget that it is now costing taxpayers \$336 million to rectify that. We will not forget that the man who oversaw that, Michael Caltabiano, was also sacked for his—

Honourable members interjected.

Mr SPEAKER: Pause the clock. Member for Burleigh, I have already asked you to cease your interjections. If you wish to ask a question, you will rise to your feet.

Mr de BRENNI: What a shocker. We would think the LNP in Canberra would learn from that incident but, no, we only had to pick up the newspapers over the last few days to see headlines like this: 'The secretive firm making \$5 million a week from Manus Island refugees'. We saw Minister Dutton procure a \$450 million contract from apparently a deserted shack—a tender with a single bidder. I can tell the House that there is no dignity in that. Then we had Helloworld. The headline said, 'Cormann had "no idea" a travel company had given him a free trip'. This man is the coalition's finance minister. He is supposed to understand maths, but he did not know that he had a free holiday after he awarded a \$25 million contract to his mate Joe Hockey. There is certainly no dignity in that.

What is clear to Queenslanders is that, it does not matter whether it is trains or planes, the LNP plays fast and loose with taxpayers' money. All they want to do is help out their mates while they cut penalty rates. I can assure the House that Australians know there is absolutely no dignity in that, and that is why Australians are very much looking forward to procuring themselves a new Prime Minister.

Mr SPEAKER: Member for Everton, you are warned under the standing orders. That is about the fourth time I have had to ask you to cease your interjections. I have asked you repeatedly, as I have with all members, to put your comments through the chair.

Schools, Unions

Dr ROWAN: My question without notice is to the Premier. I refer to media reports that the Queensland Teachers' Union has sent home political material with kids' homework in Queensland schools as part of a dishonest union scare campaign ahead of the federal election. What action has the Premier taken to ensure unions stop politicising Queensland's classrooms?

Ms PALASZCZUK: I am advised by the education minister that it occurred in one school as a mistake and they immediately apologised.

VET in Schools

Ms SCANLON: My question is to the Minister for Employment and Small Business and Minister for Training and Skills Development. Will the minister update the House on how the Queensland VET in Schools program compares nationally and what support is being provided by the Australian government to help these students continue their training?

Ms FENTIMAN: I thank the member for Gaven for her question. I know she is a huge supporter of the young people who are getting a head start in their career by taking on a certificate in their vocational education and training while completing their year 12 studies. I have some great news. The latest national data shows that Queensland's young trainees and apprentices are leading the nation. Queensland is the strongest performing state for VET in schools. We have seen an increase in the numbers from last year—over 10 per cent. I want to acknowledge the Minister for Education, Grace Grace, for her support in this fantastic program. As we travel across Queensland and meet these young students, we know they are getting a great head start to a successful career.

We also lead the nation when it comes to apprentices and trainees under 19 years of age. We have more than 83,500—again, an increase of over 10 per cent. It seems that more and more young Queenslanders are looking to trades and training to secure a fantastic career. Of course, they will continue to have great opportunities once they graduate at year 12 with our free TAFE program.

While young students have an increasing number of options to get great skills and training thanks to our investment in training, the current chaos we are seeing in Canberra continues to hold back Queensland's young people. Queensland's young trainees and apprentices would be appalled by the evidence presented by Minister Cash and her agencies at Senate estimates last week. We heard how the LNP in Canberra fund—or, I should say, do not fund—training. Their signature national partnership on skilling Australians has a \$190 million black hole. They do not have the money they thought they would. They do not have any contingency to fund training in this country. It was absolutely appalling to see a \$190 million black hole, but that was not the only startling budget figure that was revealed in Senate estimates last week.

We also heard that Minister Cash has had to pay out \$800,000 in taxpayers' money to fund her legal bills, her staff's legal bills and her agency's legal bills for the turmoil that she has caused in her office leaking material to the media about AWU raids. That \$800,000 would be 80 apprentices getting a head start here in Queensland.

We saw Minister Cash wasting \$800,000 in taxpayers' money, Christian Porter getting a free bus and Mathias Cormann getting a free holiday. This chaos in Canberra has to stop. We need a federal Labor government.

(Time expired)

Education and Industrial Relations Portfolios, Unions

Mr BLEIJIE: My question without notice is to the Premier. Under Minister Grace's watch, the Queensland Council of Unions developed their Young Workers Hub program with assistance from the minister's staff, the Eureka Stockade flag was placed in classrooms—

Ms GRACE: I rise to a point of order, Mr Speaker. The imputation in that question is that I have been part of the development of the Young Workers Hub. I take offence and I ask it be withdrawn.

Mr SPEAKER: Minister, I would prefer that we hear the questions in their entirety in order to form a judgement, but if you take personal offence there is an appropriate time to do that.

Ms GRACE: I am happy for that to happen.

Mr SPEAKER: Member for Kawana, can you please repeat your question?

Mr BLEIJIE: My question without notice is to the Premier. Under Minister Grace's watch, the Queensland Council of Unions developed their Young Workers Hub program with assistance from the minister's staff—and I have previously tabled correspondence in this House about that—the Eureka Stockade flag was placed in classrooms, schools closed early for public rallies and safety inspectors are working with the CFMMEU to shut down Queensland work sites. How much longer will the Premier stand by and allow unions to run rampant in Minister Grace's portfolios, putting union bosses ahead of kids?

Ms GRACE: Mr Speaker—

Mr SPEAKER: Do you have a point of order, Minister?

Ms GRACE: I think it is the obvious one—the imputations in the question and the misleading statements. I take offence and I ask that they be withdrawn.

Mr SPEAKER: The question will be allowed. However, what I will do is give the Premier, in providing her response, a significant deal of latitude given that this is about the broader performance of a minister. I am happy to allow the question but I give the Premier a great deal of latitude in answering.

Ms PALASZCZUK: Let me say this from the outset: the LNP is no friend of workers in this state. Let me make that very clear. They are no friend of the workers in this state. On this side of the House we will back our workers. On this side of the House we recognise that unions play an important role in terms of standing up for workers' rights—and I am not going to talk about our wage theft inquiry. It was the unions that raised how important that issue was to make sure people get paid fairly for a fair day's work. Just yesterday in this House those opposite were backing the CFMEU—their support for the coal industry. The member for Kawana might not have been here for that part. They cannot have it both ways: on Tuesday they are backing the CFMEU; on Wednesday they are against the unions; and we all know that Thursday is union day. We all know that union day is Thursday. We also know that Queensland was the birthplace of the Labor Party in this state—

Mr Dick: In the bush.

Ms PALASZCZUK:—in the bush. We never know; that may change with the sheep industry coming back! On this side of the House we believe in penalty rates. The LNP does not believe in penalty rates. On this side of the House we brought back fair workers compensation. Those opposite did not.

Ms Grace interjected.

Ms PALASZCZUK: That is right. The member for Kawana is the most antiworker member of all. He spent three years as attorney-general and minister for industrial relations ripping apart anything to do with the protection of workers' rights in this state. That is the record of those opposite.

Ms Grace: Found unconstitutional.

Ms PALASZCZUK: That is right. I take that interjection. It was found to be unconstitutional.

Mr Dick interjected.

Ms PALASZCZUK: That is right. I take that interjection. Then they wrapped him up, put a big bow on him and they shipped him away for six months because they did not want him to be in the media spotlight.

On this side of the House we will back our workers. On that side of the House they ripped out workers' rights and they sacked workers.

Ms Trad interjected.

Ms PALASZCZUK: That is right. That is their record and their legacy in government. I know Queenslanders are smarter and Queensland—

(Time expired)

Mr SPEAKER: Members, I just want to explain. The member for McConnel found some comments in the question offensive and she asked that they be withdrawn. I will not allow the question to be withdrawn because it does deal with matters pertinent to the delivery of government services. I will ask the member for Kawana to withdraw his comments that the member found offensive.

Mr BLEIJIE: I withdraw.

Mr SPEAKER: Thank you, members. That is about the only way I could deal with that particular situation.

Gender Equality

Mrs MULLEN: My question is of the Minister for Child Safety, Youth and Women and Minister for the Prevention of Domestic and Family Violence. Will the minister update the House on the Palaszczuk government's initiatives to improve gender equality? Is the minister aware of any alternative views?

Ms FARMER: I thank the member for her long-term commitment to encouraging gender equality. We are in the lead-up to International Women's Day, which is on 8 March, with the international theme of #balanceforbetter. People have been asking me as Minister for Women what I am doing on International Women's Day and I say, 'Day? Let's ask about week,' because in Queensland the Palaszczuk Labor government has instituted Queensland Women's Week because there is just so much to celebrate. There will be organisations all over Queensland, many of whom have been funded

through the Queensland Women's Week grants. They will be celebrating women and girls and acknowledging their achievements and, importantly, they will be shining a light on the importance of seeing girls and women as equals and treating them with respect.

While as the Minister for Women I know I am so excited about going out to so many Queensland Women's Week events and talking about the achievements of this government, I do not know what the people on the other side of the House are going to be talking about if they go to Women's Week events. I would be a bit embarrassed if I were them. When I am out talking to women's groups about role models I often say, 'You can't be what you can't see.' Of course, with the LNP people can barely see any women, so they would not think of being one of them because they simply do not give women a go. There are six women on that side of the House. We know they are falling like flies in the federal parliament. We know in Stirling they had a chance in the preselection on the weekend to pick a woman but, no, they gave us a bloke.

However, what is at the heart of their abysmal female representation at every level—the near extinction of women representation—is the fact that they just do not have any respect for women, and every week we hear disgraceful examples of this. Last week we had Lord Mayor Graham Quirk telling Councillor Kara Cook to 'grow a pair' when she asked him to stop making sexually explicit comments in the chamber. We had the West Brisbane branch of the Young LNP wanting to bring back the Miss Young Liberal pageant and to amend the Family Law Act to remove no-fault divorce. We had the New South Wales Young Liberals—

Mrs WILSON: Mr Speaker, I rise to a point of order. I find the minister's comments disrespectful—

Mr SPEAKER: No, member. Please resume your seat, member for Pumicestone. Members, a member in this House cannot take personal offence to general statements about a political party or an organisation or group. If those comments were directed at you, member, you may take offence, but it is not a relevant point of order.

Ms FARMER: We had the New South Wales Young Liberals, including ministerial staffers, deciding to use Tinder to recruit female members rather than the approach that normal people use and then using a group chat, which included women, to make derogatory comments about the women they were seeing. They were too disgraceful for me to even repeat. They were derogatory; they were sexist. We all know that that just adds to the list of bullying complaints. Until they stand up and talk about respect for women, they can hang their heads in shame.

(Time expired)

Local Government, Voting


Ms LEAHY: My question is to the Premier. The CCC's Operation Belcarra report did not recommend any change to local government voting. The Soorley local government inquiry recommended that optional preferential voting remain in place at least for the 2020 elections. Can the Premier confirm that the only report to recommend changing local government voting is this Labor Party document, which I table?

Tabled paper: Document, undated, titled 'Review into Labor's Brisbane City Council Election Campaign 2016, Report by Elias Hallaj' [\[264\]](#).

Mr SPEAKER: The time for question time has expired.


ENVIRONMENTAL PROTECTION (GREAT BARRIER REEF PROTECTION MEASURES) AND OTHER LEGISLATION AMENDMENT BILL

Introduction

 **Hon. LM ENOCH** (Algeria—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (11.17 am): I present a bill for an act to amend the Biodiscovery Act 2004, the Chemical Usage (Agricultural and Veterinary) Control Act 1988, the Environmental Protection Act 1994, the Fisheries Act 1994, the Nature Conservation Act 1992 and the Vegetation Management Act 1999 for particular purposes. I table the bill and the explanatory notes. I nominate the Innovation, Tourism Development and Environment Committee to consider the bill.

Tabled paper: Environmental Protection (Great Barrier Reef Protection Measures) and Other Legislation Amendment Bill 2019 [\[260\]](#).

Tabled paper: Environmental Protection (Great Barrier Reef Protection Measures) and Other Legislation Amendment Bill 2019, explanatory notes [\[261\]](#).

 **Hon. LM ENOCH** (Algera—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (11.19 am): I am pleased to introduce the Environmental Protection (Great Barrier Reef Protection Measures) and Other Legislation Amendment Bill 2019. The Palaszczuk government is committed to protecting the Great Barrier Reef for future generations. This commitment is enshrined as one of our six Advancing Queensland's Priorities, and this bill is a fulfilment of one of the priorities outlined in the Premier's charter letter to me at the beginning of this term of government. This bill will amend the Environmental Protection Act 1994—the EP Act—to help reduce catchment water pollution and accelerate progress towards meeting the Great Barrier Reef water quality targets under the Reef 2050 Water Quality Improvement Plan 2017-2022.

We have the privilege and responsibility of having the world's largest coral reef right on our doorstep. Complex, diverse, adaptable, resilient and fragile all at the same time, the Great Barrier Reef is the largest living structure on the planet and without question one of the most extraordinary places on earth. It is home to a breathtaking array of life: more than 1,600 species of fish; 600 types of coral; 100 species of jellyfish; 30 species of whales and dolphins; 130 varieties of sharks and rays; 215 bird species; and six of the world's seven marine turtles. It is made up of more than 2,900 coral reefs and 70 separate bioregions. It is home to one of the world's largest seagrass habitats, encompassing 15 species over some 6,000 square kilometres, providing food and habitat for green sea turtles and dugongs and providing nursery grounds for commercial, recreational and Indigenous fisheries. Its health is the yardstick by which we judge the broader conditions of our environment. It is an indicator of the environmental health of not only Queensland but the planet. The reef is one of the clearest markers of the impacts of oceanic warming and the potential impacts of climate change.

Science tells us that the Great Barrier Reef is around 500,000 years old and that its current formation is around 6,000 to 8,000 years old. The first peoples—the first scientists of this country—have been living alongside the Great Barrier Reef for some 65,000 years, experiencing its changes and documenting those changes in dance, song, art and ceremony. All of this reminds us that our generation and our actions are literally but a speck in time, but our speck in time is undoubtedly one of the more important ones in the entire existence of the human race. With the effects of climate change accelerating and the impacts of poor water quality threatening, it is clear that we are at a tipping point. We stand on the doorstep of not only devastating environmental impacts but also economic impacts, with over 60,000 jobs reliant on the continued good health of the reef.

This bill tackles water quality head-on, directly responding to the 2016 recommendations of the Great Barrier Reef Water Science Taskforce. It ticks off on all of the remaining required areas that the task force said needed to be tackled. Importantly, these changes are based on the best available science. The Australian Institute of Marine Science has shown that the Great Barrier Reef lost around 50 per cent of its coral cover between 1985 and 2012. There are two major causes: the first is the impact of poor water quality, which has a serious impact on reef health; the second is climate change, which poses the biggest threat to ongoing reef health. With heating oceans we have seen successive mass coral bleachings along with an increase in frequency and intensity of extreme weather events. The latest Intergovernmental Panel on Climate Change report paints a grim future for the reef if we fail to stop global warming at 1.5 degrees Celsius, with the danger that we might experience 99 per cent reef loss if the temperature rise hits two degrees Celsius. We have little time to act, with about a decade to ensure that global temperature rise is stabilised.

The lived experience of climate change is very clear and, importantly, the science of climate change is undeniable. What the Great Barrier Reef needs most is leadership from the federal government on climate change mitigation. Key Great Barrier Reef ecosystems continue to be in poor condition, due largely to climate change and water quality, which is diminished by extreme weather events and land run-off. For example, water monitoring continues to show high levels of nutrients. We expect that monitoring done following the recent flood event in December will show both high levels of nutrient and sediment contamination, as is common after heavy rain events.

While Queensland is doing its part to combat climate change, we also hold the key to relieving the reef of its other great pressure. We can dramatically improve water quality and concurrently improve the health of the reef overall, making it more resilient to other types of change. Excess nutrients cause algal blooms, which can be toxic to coral and are linked to outbreaks of the devastating crown-of-thorns starfish. Sediment smothers ocean habitats, including seagrasses which are food for turtles and dugongs, and estuarine habitats which are the breeding grounds for fish, including popular species like coral trout. The bill focuses on reducing run-off from agriculture as well as direct sources of pollution from intensive land uses such as sewage treatment plants, aquaculture and mining.

The Palaszczuk government acknowledges the many efforts that have already been undertaken to limit pollution run-off. For over a decade we have supported many farmers and other industries to transition away from intensely polluting activities, and we have jointly seen great success working with more than 40 partners. But the dial is not shifting fast enough, and we must now accelerate action to save the reef. This is the reason we have brought these regulations forward, and we will be pursuing new strategies to ensure more rapid change and better outcomes for the reef. Our partnerships with farmers and industry to incentivise change will continue.

Last year we announced record funding, with \$330 million over five years, to help restore, protect and build the resilience of the Great Barrier Reef. A large portion of this—around \$260 million—is for reef water quality measures. We extended the Queensland Reef Water Quality Program to support the transition of graziers and cane and banana growers to better practices that reduce nutrient and sediment run-off as well as sustained farm productivity and profitability. Many producers, local governments, community members and industries have been working alongside the Palaszczuk government and investing their creativity, time and resources to tackle sediment run-off, but the evidence is overwhelming. We need to move faster to protect the reef.

Despite the Queensland government's significant investment of nearly \$70 million in voluntary measures, in addition to investment by the Australian government, progress is far too slow and not widespread enough. If we do not make changes now, Queensland will not meet its water quality targets and we will lose the opportunity to give the Great Barrier Reef the best chance to survive. The 2017 Scientific Consensus Statement confirmed that the decline of marine water quality associated with land based run-off from adjacent catchments is a major cause of the current poor state of many of the coastal and marine ecosystems. That is why this bill is needed.

This bill will broaden and enhance existing reef protection regulations as part of this government's multipronged approach to radically improve water quality from reef catchments. A key objective is to set nutrient and sediment load limits for all reef catchments. The load limits are derived from river basin targets in the Reef 2050 Water Quality Improvement Plan. They will be used to guide regulatory decision-making about environmentally relevant activities that generate nutrient and sediment loads. The bill puts in place measures to ensure there is no net decline in water quality from new development, as recommended by the task force. New prescribed—and resource—environmentally relevant activities will contribute to meeting the catchment load limits by having zero net nutrient or sediment loads from their activity. This can be achieved through the design and operation of the development or by providing a water quality offset under the Department of Environment and Science's voluntary Point Source Water Quality Offsets Policy.

The Palaszczuk government welcomes new development, and these measures will ensure that it is compatible with protecting the Great Barrier Reef. Agriculture is the predominant land use in the reef catchments and cumulatively the largest source of nutrient and sediment pollution to the reef, so it is the focus of the bill's other measures. To date, only grazing and sugarcane production within three reef regions—the Wet Tropics, Burdekin and Mackay-Whitsunday—have been regulated as agricultural environmentally relevant activities. Consistent with the task force's recommendations, the regulation of agricultural activities will be expanded to all six reef regions. In addition, grains, banana and other horticulture will need to comply with commodity-specific minimum practice standards as well as grazing and sugarcane production.

The standards will require growers to replace outdated high-risk practices with practices that are known to limit nutrient and sediment run-off and enhance efficiency, including in cost of production. These changes will be staged to commence between 2019 and 2022 according to water quality risk. The minimum practice standards align with recognised benchmarks for agricultural practices but limit run-off while sustaining farm productivity and profitability.

There will also be little impact on those producers who have already voluntarily moved to improved practice standards. I have met many of those farmers who are working in that space. I acknowledge them. Provision has been made to directly recognise producers accredited against registered industry best management practice programs or like programs as meeting the minimum practice standards, but there will be a bit of work to do for producers who have not already embraced the change needed.

As with industrial activities, to ensure there is no net decline in water quality from new cropping activities, they will be subject to higher standards via an environmental authority. New cropping activities will need to comply with farm design standards including setbacks from waterways. They will only apply to new cropping where the land does not have a cropping history, recognising the flexibility within farm systems and limiting the need to retrofit farm design requirements on existing farms. New cropping on

30 hectares or more of land will require a site based assessment to ensure that any impacts to water quality can be effectively managed. This approach will ensure that unsustainable proposals can be prevented from further worsening the problem of poor reef water quality.

The bill also ensures advice provided to regulated producers is not false or misleading and relevant records are kept. This acknowledges the influential role advisers can have on farmer decisions such as how much fertiliser should be applied to crops. The bill will also provide for regulations to be made about the provision of industry data. This responds to both a task force recommendation and a recommendation from the Queensland Audit Office on the need for more industry information to help the government fully understand the effectiveness of the programs it funds and make decisions about what is working and what is not.

To support the implementation of this package, the Queensland government allocated an additional \$13.8 million over four years as part of the 2018-19 state budget. This includes \$10 million to support producers to access professional advice to meet the new requirements.

This bill makes minor amendments to the Nature Conservation Act 1992 to give effect to the common assessment method for threatened species and amends wildlife classes to be consistent with the method. The common assessment method is an intergovernmental commitment for the adoption of a common approach for the assessment and listing of threatened species across jurisdictions. To reflect this, minor consequential amendments are also required to the Fisheries Act 1994, the Vegetation Management Act 1999 and the Biodiscovery Act 2004.

We are now in one of the most important times in human history. We have the opportunity to make bold decisions—decisions not just to protect the Great Barrier Reef but to leave a world in which future generations can live and thrive. The introduction of this bill is one of these decisions, and we cannot wait any longer. We must make sure measures to improve water quality are more vigorously implemented throughout the Great Barrier Reef catchments. If we improve water quality outcomes now, it will help to build the resilience of the reef to the threats and pressures it is now facing, including impacts from climate change. We are at a junction in time where we must act today. I commend the bill to the House.

First Reading

Hon. LM ENOCH (Alger—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (11.32 am): I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

Referral to Innovation, Tourism Development and Environment Committee


Mr DEPUTY SPEAKER (Mr Kelly): Order! In accordance with standing order 131, the bill is now referred to the Innovation, Tourism Development and Environment Committee.

HUMAN RIGHTS BILL

Second Reading

Resumed from 26 February (see p. 391), on motion of Mrs D'Ath—

That the bill be now read a second time.

 **Mr O'CONNOR** (Bonney—LNP) (11.33 am): I rise to speak in opposition to the Human Rights Bill 2018. The main reason I am against this bill is that I do not think it is necessary. I do not think it protects anything that is not already protected. It is a bit of an odd thing to say that I am against a human rights bill, because I am certainly not against human rights, but I am against government overreach and grandstanding on a bill that serves absolutely no purpose. I do not think this bill will improve the lives of the people who live in my little patch of the Gold Coast or, indeed, across Queensland in any tangible way. This bill does not help any of them find a job; give them better access to education, to university or other studies; or help them to buy a house and stop renting. We are not getting any of the extra police we so desperately need to protect our community. This bill does not provide any of the infrastructure we need to improve our quality of life. We are certainly not getting the second M1 out of

it. I note with disappointment that the member for Macalister said yesterday in the *Courier-Mail* that nothing will happen on that project in the short- to medium-term. I represent a lot of people doing it tough, and this bill will not change a single thing for them.

We have some of the most robust institutions and what I believe is the best democracy in the world. The issues this bill seeks to fix, particularly for our most vulnerable, are already covered by existing laws at the federal and state levels. Our nation's Constitution has a number of provisions regarding the rights and freedoms of individuals. To name some, that includes allowing representatives to be chosen democratically, the right to trial by jury and the right to freedom of religion, as well as implied protections such as the separation of powers and the freedom of political communication. There are also many other laws passed by this parliament and the federal parliament that reinforce our human rights such as the Anti-Discrimination Act, Youth Justice Act, Legislative Standards Act, Criminal Code Act, Peaceful Assembly Act, Judicial Review Act, Information Privacy Act, Ombudsman Act, Australian human rights commission act, Disability Discrimination Act, Racial Discrimination Act and Sex Discrimination Act. These acts already provide and protect practically all of the rights this bill mentions.

I have had only two people from my area contact me about this issue—only two. It is clearly not a priority for the people I represent. The two that I did receive were both in opposition to the bill. One is a young man named Jordan Engel, a student at Southport State High School. He asked me about this issue and agreed with my position, saying—

My personal perspective on a bill of rights is that it is fundamentally unnecessary. The things that make a free nation are not its rights. Its principles of democracy and an effective judiciary ensure that we are one of the most free countries in the world.

The other constituent who raised this with me was Stephen Reuther, who said—

It is an overreach and a socialist type of push on our freedoms. It will become a lawyer's picnic. I would much rather maintain our existing laws and support them. They largely cover all aspects and have been proven over centuries.

In terms of other examples, I want to know how a bill like this would have an impact practically. I read through a Human Rights Law Centre report on how Victoria's Charter of Human Rights and Responsibilities was performing after five years. It detailed 101 cases. I found most of the examples to be quite broad, with the positive outcomes not being the result of the human rights legislation. Although they were lacking in detail, which I am sure was to make the outcome look more favourable, I will outline a few examples. One included the tax office taking a more flexible approach to allow tax debts to be paid over a longer period of time and in some cases at a reduced rate when someone had gone through hardship. We already have provisions in place to allow this. Another raised an investigation into level crossing deaths where it was found that with the right to life comes the responsibility of public authorities to protect life. I do not know if the Department of Transport and Main Roads has a policy of not protecting life when it builds its infrastructure, but I certainly hope it would think about that without a human rights bill being passed by this parliament. Another example was about the office of the health services commissioner. It was claimed that a human rights charter had a role in making sure complaints were handled with a view to putting the rights of patients first. I am happy to state that the values of our Queensland Health Ombudsman state that the health and safety of the public are paramount and that it acts independently, impartially and in the public interest, treating all people fairly and equitably.

We have seen an observation from New Zealand that, because of similar legislation, the courts are held up by vexatious arguments and claims. I have already seen this happen under the existing system, so I do not have faith in the spurious complaints protections. I wrote to the Anti-Discrimination Commissioner highlighting that the first part of the process favours the complainant and that it proceeds to the next step solely on the word of a complainant, who could be making a spurious accusation. It is at this stage, in my view, that the respondent's response should be taken into consideration—before the ADCQ accepts a complaint to determine if there is merit for the complaint. The advice my constituent's lawyer gave was to 'consider a commercial settlement'. They stated—

This is because in my experience it is far cheaper to pay some go-away money than engage in costly and time-consuming litigation. The factors you need to consider ... include time required in litigation, stress to your staff, cost, distraction to the business and effect on family. In my experience, such a trial could ... cost upwards of \$100,000 in legal fees ...

This is surely something we should try to avoid. The committee received numerous submissions on the lack of guidance this bill provides judges when there is a conflict of rights.

The evidence before us has shown no substantive benefit to this bill. I do not believe in passing bills just for the sake of it. It is merely a feel-good piece of legislation that has wasted time and taxpayers' money. It also dangerously shifts some power from the legislature to the judiciary. We must not undervalue one of our rights, and it is a right that exists without a Human Rights Bill: it is the democratic

election of members to this parliament. The judiciary's job is to interpret laws before it. It should not be put in any position of power over this House. This bill does not preserve the separation of power, and that is fundamental to our system of government.

I want to protect the most vulnerable in our society. I want to ensure that all people have a fair and equal chance of freedom, education, employment and care for our government, but I believe we are already striving for this, or that we should be. We do not need a bill to spell out in different ways what we already do. We need to be spending our resources on representing those we stand for in this parliament. We do not need the Human Rights Bill and for that reason I oppose it.

Mr DEPUTY SPEAKER (Mr Stewart): Before I call the member for South Brisbane, I want to recognise that joining us in the gallery today are student leaders from Chancellor State College in the electorate of Buderim and students from Hercules Road State School in the electorate of Murrumba.

Hon. JA TRAD (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships) (11.40 am): I rise to support the Human Rights Bill 2018. For the sake of the young people in the gallery listening to this debate, if only for a short time, I want to acknowledge their presence here today and to acknowledge the fact that they are here during quite an historic time in the Queensland parliament, because today we are debating a human rights bill for Queensland and this is an historic move. Unlike the member whom I followed, the member for Bonney, the Labor Party and people on this side of the chamber think that it is incredibly important that we enshrine in our laws of this state fundamental human rights that every Queenslanders should be entitled to in our state, particularly when they—

Opposition members interjected.

Ms TRAD: I take that interjection from those opposite: we do not. I defy any single one of the LNP to sit down with the mother of a child with a disability and hear firsthand her stories around accessing particular services in our state schools. There are hurdles in our own processes that make it even more difficult for the most vulnerable of Queenslanders to access services provided by the state and this bill is about protecting the most vulnerable Queenslanders, and we are incredibly proud of it. This bill recognises that equality under the law and the preservation of the inalienable rights of every human being are fundamental to a just, fair and democratic society. In 2015 the people of Queensland sent a very clear message: they rejected the heavy-handed, authoritarian regime of the Newman government and voted for leadership that is measured, consultative and inclusive. They said that our state could be better than—

Mr Powell interjected.

Mr DEPUTY SPEAKER: Order! Member for Glass House, I see you are up to speak next. That is when you will use your time to debate, or otherwise you will be put on standing orders.

Ms TRAD: They said that our state could do better than the punitive gagging of unions and community organisations that were reliant on government funding. Let us not forget that. We could do better than the member for Everton's laws that made vulnerable public housing tenants scared that they were going to lose their houses if they vacated their properties for a few weeks to look after grandchildren. Queenslanders said that we could do better than that and that is why they voted for the Palaszczuk Labor government—a government that enacts laws and protects the civil rights of Queenslanders, unlike those opposite who went about attacking civil liberties in this state that made many recall the bad old days of the Bjelke-Petersen government, a legacy that the Leader of the Opposition said she was proud of in her budget reply speech.

The member for Bonney says that he believes in the right of a woman to control her own fertility, but when he has a chance to back up his words with action in this House he fails. He squibs it—

A government member: No courage.

Ms TRAD: He has no courage of his convictions. If Queensland women want a government that protects their rights, they need not look any further than the Palaszczuk Labor government and not those cowards on the other side of the House. With this Human Rights Bill we will lift the standard once and for all and provide a clear safeguard against laws that could potentially violate the basic rights that we all are entitled to.


As a unicameral parliament, it is especially important that all of us in this chamber exercise our responsibilities with our minds always on the way that our decisions will impact Queenslanders. With this bill there will now be a clear process by which every single MP who brings a bill into this House for consideration will have to ensure that their legislation does not impinge on the rights of Queenslanders,

whether by accident or by design. This bill will make a real difference to the way people are treated, particularly those who are more vulnerable to discrimination or exploitation. It will make Queensland a fairer, more equal place and send the clear message that no-one—no matter their gender, sexuality, race, creed, cultural background or any other factor—should be treated differently.

I particularly want to acknowledge the specific provisions in this bill that go to the rights of first nations people. It explicitly recognises the special importance of human rights to Aboriginal peoples and Torres Strait Islander peoples of Queensland as Australia's first nations people. It acknowledges the unique, important connection of first nations peoples to the lands and the waters of Queensland fostered over thousands and thousands of generations. It also recognises the significance of the right to self-determination for first nations peoples. The importance of this recognition cannot be overstated. Nelson Mandela said that to deny people their human right is to challenge their very humanity. Sadly, shamefully, that is the history of our state. As the member for Algeester pointed out yesterday, up until the 1960s the first nations peoples of our state were denied even very basic rights to the point that they were classified as flora and fauna. That is the history of Queensland and that history of injustice and intergenerational trauma continues to impact on first nations peoples today. By recognising these important rights in this bill we take another step down the path to reconciliation, and I want to acknowledge that.

I want to thank all of the organisations particularly from my electorate that have made an important and meaningful contribution to this bill—from unions including the QCU, United Voice, the Queensland Nurses and Midwives' Union to community legal services including Women's Legal Service, the Caxton legal service, the Environmental Defenders Office and community organisations like Micah Projects and Sisters Inside, amongst others. I also want to pay tribute to the tireless work of Aimee McVeigh and the Human Rights Act for Queensland group who have been advocating in this area for a number of years. I want to particularly acknowledge my good friend and former member of this place Matt Foley for his undying commitment to this issue as well as my colleagues the member for Waterford and the member for Toohey for their tireless work in relation to this.

I want to end on a very personal note. I want to pay particular thanks to my next-door neighbour Bridget Burton, who is a human rights lawyer and has been absolutely glowing about our efforts to introduce this bill. She has also been my special counsel and adviser on the Human Rights Bill and I want to acknowledge her tireless work in this area. If anything, those opposite should sit down with a human rights advocate or a human rights lawyer to understand how critical and important this bill is for Queenslanders. I commend the bill to the House.

 **Mr POWELL** (Glass House—LNP) (11.47 am): I rise to address the Human Rights Bill 2018 and to oppose it. The bill includes 23 human rights and brings about four major reforms: the government must have regard to human rights principles when drafting laws; government agencies must have regard to the human rights of the people they are dealing with, especially when making important decisions that affect their lives; courts must consider and uphold human rights when determining legal issues affecting people that appear before them; and any person can make a complaint to the newly named Human Rights Commissioner if they believe that their human rights have been breached.

At the outset let me pick up on some of the challenges thrown at those of us on this side of the chamber by the member for South Brisbane. Let me refute any suggestion that I or my colleagues do not stand up each and every day for the vulnerable in our society and that we do not represent those in our communities who have disabilities, who need protection, who have child protection issues, who have domestic violence issues or whatever else it is.

As challenged by the member for South Brisbane, I have sat down on a regular basis with mothers of children with disability. I can tell members that there is nothing—nothing—in this bill that is going to improve their situation. What improves their situation? More funding. What improves their situation? The application of the existing funding rules, the existing guidelines, the existing policy, the existing legislation that addresses our responsibility as a government, as a state, to care for those kids with disabilities. What happens? Occasionally a public servant does not apply those existing funding guidelines, principles, practices, policies or legislation in the way they should. In those instances, our role is to step in. More often than not, following sitting down with that mother of a child with a disability, we get a positive outcome for that family. Where we cannot, we raise the matter with the Ombudsman. Why? Because that is the existing process to achieve an outcome. When we cannot achieve an outcome, more often than not the Ombudsman can.

To suggest that by opposing this bill somehow we do not want to protect the vulnerable in this state is ridiculous, reprehensible and wrong. In this chamber, every member of this House has a responsibility to ask a couple of questions. The first question is: is this legislation necessary? Already

we have heard speaker after speaker say that constitutionally, legislative and judicially we already enshrine human rights in this state and in this nation. We have an ability to address abuses of human rights in this state and in this nation. This is Queensland. This is Australia. We are the best state in the best nation in the world and we have reached that point by not needing, requiring or having a bill of human rights. There is nothing broken in our system that requires this intervention.

I heard the member for Bonney ask: where is the public outcry for this bill? Where is the call, the necessity for a bill of human rights in this state? I will have been the member for Glass House for 10 years in March. I would like to say that it is one, but I will be generous and say that, in 10 years, fewer than five individuals in the electorate of Glass House have come to me asking for a bill of human rights. As I have said already, I have had double, triple, quadruple that number of mothers with children with disability come to me and I have helped every single one of them and I did not require a bill of human rights to do it.

Those concerns that I have about this bill are also addressed in a submission by two eminent individuals, one of whom I know very well: Professor Nicholas Aroney and Professor Richard Ekins. I refer to their submission to the committee that considered whether a human rights bill was necessary and then subsequently considered the bill. In their submission Professors Aroney and Ekins recommend that the Queensland parliament should not enact a human rights bill. They have several reasons for that recommendation. They state—

Firstly, respect for human rights does not require enactment of a statutory charter of rights. Human rights are best protected by carefully drafted legislation which specifically addresses particular issues in a manner that gives certainty to all those affected by the law. The enactment of abstract 'rights' does the very opposite, because it introduces vagueness and uncertainty into the law.

It is very clear. If there are problems in ensuring that human rights are upheld in this state, the best means to address those problems is through improving and amending existing legislation. We do that on a weekly basis when we meet in this chamber. We improve legislation and, in this instance, we can do it again. As the professors point out, by introducing a bill of human rights we do the opposite. We create a level of ambiguity, we create uncertainty, we create vagueness that means that we could probably drive a truck through the human rights legislation.

The professors go on to state in their submission—

Secondly, charters of rights distort the proper functioning of the courts. They invite judges to evaluate legislation against standards that are so broad that they amount to an open-ended assessment of whether the law ought to have been enacted. This entangles courts in what are essentially political controversies, undermining public confidence in their political impartiality and impairing their ability to uphold the rule of law.

Mr Deputy Speaker, you are a former principal of a high school. At one time, all of us were students. We were taught the three arms of government: the executive, the legislative and the judiciary. The separation of their roles was made very clear. It is the government's role to determine the agenda. It is the legislative role to enact the laws. It is the judiciary's role to ensure that those laws are upheld and applied. It is not the job of the courts to intervene in the legislation of this state. That is what is going to happen when this Human Rights Bill becomes enacted, should it do so.

The professors go on to explain that in a little more detail. They state—

Courts routinely uphold the rights that individuals have against one another and against public bodies. However, the abstraction of the rights set out in the Bill and the fact that those rights are subject to limits on very general grounds (clause 13) is unusual and will require courts to choose what these rights are to mean. This is a novel and far-reaching empowerment of the courts.

Similarly, courts will be introducing a new interpretative direction that will, as their submission states, 'constitute a significant change in the relationship between the courts and the parliament and will increase the relative power of the courts'. As the shadow Attorney-General said quite clearly in his contribution, we will have courts interfering in the day-to-day operations of the legislature in determining law rather than applying it. That is completely unacceptable. It goes against everything that we were taught about our structure of government in Queensland, in Australia and, indeed, in many nations that have preceded us and from which we have adopted it.

Mr Power: Shall we get rid of the Constitution?

Mr POWELL: I take that interjection from the member for Logan. The fact that we have a Constitution is a reason we do not need a bill of human rights. Human rights are enshrined in the Constitution. They are enshrined in the legislation that this House enacts and they are enshrined in the decisions made by the judges and the courts as we speak. That is a ludicrous interjection by the member for Logan. No-one is suggesting that we get rid of the Constitution.

Mr Janetzki: You rely on it.

Mr POWELL: I take that interjection from the shadow Attorney-General. You rely on it, as we do with the legislation that we have and, if there are flaws, we amend that legislation. We do not bring in a bill of human rights that takes the power off the legislature and hands it to the courts. For that reason, I oppose the bill.



Mr KELLY (Greenslopes—ALP) (11.57 am): Point 3 of the preamble of this bill states—
Human rights are essential in a democratic and inclusive society that respects the rule of law.

To me, that speaks volumes. In my first speech to this parliament I spoke about my commitment to democracy and I believe the commitment of every member of this House to democracy. Clearly, if we do not have human rights, we do not have democracy. I see it as my duty to support, promote, uphold and improve human rights.

Perhaps that motivation comes from the period in which I developed my political awareness. We had a world where human rights were being trampled on in places such as South Africa, Northern Ireland and the Basque Country. As a result, we saw terrible conflicts arise with utter devastation for people on all sides of those conflicts.

Closer to home, I want to acknowledge the powerful speech given yesterday by the member for Algester about the struggle of Indigenous people in this country for land rights. That is not just a struggle for land; it is a struggle to reclaim an economy, a spirituality, language and culture.

After I started my working career I felt restrictions on my right to peacefully protest as a union member. That political awareness that I was developing at that time made me realise how important human rights are. As I took that forward into my work as a nurse and later working with adults with intellectual disabilities, I saw just how those people who are vulnerable in our society can have their human rights trounced and stepped on by governments and government agencies. That was reinforced by experiences I had travelling in Central and South America where one could see the impacts of a lack of human rights on the day-to-day quality of life for individuals. It should remind us how fragile human rights are and why bills like this are so important. We can see how easily people's rights within countries can slip as we are seeing in Venezuela at this present time.

When we look through the rights that are being enshrined in this legislation—I will not go through them all—there are some that I think are particularly important: the freedom of movement. In our lifetime the Indigenous people of this state had their freedom of movement impaired by government decisions. The freedom of thought, conscience, religion and belief is a debate that is currently—

Mr Hunt interjected.

Madam DEPUTY SPEAKER (Ms Pugh): Order! The member for Greenslopes is not being contentious, member for Nicklin.

Mr KELLY: I agree. I am not being contentious. I would have thought these things are self-evident truth. The freedom of thought, conscience, religion and belief are currently under debate in this country. As I have already said, I started my working career at a time when peaceful assembly and freedom of association were impinged upon. In fact, many of those opposite were part of a government that tried to stop people like me wearing a badge to work saying 'I am proud to be part of a union'.

An opposition member: No-one stopped you.


Mr KELLY: I take that interjection. No, nobody stopped me because I ignored those unjust and unfair laws. This bill protects the right of people to take part in public life. We should think about property rights. The Indigenous people of this country continue to fight for land rights, having not just lost their property but the attachment that that brings around spirituality, language, culture and economy. I see this as a step forward in the reconciliation process.

Finally, I want to touch on the rights that are enshrined in the bill in relation to health care. I note the member for South Brisbane's contribution around people with disabilities. Having been a nurse in both the public and the private sector, in the not-for-profit and for-profit sectors, having worked in the fields of disability, I have seen people who are vulnerable, who are incapable of advocating for themselves, struggle in their dealings with government and government agencies. This bill gives those people the capacity to have their rights protected in a way that has not occurred before. As a proud member of the Queensland Nurses and Midwives' Union I will always say that health rights are human rights.

I particularly like the fact that this bill is adopting a dialogue model. I am particularly concerned that there is a move to remove some of the elements of this bill with some foreshadowed amendments. The dialogue model amongst the three arms of government that has been proposed by this bill is important and should be absolutely and utterly maintained. As I said, I see human rights as fundamental

to a functioning democracy. I see this bill as improving human rights in this state, giving protections that have not been there before, giving people the capacity to pursue those protections in an easy manner and so I commend this bill to the House.

Madam DEPUTY SPEAKER: Before I call the member for Gregory, for the benefit of the House I will read out the warnings list which is valid until lunchtime. On the list we have the member for Oodgeroo, the member for Sandgate, the member for Kawana, the member for Nanango, the member for McConnel, the member for Buderim, the member for Cooper, the member for Nicklin, the member for Chatsworth, the member for Broadwater, the member for Toowoomba South and the member for Everton. That list is valid until lunchtime so please all be on notice.

 **Mr MILLAR** (Gregory—LNP) (12.05 pm): I rise to strongly oppose this bill. In doing so I am grateful to be given an opportunity to explain why. Many might ask, “how can you oppose human rights? Aren’t human rights an undeniably good thing? Aren’t there people all over the world suffering because they are being denied their basic human rights; and if we do not have human rights aren’t Queenslanders at risk too?” Even posing these questions sounds foolish and that is my first point: opposing this bill does not mean I oppose human rights, it means I oppose the way this bill conceives human rights. By the very drafting of this bill it is clear that the Labor Party does not think of human rights as being inalienable. I think they are inalienable. You are endowed with human rights because you are human. They are not granted to you by a government—any government. Sadly though, they can be taken away by a government, which is why we must defend our democratic government. Not all governments are equal in their concerns. Democracies like Queensland and Australia must be very wary of governments that want to legislate around human rights and then hedge that legislation with the inevitable ranks of bureaucrats and lawyers.

My first suspicions arise because I fail to see any urgent crisis of human rights abuse in Queensland that needs to be addressed by this legislation. Part of my job as the member for Gregory is assisting my constituents to navigate their way through Queensland departments, laws and regulations. Because of where we live, Gregory constituents have had contact with virtually every state government department at one time or another. I have great admiration for the many Central Queensland public servants my staff and I deal with. They are well educated, well resourced and highly professional in what they do. I find that most issues can be sorted locally on the ground and communicating person to person and that is the first line of defence for Queenslanders. However, if for some reason that is not so, I know my constituents have clear rights to appeal already embedded in the law. The Queensland Civil and Administrative Tribunal is an outstanding judiciary that fulfils a key role of protecting the rights of Queenslanders against maladministration. The protection of other human rights is a central concern of many other pieces of Queensland and Commonwealth legislation. These rights are already protected. Then there is our inherent common law protections. Someone once said this system of law assumes freedoms and rights unless a government actively passes a law to restrict or remove that freedom or right.


The common law protections of freedom of association, expression and belief and so on have proven over centuries to be robustly protected under common law. Furthermore, common law has inbuilt strengths to grow over time and to be hard to overthrow and we all should be grateful for this inheritance. Under our system of government we have seen the protection of human rights grow more sophisticated and unassailable year by year. A very good example to think about is the protection of the rights of children. It has developed enormously over the last 50 years. The combination of a representative parliament and an independent judiciary operating through case law does not need a perfect vision of the future because it is a robust system that can adapt.

Finally, we already enjoy constitutional rights like religious freedom. I ask again: where is the urgent and demonstrated need for this legislation? That is important because, like medication, legislation always comes with side effects and unintended consequences. We all know that that is why as legislators we like to see the effects of a bill reviewed on a regular basis, say every 10 or 20 years.

One of the things that concerns me most about this bill is that it seems to ignore the balancing and separation of powers between the different arms of government, which is fundamental to our democracy. That would absolutely have unintended consequences. Essentially, the bill asks this parliament to let judges assume power over parliament. That is so inherently wrong that I can only describe it as undemocratic. Judges are appointed for very good reasons, not the least of which is that they need an extensive knowledge of the law. Legislators are elected because they represent the sovereign power of the people. We tamper with that at great cost.

Even the Queensland Law Society has expressed their concerns about the way in which the bill changes the function of the courts. Essentially, the courts will be telling the parliament what they can legislate. Even worse, administrators will try to anticipate the views of the court when deciding how this Human Rights Bill interacts with existing legislation that they have to administer. The complications will be enormous for public servants such as teachers, police, transport inspectors, mines inspectors, land officers, public housing officers and the list goes on and on.

The LNP recognises the fundamental need to preserve the sovereignty of the parliament and we will not support a bill that will give the judiciary the ability to ignore the clear intent of the parliament. We will always support the protection of vulnerable members of our society and we will always be supportive of correcting those protections if they are proving wanting. However, we cannot support a bill that fundamentally attacks the basis of Queensland democracy for the spurious reason of protecting rights that are already robustly defended. I oppose this bill.

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs) (12.11 pm): I rise to speak in support of the Human Rights Bill 2018. I commend the Attorney-General and Minister for Justice for introducing this bill. I also acknowledge the work that has gone into bringing it before the parliament, including the work of the committee. In my role as Minister for Multicultural Affairs, there are several aspects of the bill that I want to make particular mention of. I will come to those in a moment.

Firstly, I make an overarching reflection on how this bill is one element that demonstrates the way in which we are modernising Queensland. The great project of modernising Queensland is one that I think Labor governments have taken the lead on over the past 30 years. This vitally important bill is a further step in the creation of a modern Queensland. The role that this place and governments play in modernising Queensland is very important. I recognise that this bill is a part of that tradition, which has been very firmly but not exclusively led by Labor governments.

In relation to my role as Minister for Multicultural Affairs, I want to mention particular aspects of the bill. Clause 27 of the bill protects cultural rights, so that all persons with particular cultural, religious, racial and linguistic backgrounds have a right to enjoy their culture, declare and practice their religion and use their language in community with other persons of that background. Clause 20 of the bill provides for the protection of freedom of thought, conscience, religion and belief, so that every person has the right to think and believe what they want and to have or adopt a religion free from external influence. Together, those clauses support and further strengthen the human and civil rights framework that has been developed and matured in Queensland since 1989, coming under the arch of modernising Queensland.

The bill complements the Multicultural Recognition Act 2016. The third clause of the Multicultural Queensland Charter states that—


The people of Queensland should be able to express and celebrate, in a lawful way, their cultural, linguistic and religious diversity.

The fourth clause of the charter states—

Equal rights and responsibilities under the law and equitable access to the services provided or funded by the government for all people of Queensland helps build a fair community.

The Multicultural Queensland Charter formed the action plan for the Queensland government over the past three years. In my role as Minister for Multicultural Affairs, it is my responsibility to report back to parliament this year on the outcomes of all government departments in enacting the charter in all of their activities. I very firmly believe that passing this Human Rights Bill further demonstrates the values of the Labor government and our ongoing commitment to improving the human and civil rights framework here in Queensland.

I will reflect on some of the remarks made by members opposite in opposing the bill. Just before I stood, I heard a contribution in which there was a suggestion that the bill would take laws and decision-making out of the hands of this parliament. There could be nothing further from the truth. The bill absolutely enshrines the role and the ability of this parliament, in the great tradition of Westminster parliaments, to make decisions that are in the best interests of all Queenslanders. Any clear-headed reading of the bill brings one to an understanding of that. I urge my fellow members of parliament to reject the fallacies that we have heard from those opposite and to support the fundamental dignity that this legislation will provide to each and every one of our fellow Queenslanders, no matter their background and no matter how they live their lives. The bill will provide a place for them to belong and to be Queenslanders alongside us.

 **Mr HUNT** (Nicklin—LNP) (12.15 pm): I rise to speak against the Human Rights Bill. It does feel strange to have the words 'against human rights' in a contribution by me to the parliament, but the fact remains that a noble title does not make a good piece of legislation. This is another desperate shark jump from this incompetent government. In a rush to pat itself on the back as virtuous, this government has come up with a bill that is desperately looking for a reason to exist: 'We are for human rights'. Of course, the LNP is for human rights as well. Let me say that again, so that it is clear to anyone who wants to paint the LNP's objections to this legislation as somehow an indication that we do not believe in human rights: the LNP believes in and supports human rights. The LNP believes in and supports human rights as they are already protected under our legislative framework. They are protected by our wonderful democracy, our Westminster system of government, our courts and all the avenues of protection afforded to Queenslanders already.

I struggle to find a reason for needing this legislation other than to let the Labor Party spruik their virtue across Queensland, as the march of the Left continues within their party. We heard the member for Algeester make representations about her family and the laws in place historically that did not recognise Aboriginal and Torres Strait Islanders as humans. Indeed, those were dark days in our history. However, to say that that is a reason for this bill fails to recognise how far we have come under our current laws. She outlined examples of overrepresentation of Aboriginal and Torres Strait Islander people in detention and in our justice system. That is a terrible situation and, indeed, an issue that certainly needs strategies to address. However, once again I point out that this government has been in power for 25 of the past 30 years. Therefore, that is an issue that they have to own. However, I fail to see how this bill does anything at all to address the causes of the situation. I have sat here and listened to the contributions of members opposite and in all the examples that they gave they outlined their own failures. After 25 of the past 30 years under Labor, if a child with a disability cannot get a fair go in the education system then that is an admission of failure.

I have read through the submissions and questioning during the committee process. The committee chair asked for examples of how this legislation might help our most vulnerable Queenslanders. Questions were put to Ms Aimee McVeigh, the campaign coordinator for A Human Rights Act for Queensland. This is a question that I also pose: What possible difference can this legislation make to people? Given that this was the campaign coordinator, I would have expected that the example would have been a very strong case that without this law something terribly unjust would have happened to a person. She gave the following by way of example. I quote the transcript of the hearing. She stated—

... this year I represented a woman with an intellectual impairment who was in contact with the child protection system. Her child was removed because of her disability; there were no other risk factors associated with her parenting. Her rights within the proceedings were never considered. There was no consideration given to that child's right to family, that mother's right to family or her right to equality before the law.

When I was representing that woman I found a very similar case from Victoria where a woman with disability had had her child removed from her on that same basis: because of her disability. I reached out to the advocate who represented that mother and had a chat to them about what was the difference. I asked, 'Why did your client get to keep bub and my client did not?' She explained to me it was because of the existence of the charter. She was able to rely on the right to family and the right to equality before the law to argue that the department had an obligation to consider whether they could support this family to stay together. They did provide those supports then and that family stayed together and they have never been in contact with the child protection system again.

Having worked for a number of years as a detective in the child abuse unit system, this example rang alarm bells for me. It is very scant on detail. In my experience, to remove a child from a family is not done lightly and only in the most extreme circumstances when the child is in danger. No child would be removed from a parent for the sole reason that the parent had a disability. If that did occur, that is another example of the failure of this government. No child would be removed from a parent for the sole reason the parent had a disability. I would like to know more about this example and the reasons around it. We would think that the head of the lobby group supporting this proposal would have a better example with more details of how this legislation can help, but they are vague—like the legislation is vague.

Hypothetically then, in these types of scenarios what obligations will now be put on Child Safety and what lengths will they need to go to to ensure a child remains in what they might consider a dangerous situation? What if a parent has a mental illness that leads them to episodes of extreme violence? Will the government departments have requirements to put an employee with the family to ensure they can stay together and the child stays safe? This is an extreme example, but that is the problem with this bill. It opens up various government departments to obligations that might have otherwise been considered unreasonable.


Our child safety department already works with families to try to keep them together. What extra resources will this mean where they will be required under the Human Rights Bill, as per the example cited by Ms McVeigh, to keep a family together? It sounds like a nice story when we do not fill in the detail. It sounds like something we should all support, but how far do we go? That is the problem with this bill.

We heard other speakers describe it as a lawyers' picnic and we can see why. I can see this bill causing all sorts of problems as our society becomes more litigious. There is a danger of clogging up our courts and departments with complaints and appeals under the human rights act. Our shadow Attorney-General gave as an example what former Labor New South Wales premier Bob Carr said. He stated—

I object because a bill of rights transfers decision on major policy issues from the legislature to the judiciary. It is not possible to draft a bill of rights that gives clear cut answers to every case. These are issues that should be decided by an elected parliament, not by judges who are not directly accountable to the people.

It is cutting into the very fundamentals of our democratic system and separation of powers as outlined in the shadow Attorney-General's speech.

This is a bill desperately searching for a reason to exist. Unfortunately, the only reason it needs is a far left government virtually signalling that it is for human rights and pretending to itself that this will make a difference. Let the record show that I support human rights. I support our wonderful democracy. However, this bill is not the way forward and will cause more problems than it seeks to solve.

 **Mr STEWART** (Townsville—ALP) (12.24 pm): I rise today to speak in support of the Human Rights Bill and make a brief contribution to the debate. The Attorney-General in her introductory speech said that this year marks the 70th anniversary of the Universal Declaration of Human Rights. Like the UDHR, Queensland's human rights act will be a standard of achievement to which we all—government and citizens—should aspire.

It is about embedding human rights understanding in thinking about policy and in promoting them across our community. It is a statement of aspirations and principles, the right to which all human beings are inherently entitled. We must recognise them. We must respect them. We must do all that we can to ensure them. This is a collective responsibility that is inherent in the proposition that all people are of equal value and entitled to be treated equally. We must think about our actions and our relationships in the context of these fundamental human rights and be proactive, respectful and a compassionate culture.

For the past 2½ years I have been chair of the Queensland Social Cohesion Implementation Committee. It is a diverse group of people from across the state and filled with academics and recognised leaders within their communities. Most of the members were not born in Australia. In fact, one in every four Australians are born overseas.

Like it is titled, our role is to build cohesive communities across the state. It is not an easy task. Our motivation is driven by the need to ensure our communities create a sense of belonging for each and every member within them. Why do we do this? Queensland is a dynamic state which is home to more than five million people and visited by many more. As large and vast as our state is geographically, it is also diverse. This diversity brings many benefits to our state, including to our economy and to our social fabric.

The Palaszczuk government is committed to a fair, prosperous and equitable society that supports safe, vibrant and inclusive communities. We promote a society where everyone is respected and treated fairly and can make a positive and valued contribution. Violent and divisive events around the world and in Australia in recent years have highlighted how important it is to maintain and build connected and cohesive communities.

That is why the Palaszczuk government has committed \$5 million over three years to strengthen social cohesion in Queensland communities, led by the Queensland Social Cohesion Implementation Committee. Creating a sense of belonging for all and having welcoming and inclusive communities is the best defence in countering antisocial behaviours. Building belonging and resilience as a community takes effort and a joint effort at that. Everyone has a part to play in creating and upholding the social conditions that enable us to get along and prosper.


In many of the social cohesion meetings we have been discussing the possibility of a human rights act. By clearly articulating what the minimum standards are for every Queenslanders empowers each and every one of us to build strong and resilient communities. This bill reflects the essence of the

work of the Social Cohesion Implementation Committee and provides a framework to shape and create inclusive communities where its objectives are to protect and promote human rights; to build a culture in the Queensland public sector that respects and promotes human rights; and to help promote a dialogue about the nature, meaning and scope of human rights.

Just last week my electorate team and I set up an information booth during JCU's O Week. Our focus of discussion with most of the young people who came along to the booth was around human rights. We had some great discussions on that day with some of the brightest minds.

Until we engage our community in understanding the diversity that exists within our own towns and cities, marginalisation will continue, fuelled by ignorance and fear and compounded by a lack of understanding. When our communities are split, divided and marginalised history has shown us time and time again that antisocial behaviour becomes the outcome. We cannot allow this to happen in our communities.

We start today in building cohesive communities that value the rich tapestry of our society forged through a human rights act that reflects the expectations of every individual living within our community. This bill does that. That is why I am commending the bill to the House.

 **Mr McARDLE** (Caloundra—LNP) (12.29 pm): I rise to make a contribution to the debate before the House. We have heard a lot today about the modern system and how in Queensland we deal with these matters. Let us consider that. We sit in what is a robust parliament. We sit in a parliament that meets on a number of weeks per year. We have a question time. We have debates. I do not think there has been an instance in this state where this parliament after an election campaign has been subjected to any form of a civil disobedience or civil unrest. This parliament is a robust chamber. That is the first limb in relation to a democracy in this state.

We have an incorruptible judiciary. No-one here today has raised the fact that our judiciary in any way, shape or form is corrupt. A cornerstone of a democracy is that a person can go to a court and achieve an outcome. That is well and truly recognised across the globe and, in fact, in many cases desired in certain countries in the world. Most importantly, we have a free, sceptical media. We have a media that on occasions will take each of us to task for what we have or have not done. There is not a member in this House who has been here for a length of time, or one who will be, who will not face the media spotlight on them. Those three things—a robust parliament, an incorruptible judiciary and a sceptical media—have been the cornerstones of democracy in this state since the state was founded. Those cornerstones continue to exist.

We have had troubles in the past, but those three bodies coming together have delivered in 2019 a Queensland that we can be proud of across many levels. As a consequence, there has not been a demonstrated need put forward today or yesterday for this bill to be in the House. A bill should exist to arrest or eradicate an evil or a wrong. That has not occurred in listening to any speech put forward by the government members. That is their obligation. The fact of a desire to do it is, in my opinion, insufficient. The desire must be backed up by necessity.

Let us consider some of the clauses contained within the bill. For example, clause 16, 'Right to life', states, 'Every person has the right to life and has the right not to be arbitrarily deprived of life.' Does that not exist now in the common law and the Criminal Code and many other acts of parliament in this state? In fact, there are those in relation to the termination bill who would argue that this bill makes termination illegal because they believe very strongly that life begins at conception.

Clause 17 states that a person must not be subjected to torture or treated or punished in a cruel, inhumane or degrading way. Does that not exist in this state at this point in time? Of course it does. What are we debating here in relation to existing human rights and in relation to a system of government that has protected those human rights for a number of years? That is not to say that we have not fallen down in the past, and I guarantee that we will fall down in the future as well, but the system we have now has corrected the wrongs of the past and will deal with the wrongs of the future as well.

Many members here have talked about discrimination and that this bill will eliminate discrimination. That is a nonsense argument. The bill is a piece of paper. Discrimination exists in the hearts of men and women. Regardless of what the bill says, if they wish to discriminate, they will discriminate. A prime example of that is the United States civil rights movement and the issue of the voting rights of the black Americans back in the fifties and sixties. You can pass any bill you want. You need to deal with the evil that exists that makes the bill unworkable. This bill is not viable because it does not move forward the debate one iota.

Mr Pegg interjected.

Madam DEPUTY SPEAKER (Ms Pugh): Member for Stretton!

Mr McARDLE: Bob Carr made it very clear in his comment—

... a bill of rights will unduly politicise the judiciary. Judges will be seen more and more as policymakers, undermining the role and independence of the judiciary.

Clause 48(2) reads—

If a statutory provision can not be interpreted in a way that is compatible with human rights, the provision must, to the extent possible that is consistent with its purpose, be interpreted in a way that is most compatible with human rights.

We are moving from judicial interpretation to judicial legislation. What happens is this: at the moment the courts interpret the law. This provision gives them the obligation to interpret the law, if it does not find a way to do so, in accordance with the bill and that is in a way that is 'most compatible with human rights'. It is enlarging their jurisdiction and moving well and truly beyond the capacity they have at the moment. It is inherently wrong for this body to wrap up and pass over to another body its obligation and its rights. Sir Robert Menzies made this comment—

I am glad that the draftsmen of the Australian Constitution, though they gave close and learned study to the American Constitution and its amendments made little or no attempt to define individual liberties. They knew that, with legal definition, words can become more important than ideas. They knew that to define human rights is either to limit them

—for in the long run words must be given some meaning

—or to express them so broadly that the discipline which is inherent in all government and ordered society becomes impossible.

Human rights are ideas. If we put them into words, we run the risk of interpretation by a court, although well intended, reducing the capacity of those rights. Human rights live in our society because of the processes we have in place—the parliament, the judiciary and the media. That should be the way forward in relation to future issues.

Mr Pegg interjected.

Madam DEPUTY SPEAKER: Member for Stretton, your interjections are not being taken. If I hear you again, I will warn you.

Mr McARDLE: This question arose directly in England in the House of Lords in the case of *Sheldrake and the Director of Public Prosecutions*, Attorney-General's reference No. 4 of 2002. The matter dealt with the interplay between domestic UK law and the European convention for the protection of human rights. The decision dealt with the question of its obligation—that is, the court—to find an interpretation that 'is most compatible with human rights'. The court said—

... the interpretative obligation under section 3 is a very strong and far reaching one, and may require the court to depart from the legislative intention of Parliament.


Here we have the House of Lords raising the point exactly contained in clause 48(2) that at some point in time the court may need to divert from the intention of the parliament. That enlarges the jurisdiction of a court to a point that this body becomes a secondary body. This body should never become a secondary body for the simple reason that 93 members here represent the people of this state.

Mr Pegg interjected.

Madam DEPUTY SPEAKER: Member for Stretton, you are warned under the standing orders.

Mr McARDLE: The judiciary has the obligation to interpret law. It does not have the right to make law that is passed by this parliament that fails to meet the interpretation required be given it by the parliament.

At the end of the day, this bill is flawed for the simple reason that there is no basis being given for its existence. There is no basis in existence to get this law before the parliament. Discrimination, as I said before, rests in the hearts of people. A bill will not change that. What will change that is education, understanding and exposure to discrimination and its impacts upon people. The bill should not be supported. I oppose the bill in accordance with the shadow Attorney-General's recommendation.

 **Hon. DE FARMER** (Bulimba—ALP) (Minister for Child Safety, Youth and Women and Minister for the Prevention of Domestic and Family Violence) (12.39 pm): I rise to support the Human Rights Bill and say how proud I am that the Palaszczuk Labor government is bringing this bill to parliament. I thank the Attorney-General for her deep commitment to bringing it forward, to the Legal Affairs and

Community Safety Committee for its detailed consideration and to the many, many stakeholders who have taken the trouble to give their feedback. The bill will be all the better for it. I also want to acknowledge the Bulimba Electorate Youth Advisory Panel for 2018 which gave it their consideration and very proudly made a submission about what they think this offers them as young people. They were so proudly in support of it.

This bill is a statement about who we are as a society, what our values are and who we can be proud to be. In a world where we have too many community and political leaders right across the world appealing to the worst thoughts, reactions and emotions among us, appealing to the blackness in our hearts—and, unfortunately, we have seen one of the most prominent leaders across the world exhibiting values and actions that have dismayed all of us—it is so critical that as a society, as a parliament and as a government we are making a strong statement about the values we all believe we should aspire to. We can never show those values too many times.

I am impressed that the legislation proposes a dialogue model which means that the three arms of government—the judiciary, the legislature and the executive—work together to discuss and promote human rights across government legislation and policy. Dialogue is how we progress. I saw the comments from Dr Robyn Holder from Griffith Criminology Institute, one of the many who took the time to make considered submissions. She noted in her submission that ‘human rights are not static but progressive’. Dialogue and discussion—even robust debate—is critical to our progress as a society.

The bill provides for the distinct cultural rights held by Aboriginal and Torres Strait Islander peoples as Australia’s first peoples. It provides that Aboriginal and Torres Strait Islander peoples have distinct culture and practices, and that these are valuable and must be protected. We all place enormous value on knowing who we are and feeling a sense of identity that we belong to our families and our culture, but none more so when we have experienced history that has taken these things from us. I will be very proud in my portfolio to work with our newly established First Children and Families Board and through Our Way strategy to make sure that these rights are permeated in every single service and policy that comes out of our department.

I have a few other comments to make from the perspective of my portfolio. Next week, as I said this morning, is Queensland Women’s Week. As Minister for Women, I am very proud to be part of a government which walks the walk on gender equality. The bill sets out the human right to participation in public life, which is a right for every Queenslander. For women it has been a tough climb and in many quarters it continues to be. The Labor Party set quotas to ensure women got the chance they deserved, and we are seeing the results of that in both the state and national parliaments. Every Queensland woman deserves the right to put their hand up to serve, and I am passionate about women having equal opportunities not only in parliaments but right across every sphere.


Clause 26 relates to the protection of families and children, recognising that the family is the fundamental unit of our society and recognising also that children need adults to help protect them. I am especially proud to be speaking to a bill before this House that recognises who Queensland families are. They are big. They are small. Some have children. Some do not. Whether a family is just two people who have chosen to share this life with each other or a veritable football team, this legislation recognises them and their value to each other and to our Queensland community. Your family matters and your family deserves to be protected.

The protection of children is also close to my heart as the minister responsible for child safety. This legislation will enshrine in law something which our compassionate and dedicated child safety staff all know to be true: at the core of every decision we make must be the child’s best interests. I am not even going to go there with what was raised before, because it does not even bear referring to.

Clause 33 outlines the rights of children in detention. Children who are being detained must be kept separate from adults for their own safety and wellbeing. In Queensland we already detain young people under 18 separately from adults, whether on remand or under sentence. This is an important inclusion in this legislation and let me tell members why. Just over a year ago this government transitioned 17-year-olds out of the adult justice system to the supervision of the youth justice system. We did it because it was the right thing to do, and I am proud to have been part of that. In 2017 an attempt was made in Victoria to move some 16- and 17-year-olds from youth detention into an adult prison. Their human rights legislation, which contains a similar clause to clause 33, prevented that transfer from occurring. This act draws the line under our decision to bring 17-year-olds back into the youth justice system and it says we must never go back.

Clause 33 also outlines the rights of arrested children to proceed to trial quickly and to be dealt with in an age appropriate manner. Our government has led the way in this respect by trialling and testing alternatives to custodial sentencing for young people. Initiatives like restorative justice conferencing are showing very positive results. Age appropriate responses are fair and just, but more than that they are effective because they are age appropriate.

Making laws is about more than making rules. They are statements of intent. We legislate the things that are important. These laws are our legacy, not just in the changes they bring to the community but as an indelible statement of who we are and what we aspire to for all Queenslanders. I commend the bill to the House.

 **Mr PERRETT** (Gympie—LNP) (12.45 pm): I rise to speak to the Human Rights Bill. This bill is deeply and fundamentally undemocratic. It is flawed. It should not be supported. Those who support this bill are in effect saying they have no confidence in our democratic processes or the democratic system. That is because it distorts the separation of powers by further empowering judges and disempowering politicians. This bill will change the relationship between courts, the parliament and the executive.

Politicians are answerable to the people. They go to elections. They are kept accountable and answerable to the electorate every time they attend a function, deal with constituents and respond to the media. They are answerable here every time they stand up in this parliament. Judges are not answerable in the same way to everyday mums and dads, workers, small business people, farmers and retirees who have the chance at the ballot box to deliver their verdict. Our judges are not elected as they are in other jurisdictions. As Professors Nicholas Aroney and Richard Ekins pointed out in their submission—

All real-life political contests concern confrontations between competing rights, interests and objectives. The ability and willingness of parties to engage in genuine deliberation over contested political matters is dependent on factors that have nothing to do with the existence of a charter of rights.

That is why we should preserve the sovereignty of the parliament. This bill does not. A human rights act will fracture the fundamental foundations of our democratic society. It will do this by allowing judges to issue notices to parliament whenever a law conflicts with any of the broad human rights. It will give the judiciary the ability to ignore the clear intent of parliament. It will allow the unelected judiciary to scrutinise the intent of every piece of legislation that comes before it. It will give the power to the judiciary, not the parliament, to determine whether legislation is inconsistent with human rights. The role of the judiciary should remain as it is: it should speak to the parliament through its judgements.

Honourable members interjected.

Madam DEPUTY SPEAKER (Ms Pugh): Order! Members, there will be no cross-chamber chatter.

Mr PERRETT: Even the Queensland Council for Civil Liberties is concerned and states that the final say in matters should lie with elected officials. The fact that this bill is before us today shows the contempt this government has for the parliament and the parliamentary process. It is handing over the rights of legislators in the parliament to the judiciary and will lock this state up in activist manipulated legal processes.

The government is clearly deaf to claims from the public and electorate that the judiciary is out of touch with common expectations. The LNP will not support a bill which gives the judiciary the power to depart from the literal meaning of words in legislation which gives an extraordinary power to an unelected body to rewrite legislation. It undermines the very nature of our Westminster political system. That is why the LNP seeks to move amendments to remove the power of the court to make a declaration that a statutory provision cannot be interpreted in a way that is incompatible with human rights.

Professors Nicholas Aroney and Richard Ekins point out that this legislation will 'constitute a significant change in the relationship between the courts and the parliament and will increase the relative powers of the courts'. They stated that it will 'politicise litigation, arming courts to participate in democratic politics, exposing them to political criticism'.


It is outright misleading to claim that this bill will protect vulnerable Queenslanders. It will have never-ending unintended consequences which will put offenders before victims. If this bill is passed, sex offenders will be able to appeal decisions to have their supervision conditions overturned. It will destroy the cases from the prosecution because courts will have wider powers not to admit evidence

which is held to have been obtained in breach of a person's human rights. It will undermine the efforts of the police by making police powers to conduct random licence and name checks unlawful. Prisoners will have more power to own goods, such as objectionable material, even if it breaches prison policy. Sex offenders will have greater power to change their name despite it not being in the public interest. Taxpayers will see more applications for prisoners to undergo surgery, such as IVF, which will be granted. Bikies will challenge organised crime laws by arguing they have the right to associate with one another.

Respecting human rights does not require a charter of rights. It is telling that many of the countries which have a bill of rights actually have poor human rights records. Clearly, it is no guarantee at all for protection. The former chief justice of the High Court, Harry Gibbs, said—

If society is tolerant and rational, it does not need a bill of rights. If it is not, no bill of rights will preserve it

Our rights are protected by considered and well-drafted laws. The LNP will always support laws and policies that protect the vulnerable. Queenslanders already have ample rights embedded in state and Commonwealth law through legislation and case law which have evolved over time to reflect changes in our society. I oppose the bill and urge the parliament to support the LNP amendments.

 **Ms RICHARDS** (Redlands—ALP) (12.50 pm): I rise in this House today to support the passing of the Human Rights Bill 2018. This is a historic moment in time for Queensland legislation. I just want to talk a little bit about what we have heard from the other side so far. It really is a case of, when you have nothing else, what do you do? You run a scare campaign. It is outright misleading to talk about fracturing our society, member for Gympie.

The introduction of this human rights legislation will protect vulnerable Queenslanders. It is a fundamental right that should be enjoyed by all people. It is all about our values. Human rights are standards that allow people to live with dignity, freedom, equality, justice and peace. Every person has these rights. They should be guaranteed to everyone without distinction of any kind. Human rights are essential to the development of individuals and communities, and this legislation consolidates and establishes statutory protections for certain human rights recognised under international law. The member for Macalister highlighted in her contribution, importantly, the inclusion of rights to health and education services.

I would like to congratulate the committee chair for his tireless work over many years in the human rights space. The member for Toohey has been a lifelong, passionate advocate for human rights. I would also like to honour the contribution of Minister Leeanne Enoch. It really is difficult to comprehend what her family experienced, and it speaks to the importance of this legislation.

In passing this legislation, Queensland joins Victoria and the ACT to legislate for such protections and freedoms. Again, their society is not fractured and falling apart on the back of this legislation. The submissions spoke at length to the Victorian framework, which this legislation has been drawn upon.


This bill seeks to introduce the right to recognition and equality before the law; the right to life; the right to protection from torture and cruel, inhuman or degrading treatment; freedom from forced work; freedom of movement; freedom of thought, conscience, religion and belief; freedom of expression; the right to peaceful assembly and freedom of association; the right and opportunity to take part in public life; the right to own property; the right to privacy and reputation; the protection of families and children; the right to enjoy culture; and the recognition of the distinct cultural rights of Australia's first people. The bill states that acts, decisions and statutory provisions made by the legislators in government departments should be compatible with these human rights and that any act, decision or statutory provision that does limit a human right or any other ratified declaration should only be done to the extent that it is reasonable and justifiable in the circumstances.

This inquiry saw over 150 submissions made on the legislation, demonstrating the importance of the legislation to Queenslanders. The Queensland Bar Association welcomed the legislation, stating its support for the bill and its proposed recognition of human rights. They also complimented the Queensland government for making the decision to bring the Queensland bill to the parliament.

The submission from the University of New South Wales's Dr Janina Boughey and Professor George Williams advised that the Queensland Human Rights Bill follows a similar model as the human rights legislation in the United Kingdom, New Zealand, the ACT and Victoria. Importantly, their submission states that the bill does not seek to fundamentally alter the roles of, or relationships between, the three branches of government. What the bill does is it seeks to encourage dialogue about human rights protection between the branches and to foster a human rights culture within government. I think it is really important that this is a significant cultural change for government.

The submission went on to say that the bill builds on the successful experience of the human rights legislation. Again, it is the 'successful experience'. It is not fractured; it is not broken. It is the successful experience. Their submission went on to say that this bill is the best drafted and most effective shield of people's rights yet seen in Australia. We should be very proud of this.

The bill seeks to provide a low-cost mechanism of resolving complaints through the Human Rights Commission. We are placed here in this House to make this historic change for Queensland. It is without any doubt that a federal bill of rights would be a great thing for the people of Australia. As is often the case, it is our Palaszczuk Queensland government that leads the way. This is a bill that will be a catalyst for significant cultural change in the Queensland public sector, with fairness and people at its heart. I commend this bill to the House.

 **Dr ROWAN** (Moggill—LNP) (12.55 pm): I rise to make a contribution on the Human Rights Bill 2018. Australia can count itself as a relatively young country. In our nation's history, and in particular since 118 years of federation, we have rightly earned our place as one of the world's most successful and stable democracies. Fundamental to this stability and success has been this nation's ongoing commitment to preserving our great democratic institutions and recognising the supreme importance of maintaining the separation of powers.

Since Federation, our nation—particularly right here in Queensland—has known great trials and tribulations, be it politically, socially or economically or even through natural disasters, which we have seen recently. I certainly take this opportunity to offer my support to the people of North Queensland, given the recent flood events and ongoing recovery efforts. Through every challenge we have faced, every important issue we have been forced to confront, our nation and our great state has been able to survive and thrive thanks to the great strength not just of its people but also of our democracy and, in turn, the strength in the separation of powers.

The legislation before us today presents the clearest threat to our democracy and parliamentary sovereignty since the election of the Palaszczuk Labor government. Already in this House, we have had to suffer the crippling of Queensland's democracy and democratic processes, as sitting week after sitting week elected members of parliament are silenced by a government that is hell-bent on guillotining debate. We only have to look to the last sitting week when I was talking on Labor's waste tax and I was cut off from making a contribution in relation to my electorate of Moggill. Each and every week, we must suffer the indignity of the Premier and the Leader of the House dictating exactly how long we can speak to legislation or, if we are lucky, whether we can speak at all. We are all elected to this House to represent our electorates—to speak on, debate, support or oppose legislation that affects our electorates.

Honourable members interjected.

Madam DEPUTY SPEAKER (Ms Pugh): Order! Members, there will be no cross-chamber chatter.

Dr ROWAN: We were not elected to be a rubber stamp for this arrogant government, nor were we elected to be a prop or a mere formality for this socialist Labor government. Not content with curtailing our democracy through the legislature, this government now seeks to go further and erode our separation of powers through the enacting of this bill.

From the outset, it must be stressed that to oppose this bill is not to oppose human rights. To oppose this legislation is not to be seen as opposing the rights and welfare of those with disabilities or the rights and self-determination of first nations people. It is a sad reflection that a civilised debate cannot be had on this bill and its many implications without the simplistic argument being peddled by many that to raise serious questions on this bill, or even to oppose it, is akin to questioning or denying human rights.

Government members interjected.

Dr ROWAN: I hear those opposite as they carry on. They do not like hearing—

Madam DEPUTY SPEAKER: Order! There is far too much cross-chamber chatter. Can we please listen to the contribution from the member for Moggill.

Dr ROWAN: As the former LNP senator for Queensland and former attorney-general, the Hon. George Brandis QC, stated in an address to James Cook University, the debate about a bill of rights 'should not be a debate about whether Australian citizens should enjoy the full range of civil, political and other rights which are the defining characteristic of modern liberal democracies. The reason why we need not have such a debate is that the issue is uncontroversial.'

All Australians, all Queenslanders, living freely in this great country should be afforded and enjoy their human rights. In fact, we would be hard pressed to find anyone who would believe otherwise. Instead, what this debate is about, as former senator Brandis succinctly put it, is means not ends. Are our rights better served through the enactment of a bill of rights than they are under existing law? Are our rights better served through the hampering of parliamentary sovereignty and empowering an unelected judiciary? I certainly acknowledge the submission of Professor Nicholas Aroney to the parliamentary committee. I also take this opportunity to acknowledge professor of law at the University of Queensland, James Allan, as I have attended a number of public lectures and presentations he has given in relation to opposing a human rights bill.

When he was the chief justice of Queensland, His Excellency the Hon. Paul de Jersey AC wrote 'A reflection on a bill of rights', in which he said the bill of rights debate 'is not so much about whether human rights should be protected, but about the best means of achieving that protection'. Simply put, while no-one on this side disputes the ends—ensuring and maintaining our human rights—it is the means, which, in this case, is the fracturing of the fundamental foundations of our state's democratic society.

Sitting suspended from 1.00 pm to 2.00 pm.



Dr ROWAN: Our state is by no means the first to consider implementing its own bill of rights. At the turn of this century New South Wales examined and rejected implementing its own bill of rights with the standing committee on law and justice at the time stating—

... it is ultimately against the public interest for Parliament to hand over primary responsibility for the protection of human rights to an unelected Judiciary who are not directly accountable to the community for the consequences of their decisions. The Committee believes an increased politicisation of the Judiciary, and particularly the judicial appointment process, is an inevitable consequence of the introduction of a Bill of Rights.

Former chief justice of the High Court of Australia and Queensland's own Sir Harry Gibbs has previously argued that if our courts were given the power to make determinations on social and economic policy, this would enable the temptation to appoint judges for their political or ideological beliefs and attitudes rather than their capacity for independence and legal ability. Similarly, former High Court chief justice Sir Gerard Brennan has previously argued that—

Over time, the function and significance of the third branch of Government will be substantially changed and the relationship between the courts and the political branches of Government will be altered.

With reference to the Human Rights Bill before the House, such cause for concern lies with the so-called dialogue model that this bill seeks to implement. The explanatory notes for this bill make clear—

Under this model each of the three arms of government the executive, the legislature (parliament) and the courts have a legitimate role to play, while the parliament maintains sovereignty.

It goes on—

The Bill aims to promote a discussion or 'dialogue' about human rights between the three arms of government (the judiciary, the legislature and the executive).

Such a model is fundamentally flawed and marks a significant deterioration in the foundations of our democracy and parliamentary sovereignty. Under this model, it is envisaged that when considering laws that have been enacted by the legislature, the courts will be empowered to make declarations of incompatibility, effectively telling the government of the day that it got it wrong and must go back and do it again. For some, this may be considered a dialogue, but really it is a one-way conversation weighted in favour of the courts, in favour of judges that are unelected and unaccountable to the broader Queensland public. If there is truly to be such a dialogue between the legislature and the judiciary, there would be times when elected representatives, upon being informed that the Supreme Court has made a ruling of incompatibility, can stand firm, disagree with the court's ruling and let the law stand. Anything short of that is merely the court forever overriding the will of the parliament, effectively ensuring that the views and the will of the judiciary prevail over elected representatives.

As the vast international and indeed domestic experience has shown, rulings of incompatibility have rarely, if ever, been made which have not resulted in the parliament of the day amending or repealing provisions. While in theory the dialogue model is attractive to many, in practice it would take, to paraphrase Sir Humphrey Appleby, a very courageous government and Attorney-General to reject any ruling of incompatibility. This is no way to hold a dialogue.


If there is to be a dialogue at all, then surely that dialogue must be between constituents and their elected representatives. We have all been sent here to represent our electorates, to be their voice. Parliamentarians are elected to enact the will of the electorate. This key cornerstone of our democracy

is significantly diminished if that will can be turned on a dime through a ruling of the Supreme Court based on principles that are so broadly defined that even a full range of stakeholders have expressed their concern. That is why the Liberal National Party will be seeking to move amendments to remove the power of the court to make a declaration that a statutory provision cannot be interpreted in a way that is compatible with human rights. As I have said from the outset, what is at issue here is not the end but the means. We on this side of the House will always support laws and policies that protect Queensland's most vulnerable and which are supportive of the current laws and provisions in place that already offer such protection and remedies.

We are fortunate in this state and this country to already be well served through state and national legislation protecting our rights and freedoms. Our democracy is the envy of the world and that strength lies in its people—our constituents freely having their say and knowing that those elected are sent to act on their behalf and do so to enact laws that are representative of the collective will of the people.

I would like to thank my colleague the shadow Attorney-General, the member for Toowoomba South, David Janetzki MP, for his work in preparing and bringing these amendments to the House. For the sake of the sovereignty of this great parliament I ask that all representatives support the Liberal National Party's amendments. As a doctor, I certainly appreciate the importance of human rights. I know the medical profession more broadly appreciates that because as a society we must protect the vulnerable.

With that in mind, I wish to conclude by paying my respects and offering my condolences to the family of former Liberal Senator for Queensland the late Dr John Herron AO. Dr Herron made an enormous contribution to the medical profession as a surgeon and former AMA president, to public life, to his family, to the Liberal Party and as federal minister for Aboriginal and Torres Strait Islander affairs in the Howard government between 1996 and 2001. He was a mentor to me, a colleague, a true gentleman, an accomplished surgeon and a great Queensland.

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Minister for Corrective Services) (2.05 pm): I rise to contribute to the debate on the Human Rights Bill and of course speak in support of this groundbreaking legislation. It is a very proud day for the many stakeholders who have fought so long for this legislation. I want to acknowledge the Attorney-General and key members of parliament who have advocated so strongly for this matter, including the member for Toohey, as well as keen community and legal stakeholders. I want to particularly acknowledge Aimee McVeigh, who has been a constant and longstanding advocate for this legislation. She visited me many times over many years to talk about the importance of this piece of legislation for Queenslanders.

As the Minister for Police and Minister for Corrective Services, I have taken a very keen interest in the progress of the Human Rights Bill. It is only fitting in this day and age that such a bill should be enshrined in law by the Queensland parliament. Firstly, I want to talk about the interaction of this bill with Queensland Corrective Services because this bill is not without some complexity. We have had to resolve the twin objectives of ensuring the intent of the Human Rights Bill is enshrined against the reality that there are possible conflicts because of the inherent nature of our correctional system. Queensland Corrective Services is committed to providing safe, modern and responsive correctional services. This includes providing the highest level of service delivery and treating prisoners and offenders with dignity and respect.

The introduction of the Human Rights Bill 2018 formalises Queensland Corrective Services' key objective of humanely managing prisoners and offenders. This is an internationally recognised right that reflects the vulnerability of persons deprived of their liberty. The correctional system is dynamic, however. Decisions that are made about the management of prisoners and offenders are multifaceted. Factors such as community safety, the safety and welfare of each individual prisoner, staff safety and the safe and secure operation of the correctional facility all need to be taken into account.


The consequential amendments to the Corrective Services Act contained in this bill were drafted to ensure that decisions about the placement of prisoners and detainees under the current operating model in correctional centres remained available to Queensland Corrective Services. During the drafting process, two stakeholder meetings were held. Revised consequential amendments respond to how correctional centres operate in Queensland, and the bill before the parliament today limits those consequential amendments to decisions related to humane treatment when deprived of liberty made by the chief executive or a Corrective Services officer about the segregation of convicted and non-convicted prisoners and the management of prisoners where it is not practicable for a prisoner to be provided with his or her own room. The relevant factors the decision-maker may also take into

account when deciding whether a human right should be limited in these circumstances include the security and good management of Corrective Services facilities and the safe custody and welfare of all prisoners.

The consequential amendments contained in the Human Rights Bill mitigate the uncertainty associated with clause 13 of the bill by allowing Queensland Corrective Services decision-makers to consider human rights in conjunction with these relevant factors in certain decision-making. They do not impact on Queensland Corrective Services' obligations under the Human Rights Bill, nor do they respect, limit or prevent a person's right to make complaints to the Human Rights Commissioner or seek a legal remedy where decisions are not compatible with human rights or fail to give proper consideration to human rights.

In respect to the Queensland Police Service, I can confirm that implementation activities are already underway with respect to the Human Rights Act and how it will support the good work that the Queensland Police Service does. The Queensland Police Service is already preparing an implementation plan and developing in-house training modules for our officers which includes staff awareness of their obligations under the Human Rights Act and an audit and review of the existing legislation relevant to the Queensland Police Service. There is also work being done around developing an internal complaints mechanism to support the Human Rights Commission's role in resolving those complaints. Both Queensland Corrective Services and the Queensland Police Service have demonstrated their commitment to complying absolutely with the requirements of this landmark legislation, and I commend them for that.

As many people who have contributed to this debate have already said, this is an historic day for Queensland. It will make a big impact on the lives of vulnerable Queenslanders and it is a testament to the hard work of members of this parliament as well as those key community and legal stakeholders that we are creating history today. I acknowledge the great work of our government, including the Attorney-General, in ensuring that this legislation has been brought to the House, and I commend the bill to the House.

 **Dr ROBINSON** (Oodgeroo—LNP) (2.11 pm): I believe that we always need to be careful in this place when we consider legislation that could weaken the strength of our parliament and democratic system and have far-reaching consequences. In that regard, sadly I think that this bill does undermine our Westminster democratic system. When authority is taken away from the parliament it weakens our democracy, and this bill does so without adding any substantial human rights to what already exist. Further, it chews up critical time here in the parliament which is needed for other pressing things like fixing Labor's economic and budget mess; reducing our comparatively high unemployment rate; addressing critical hospital needs at Redland hospital; and not investing in duplicating roads or rail in the Cleveland district. All of these are pressing matters that the people of my electorate and the people of Queensland want us to resolve.

What about the rights of the people of my electorate to get a fair share of the budget and to be respected by this government? There are no big ticket items of infrastructure in the \$45 billion infrastructure budget. The Redlands coast's fair share is up to \$1.5 billion over the forward estimates, but we are seeing little of it. We are being ripped off. There is no respect for the Redlands coast while we are not getting our fair share.

In terms of the specifics of this piece of legislation, the main stated aims of the Human Rights Bill 2018 as stated in the explanatory notes are, among other things, to—

- establish and consolidate statutory protections for certain human rights;
- ensure that public functions are exercised in a way that is compatible with human rights;
- promote a dialogue about the nature, meaning and scope of human rights ...

In reality, these objectives do not need a new Human Rights Act. The human rights in this bill are provided for already in Queensland one way or another. As stated in the bill's explanatory notes, some human rights are already reflected in legislation; for example, discrimination on the basis of race, sex, age and impairment among other areas. Other human rights, particularly civil and political rights, are recognised common law rights, including the right to liberty and security of the person, the right to a fair trial, freedom of peaceful assembly, freedom of association and freedom of expression. There are also social and economic rights that are accounted for in our court system. Queenslanders already have ample protection of their human rights embedded in Queensland and Commonwealth legislation, common law protections and constitutional rights that today operate effectively in Queensland. The rights already contained in legislation and case law are thorough and have been developed over time to reflect the growing need to protect rights.

What is really the purpose of this bill? It is largely political. In reality, this bill is politically motivated. It is political correctness gone mad. It is a sop to inner-city green elites, virtue signalling to them on human rights to have the appearance of strengthening those rights, when in fact those rights are already protected. It is mindlessly following the most extreme Left Labor governments of the ACT and Victoria. It is as if Queensland's Labor Left is trying to compete with the ACT and Victoria in a race to the socialist bottom. ACT and Victoria have extreme abortion-to-birth laws, so Queensland mindlessly follows. Victoria has extreme assisted suicide laws, so now Queensland must follow. Labor in Victoria has banned religious instruction in state schools, and the ACT has just kicked its chappies out of schools. Is that where the Labor Left here is leading us next? The Labor Left seems to be on a mission to remove the human right to life and right to faith out of our society. This bill is about virtue signalling and extreme Left politics. Like in the ACT and Victoria, it is little more than payback to the Greens and other PC inner-city urbanites for their election support—another under-the-table Greens preference deal.

What are some of the key points in the bill? Firstly, in terms of parliamentary debate time, we could use this time in other ways to help Queenslanders. Many other important things could have been debated on the economy, jobs, hospitals, transport and other more critical areas. More time could be made available so that all MPs can properly represent their communities by having the opportunity to speak more often. During the last sitting week many of us missed out on the opportunity to speak on bills that we told our constituents we were going to speak on because we were guillotined.

Secondly, it undermines our Westminster system. One of my careers prior to my political career was in aid and development. I had the opportunity to travel to many countries and see many different types of parliamentary systems and types of democracy and other types of regimes and governance. It was very interesting to observe that where there were strong governments and strong parliaments things seemed to be healthy, but strong governments and weak parliaments were not a good combination. A human rights act hands additional powers to the judiciary and reduces the power of elected representatives. This undermines our democracy, and I think we have to be very careful about the impact on our parliament.

The human right to life is the most fundamental of all rights. The explanatory notes state that the bill provides for the 'right to life and the right not to be deprived of life'. They further state—

This right reflects the positive obligations on states ... to take positive steps to protect the lives of individuals—

and to take 'positive measures to address other threats to life'. The explanatory notes further state—

... nothing in the Act affects any law relating to termination of pregnancy or the killing of an unborn child.

The last line means that this act will not have any bearing on the killing of an unborn child. This act will protect every form of the vulnerable in our communities with one exception: the most vulnerable who needs the most protection—the unborn child—who remains outside the protection of the law. The bill is clear that there are no human rights for unborn children under this Labor government, but why should the 'positive obligation on states ... to take positive steps to protect the lives of individuals' not extend to unborn children?


Further, what is less clear is the human rights of children born alive or born after an abortion. Queensland Health officially calls this 'live birth outcomes'. The term 'newborn child' would be consistent with this legislation's use of the term 'unborn child' in reference to the child still in the womb. Queensland Health has confirmed that there were over 200 such cases in Queensland of children born alive—or newborn children—over the 10- to 11-year period we had statistics for between 2005 and 2015, and some of those were actually born healthy and viable.

Victoria also has a human rights act. Every year, healthy late-term unborn children are born alive and sadly, like in Queensland, left to die. I ask the Attorney-General in her summing-up to address three questions. Firstly, what is the government's position on newborn children born alive after a late-term abortion in Queensland hospitals, because they are occurring? Secondly, are such newborn children human under the definition in the act and therefore have the right to life? Thirdly, should newborn children have the right to medical treatment and care—life-saving treatment where their condition is compatible with life and at least pain relief and some form of palliative care when they are suffering from a congenital abnormality incompatible with life? I ask the Attorney-General to address these questions in her summing-up and clarify the implications of this bill.

What have we become that we can discuss a human rights act but not include the most vulnerable of all human life: the innocent unborn children in the womb and those newborn children? If the government truly wanted to improve and expand human rights, it could ensure in this bill that the

fundamental human right to life includes newborn children born after abortions and unborn children in the womb. There are also implications in terms of human rights and freedom of religion that perhaps on some other occasion I will get to address.

In conclusion, the LNP is opposing the bill on the grounds that it is fundamentally undemocratic, it undermines Westminster democracy and it achieves very little of itself. The bill distorts the separation of powers by empowering judges and disempowering elected representatives.

 **Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Employment and Small Business and Minister for Training and Skills Development) (2.21 pm): I rise to speak in support of this important piece of legislation. As has been said many times today in this House, today is an historic day for Queensland. The rights that are clearly articulated within this bill provide a lens which will underpin the interactions between government and Queenslanders and through which legislation and policy must be considered.

There are still many people in our community who fall through the gaps and for whom the acknowledgement and understanding of human rights remain fundamental to ensuring they are afforded substantial equality. While formal processes have existed relating to discrimination in Queensland for some time, true and substantive equality has not followed. Indeed, the hope is that, by leading by example through policy, legislative and operational acknowledgement of human rights, broader substantive equality will follow.

The honourable Justice Atkinson, who recently retired from the Supreme Court and for whom I had the honour and privilege of working, has been a tremendous advocate for human rights in Queensland. She put the case in an article titled 'Women and Justice—Is There Justice for Women?' in the Queensland University of Technology *Law & Justice Journal* way back in 2003. She said—

To ensure equal justice for all of our citizens, there may be great value in having a yardstick against which issues of equality can be measured as they are in other common law countries. The real advantage of the legislative or constitutional protection of human rights may well be that it would enhance the prospects not only of justice for women but justice for all members of our society.

This bill promotes a dialogue between the three arms of government—the legislature, the executive and the judiciary—while giving parliament the final say. The bill ensures that respect for human rights is reflected across our Public Service and requires our public entities to ensure their compatibility with human rights. Legislation will require statements of compatibility, providing even greater accountability in our unicameral parliamentary system.

The claim by those opposite that this somehow offends the separation of powers, I have to say, is ludicrous. As Professor Williams AO and Dr Boughey from the faculty of law at the University of New South Wales submitted, this legislation—

... follows the same general model as the human rights legislation in the United Kingdom, New Zealand, the ACT and Victoria. It does not seek to fundamentally alter the roles of, or relationships between, the three branches of government. Rather, it aims to encourage dialogue about human rights protection between the branches, and foster a human rights culture within government.

This Bill builds on the experience of the human rights legislation in those jurisdictions, and the ACT and Victoria in particular. It is the best drafted and most effective shield of people's rights yet seen in Australia.


A statement of incompatibility by a court does not render legislation void. When a public entity has breached an individual's rights, the commission will also perform a dispute resolution process, and breaches of human rights will be able to piggyback with other breaches of legislation through legal action. The conciliation process was included in the bill following community feedback. I strongly support its inclusion. It is an important distinction between our model and the model established in Victoria.

Enshrined in this bill is the protection of 23 basic human rights. They are fundamental rights that all Queenslanders should be entitled to. I acknowledge that the bill also explicitly recognises the special importance of human rights to the Aboriginal and Torres Strait Islander peoples of Queensland as Australia's first people and their relationship with the land and their right to self-determination.

As I stated earlier, this is an important day for Queensland. I acknowledge the work of the parliamentary committee, especially the committee chair, my good friend the member for Toohey, who had the difficult task of collating a large and often diverse volume of submissions. I first met Peter 15 years ago, when we joined the Labor Party's justice and governance policy committee. We started discussions about this way back then, so it is incredibly special to be here in the parliament debating this very important bill. Thank you for your advocacy in this space, Peter.

I would also like to thank the Attorney-General for her continued work and commitment to human rights and for her work in guiding the passage of this legislation. I would also like to thank not only Aimee McVeigh and the Human Rights Act for Queensland team for their continued advocacy and work in this space but also many members of the legal professional and many non-government organisations that joined a campaign for change. This is a very special day.

A framework for human rights will assist to promote a society that is inclusive, respectful and committed to equality. As a parliamentarian, this is what I strive to do every day. It is what drives the work that I do. I am honoured to stand here in this parliament to see these ideas enshrined in law. Today we are ensuring that human rights are at the core of government and moving towards a more tolerant and respectful society. I hope, as Justice Atkinson suggested, that by giving legislative protection of human rights we are in fact increasing the chances of justice for Queenslanders. I commend the bill to the House.

 **Ms BOLTON** (Noosa—Ind) (2.26 pm): I rise to speak briefly regarding the Human Rights Bill 2018 as it has been well covered within this debate. As already summarised, the bill establishes statutory protections and compatible public functions for human rights, generally those included in the UN universal declaration and other UN and international conventions and declarations.

The Anti-Discrimination Commission is to be renamed the Human Rights Commission, responsible for promoting human rights and a public understanding and discussion surrounding them as well as addressing complaints. This is to be commended and appreciated; however, it is basically aspirational as there is no legal recourse for contravention, with complaints resolved through negotiation only in the first instance.


All future bills presented to parliament will need to be scrutinised and certified by the minister as to whether they meet these human rights conditions. This will add an extra level of process. Given the current frustration around the extended time frames in government processes and agencies that are creating hardship for Queenslanders, we need to ensure there is adequate provisioning for this to ensure efficiency without taking from other arenas.

The 23 distinct human rights identified in this bill cover a broad range of what is seen as already in place, such as equality before the law, protection from torture and cruel, inhumane or degrading treatment, and freedoms of movement, beliefs and expression. Many are basics that are considered a standard—rights to health services, education and a fair hearing. Others with which we are confronted daily that are considered problematic—including privacy and reputation, protection of families and children, cultural rights and security of person—may remain problematic without mechanisms beyond negotiation. There are some other concerns surrounding this bill. I will provide examples.

The right to freedom of expression could present issues because what is acceptable or not is generally culturally and individually defined and changes over time and in various circumstances, as is the right to assembly and association and the right to privacy in relation to data collection, which is currently a contentious issue. There are a number of human rights Queenslanders would like included such as access to the basics of living, affordable and emergency housing and fair, economical and speedy resolution of their issues, including family disputes, to ensure the rights of children caught in the middle of these are respected.

Public entities as defined in the bill, including the NDIS, hospitals, universities, local government and government agencies, will need to function in a way that is compatible with the rights outlined in the bill, and this will require training and regular assessing, adding costs in already strained budgets. Some advocacy groups are concerned about certain clauses and wording, including 'education appropriate to a child's need' which could lead again to segregation and discrimination, not the inclusion sought, and that children convicted of crime must be treated in a way that is appropriate for a child's age. This assessment could lead to a child being incarcerated with adults and is an arena that requires clarification.

In closing, while I support the aspirational nature of this bill, I am uncertain of the level of practical protection that this bill is capable of providing. However, the provision for future reviews within the legislation and opportunities to address these concerns, if taken, will strengthen the capabilities of the bill without diminishing its admirable intent. With this in mind, I commend the bill to the House.

 **Hon. CJ O'ROURKE** (Mundingburra—ALP) (Minister for Communities and Minister for Disability Services and Seniors) (2.30 pm): I welcome the opportunity to place on record my views and support for the Human Rights Bill 2018. In particular, the objective of this bill to promote a dialogue about the

nature, meaning and scope of human rights is one which I believe is important and required. The Endeavour Foundation summed up why a rights dialogue is so important in its submission to the committee when it stated that—


Vulnerable members in our community are more likely to engage with public services and are at a greater risk of suffering breaches of their human rights, than the people in majority groups or for people who have the resources to protect their interests.

In my portfolio I regularly meet with and hear about people with disability who experience daily indignities that you or I are not even aware are happening. When we were developing our All Abilities Queensland policy the statewide consultations were very clear. People with disability want to live a life of their choosing. They do not want to struggle to be accepted in their workplace or be treated as if they are being difficult when their disability means that they need something extra to access the community and everyday activities. As the Attorney-General discussed in her second reading speech on 26 February, the bill will impose obligations on public entities to act and make decisions in a way that is compatible with human rights through clause 9.

I am very pleased that NDIS providers under the Commonwealth National Disability Insurance Scheme Act 2013 are also public entities when they are performing functions of a public nature in the state. I know that people with disability would welcome the Attorney-General's description about how this bill will create a mechanism for all individuals who are aggrieved by decisions of public entities to have their issues resolved with a focus on practical outcomes. Too often people with disability and their families feel that they have to battle to be heard or understood, and clearer accessible processes will be valued.

My portfolio also includes seniors, and I have heard them clearly explain how they often feel discriminated against. I hear stories of older people who feel they are not listened to or taken seriously and they feel that this happens because of their age. They want to be respected as long-contributing members of our society, not people whose time has come and gone. The scourge that is elder abuse means that clause 24 and its protection of property rights is very important. It provides that people should not arbitrarily have their property removed. We see this happen to our older Queenslanders where a family believes that the property is rightfully theirs in the future anyway, so why not help themselves to it earlier rather than later? This clause will be important for us to reiterate that, no, a person's property is theirs alone until such time as they choose to give it away or bequeath it after their death.

In closing, I am proud of what this government is delivering for human rights through this bill and I will work hard within my portfolio to ensure that all required steps are taken to give full effect when the bill commences. I commend the bill to the House.

 **Mr WATTS** (Toowoomba North—LNP) (2.34 pm): I rise to oppose the Human Rights Bill before this House. To start I want to quote former New South Wales Labor premier Bob Carr—

Parliaments are elected to make laws. In doing so, they make judgements about how the rights and interests of the public should be balanced. Views will differ in any given case about whether the judgment is correct. However, if the decision is unacceptable, the community can make its views known at regular elections.

...

A bill of rights is an admission of the failure of parliaments, governments and the people to behave in a reasonable, responsible and respectful manner.

We have to ask ourselves: why are we here? Which are the human rights that are not being upheld in our system at the moment? To think that these 86 pages will fix any failings in the common law and the thousand years of Westminster parliamentary system is, frankly, a little arrogant. It is a little arrogant to suggest that the common law that has been built up across Westminster based democracies across the Western world and passed on to us in Queensland as one of our greatest legacies for stable government should be overridden by 86 pages of this government.

Not for the first time will we find this House being overlorded by unelected elites. In this case, after this bill is passed the unelected elite will be a collection of lawyers or former lawyers, so only people who have that training would be able to make judgement as to whether someone's human rights are being protected or not—not an elected member, not someone who has listened to the people in their electorate and come here to be their strong voice and ensure that their concerns and their rights and their obligations are heard in this place, but someone who is unelected and is an elite. In 1922, nearly 100 years ago, there was another room in this building that had an unelected elite—it was a squattocracy—and they were appointed by the Governor. The Governor would put the people in there and they would look at the legislation that came out of this room—

Mr DEPUTY SPEAKER (Mr Stevens): Pause the clock. Members on my right, there is far too much conversation. If you want to make a contribution, please put yourself on the list or otherwise please hear the member in silence.

Mr WATTS: They are probably worried about the guillotine—that is why they are interjecting and talking now—because they know that they will not be able to get on the list. There was a House here that overruled legislation that was passed by the democratically elected people of Queensland in this chamber, and they were the appointed elite. The Labor Party then—when it stood for something rather than fell for everything—decided to get rid of that House because it did not want to be overlorded by an elite. It wanted to make sure the people's voice could be heard. That is what it did in 1922 and today, with these 86 pages, it brings back the ability to be overlorded in this House and I think that that is a shame.

Bob Carr spoke about several things, including good government. Ultimately, good government will come from a robust parliament and it will come from an incorruptible judiciary, and our judiciary does a good job of interpreting the laws that come out of this place. What it should not be able to do is say to us, 'No, we don't think that law really fits in with what we're thinking, so can you do it again, please?' It should not be able to do that. We need a sceptical media and we need an executive that is willing to be held to account by this parliament, yet what we find with this executive is that it does not like being held to account. It chops debate. It guillotines us so that we cannot talk. It will not listen to anybody and then it has the temerity to come into this place and suggest that others have been arrogant. Nothing is more arrogant than the members opposite chopping debate on legislation on every occasion they possibly can to ram their agenda through this place, including delivering us some 86 pages that will enable overlords to reject what this House has done—a House that is democratically elected by the people of Queensland. We need good government to protect people's human rights.

Out of the past 30 years, we have had 25 years of Labor government. The reason people in Queensland are worried about their human rights is that Labor has been useless at protecting them. Members can go down to the Brisbane watch house right now and ask the eight-year-olds and 10-year-olds who are locked up in cells there—they are of the same design as a detention unit in a prison—if their human rights are being protected by this government. It has failed to provide adequate facilities for them to be secured when they have offended. Members can go to our prisons right now and ask prisoners who are double bunked whether their human rights are being protected.

We hear this conversation about how we are going to protect people's human rights. The government has the capacity to do that now, but it chooses other priorities, such as grabbing the name of Lady Cilento and tearing it down, rather than putting some of the money spent on that into making sure that little eight-year-old and 10-year-old Aboriginals are not locked up in the equivalent of a detention unit at the Brisbane watch house. Shame on the members opposite for coming into this place and suggesting that they are ready to protect people's human rights, because they are not.

It also takes good governance to protect people's human rights, which means that we need a government that is willing to listen, that is willing to be held to account. The government members opposite have not listened to anybody. How on earth are they going to protect people's human rights with these 86 pages? We need a sceptical media that understands that the government members opposite are incompetent at delivering on their own desires. I do not take away at all that the members opposite want to protect people's human rights. I am sure they do, but they are so incompetent at managing the budget that they are not capable of protecting people's human rights because they do not have the financial resources left to be able to deliver that.

Mr DEPUTY SPEAKER: Order! Pause the clock. There is far too much conversation between ministers and members on my left. It will cease and we will hear the member and we will all be informed. You will get your opportunity to talk at another time. Please cease. That is a warning for members.


Mr WATTS: Mr Deputy Speaker, thank you. Members might not all get the opportunity to speak, because we know that the debate has already been guillotined. I apologise to those members who want to speak for taking my full 10 minutes. We need a fourth estate that is willing to take a serious look at this government and not listen to what it says, but look at what it does, how it behaves and how it treats people. The members opposite sit in this place and say, 'We have to look after these people. We don't want 17-year-olds locked up in an adult prison.' At the moment they have eight-year-olds locked up in an adult watch house. They are in a room with no yard and they have no opportunity to get outside. The members opposite should be taking a serious look at what they are doing to the lives of those young children. They may have offended, but they have not been found guilty yet. They deserve to be accommodated better than they are. For over 25 years we have seen Labor's failure of good

government. The members opposite want to bring 86 pages in here about how to overlord the democracy of Queensland—to have someone else deciding what rights we will have protected, when and how.

I mention one submitter to the bill, Stewy Worth, of Odin's Warriors Motorcycle Club. He submitted that he is very happy about this legislation, but he is also concerned that it will cause him to be in breach of the Serious and Organised Crime Legislation Amendment Act because he wants to be able to wear his colours when he goes outside. I am pretty sure the reason members of Odin's Warriors want to wear their colours when they go outside is so that they can intimidate people, deal their drugs and take away people's human rights. That is what the organised motorcycle gangs did in Queensland. When we brought in legislation that talked about their association and the intimidatory clothes they wear, they left and went to another state. They are back. If the members opposite are not sure about that, they should check with someone down the coast who got a bullet hole in them yesterday.

This legislation will deliver to this House overlords of democracy. The people of Queensland will not be able to have their say, because the people who they vote to represent them in this House will be told, 'No, I'm sorry. That is not compatible with what we think.' Those overlords are unelected. They are an elite. The Labor Party once stood for something. Now it will fall for anything.

(Time expired)

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (2.45 pm): I rise to speak in support of the Human Rights Bill 2018. I am proud to be a member of the Palaszczuk Labor government that is actively reforming Queensland to strengthen human rights. This bill will deliver another commitment that this government took to the people of Queensland during the last state election. We promised that we would introduce human rights legislation based on the Victorian model. I am proud to be part of a government that keeps its promises to the people of Queensland.

For a long time there have been calls in our community to enshrine in law the human rights of Queenslanders. I would like to place on record my thanks and appreciation to the Attorney-General, the Premier, the Deputy Premier, the minister for employment and training and the member for Toohey for their strong leadership on this important reform. I would also like to extend my appreciation to the former Attorney-General of Queensland and member for Yeerongpilly, Matt Foley, who is in the gallery today and members of the Yeronga branch of the Labor Party, Norm Bullen and Ken Boyne, who have been fierce and determined advocates for this bill over many years.

As human beings, we all have fundamental rights. It is important that our legal framework reflects that explicitly to protect those human rights. This bill seeks to protect 23 human rights. They are primarily civil and political rights drawn from the International Covenant on Civil and Political Rights and one right dealing with property drawn from the Universal Declaration of Human Rights. This bill also protects two rights drawn from the International Covenant on Economic, Social and Cultural Rights, being the right to education and the right to health services. Under the provisions of this bill, all Queenslanders will be ensured the right to enjoy their particular culture, to declare and practise their religious beliefs and to use their language without discrimination. In our modern multicultural society, it is vitally important that we recognise, embrace and celebrate all of the varied backgrounds and experiences that Queenslanders bring to our community.

This bill will ensure that every child has the right to access primary and secondary education. As with many other members on this side of the House, I value the important role that education can play in levelling the playing field for all children regardless of their personal circumstances. Every person has the right to peaceful assembly. It is a fundamental tenet of our democratic society that every person has the right to freedom of association with others, particularly whether that is joining a political party, a trade union, a community organisation, or a religious group.

Of particular importance is the fact that the bill will also explicitly recognise cultural rights and, in particular, the distinct cultural rights of our First Australians and their distinctive and diverse spiritual, material and economic relationship with their lands, territories, waters and coastal seas. The bill also recognises the particular significance of the right to self-determination of Aboriginal and Torres Strait Islander peoples.

It is vitally important that matters dealt with by the Queensland public sector and the public functions of government are exercised in a principled way that is compatible with the human rights of Queenslanders. It is important to note that the human rights in the bill are not absolute and may be balanced against the rights of others and public policy issues of significant importance. The general limitations provision in this bill recognises that human rights may be subject to reasonable limits that can be demonstrably justified in a free and democratic society based on human dignity, equality and

freedom. Factors that determine whether a limit on a human right is reasonable and justified are set out in the provision and are intended to incorporate the common law principle of proportionality—a test applied by courts in many other jurisdictions to determine whether a limit on a human right is reasonable and justified. This is a reasonable and measured approach to ensuring that the human rights of Queenslanders are protected. It adds another layer of scrutiny to the actions of the government of the day.

From time to time, governments of varying approaches are elected. Not all governments are as respectful of Queenslanders and their human rights as the current Palaszczuk government. This legislation will help protect Queenslanders against autocratic and dictatorial behaviour by an errant government, agencies or officials who disrespect the human rights of Queenslanders.

I became politically active because of the trampling of human rights in the 1980s by the Bjelke-Petersen government. It is not surprising to hear today that the LNP continue to oppose this bill 35 years later. Nothing has changed. The old Liberal Party that split from the coalition for six years may have had some kind of prospect of backing a human rights bill, but we all know that the Liberal Party has disappeared, has been swallowed up and dominated by the National Party, which is reflective of their position here today. There are no Liberals left. We need this bill largely because of the excesses of the executive governments of both the Bjelke-Petersen and the Newman governments under which Queensland suffered terribly

Mr Lister: You had 20 years in power and you didn't do anything then.


Mr BAILEY: You had three years and you really messed it up, didn't you?

Mr DEPUTY SPEAKER (Mr Stevens): Order! Minister, you will direct your comments through the chair and not across the chamber and you will not use the word 'you'.

Mr BAILEY: People's rights were trampled on and removed by both the Bjelke-Petersen and Newman governments necessitating, in terms of the Bjelke-Petersen era, the Fitzgerald inquiry. Those excesses lead to corruption in government, in the private sector and even in the police force of the time. Since then there have been many important reforms, including the CCC, our robust parliamentary committee system and independent agencies to scrutinise government, but what we lack is a human rights act and that is why we are here today.

It is no surprise that the LNP, with its rampant record of trampling on people's rights, is opposing this bill. It interferes with its intention to continue to do so at some time in the future. Its members say they support women, but they vote against their right to choose; they say they support the environment, but they vote against renewables and tree clearing laws; they say they support human rights, but they will vote against this bill that seeks to strengthen them for Queenslanders. I see a clear pattern here. Their words are not sincere. They do not support human rights. This is their opportunity to support human rights, and here they are with disingenuous language pretending they do when we know they do not. One only has to look at how they behave when they are in power. We saw the excesses of the Newman and the Bjelke-Petersen governments. We know what the values of the conservatives are. They do not believe in human rights. They believe in pushing people around. They believe in pushing Queenslanders around. This bill is a safeguard in the future against excessive government. What most offends the opposition in this place is that these laws—being voted on democratically, not by some unelected leader but by all of the people who are elected to this chamber today or tomorrow—will be a democratic strengthening of our legal system.

Unlike the member for Caloundra, I believe that we should legislate against discrimination and set the standard in our community to prevent powerful people and powerful governments from oppressing others unreasonably. That is at the heart of this bill. I am proud to be a member of a government that walks the walk and does not perform verbal contortions to distract from its refusal to back Queenslanders. Shame on the LNP for once again letting down Queenslanders. I know this legislation will be welcomed by Queenslanders and I commend the bill to the House.

 **Mr BENNETT (Burnett—LNP) (2.52 pm):** We are often asked to consider legislation in this place for all Queenslanders, including those who are vulnerable. I am always concerned when we attempt to change the relationships between the courts, the parliament and the executive and modify our separation of powers. Many people have written about a bill of rights. I acknowledge articles by Bob Carr who has stated—

If Australians were asked whether they wanted non-elected judges to enjoy the final say on all public policy, it is pretty clear how they would vote. A modest increase in judicial review was proposed in 1988. Voters were asked only to endorse trial by jury, freedom of religion and fair terms for property acquired by government, by inserting these as rights in the constitution. The referendum lost in every state and territory by votes of up to 75 per cent.

This is important especially when we have such a left leaning government incapable of dealing with powerful stakeholders in our state. What is even more problematic is the disdain the people of Queensland have for this type of legislation. It has been suggested by many that this bill might be unconstitutional.

There are good reasons to oppose the bill on the grounds that it is fundamentally undemocratic. I acknowledge the submitters to the committee, all with passionate claims and counterclaims, many suggesting and agitating that all will be good into the future. However, it is my belief to start with that a human rights bill guarantees nothing. Britain abolished slavery in 1772 with a court decision based on the common law. The US, as late as 1857, confirmed slavery was valid, notwithstanding its constitutional bill of rights. Indeed, America had a bill of rights for 150 years before African Americans in the south could vote. More than 3,000 Americans are on death row in 34 states awaiting their sentence. This year, 36 prisoners are expected to be executed. All this with a bill of rights. Years ago elected politicians in Australia, which does not have a bill of rights, abolished capital punishment.

Some have argued that we need a human rights bill to protect the interests of the disadvantaged, the poor and the marginalised. It is strange that in America the disadvantaged still have no health care or guaranteed unemployment benefits and that one in three African Americans will experience prison. The US, with its constitutional bill of rights, has the biggest prison population in the world. When Mohamed Haneef was mistreated by the Australian Federal Police his rights were reinstated by the court. That is our common law tradition.

The common sense of Queenslanders tells them they are free. A human rights bill would increase litigation, not rights. The rights of Queenslanders are already contained in legislation and case law and are thorough and have been developed over time to reflect the growing need to protect rights. There is no version of a charter of rights or a constitutional bill of rights that has not had the effect of shifting power from parliaments to non-elected judges. This proposal before us is about judges and commissioners having extra powers. The vague statements in the bill, such as the freedom of the press, freedom of speech, freedom of association, will be interpreted by judges. Under the proposed legislation decision-making is being transferred from an elected parliament to non-elected judges. If we are going to be serious about it and we are going to ask Queenslanders to revise the way their government works, then it should be a matter for a referendum.

We must recognise the fundamental need to preserve the sovereignty of parliament. A human rights act will fracture the fundamental foundations of Queensland's democratic society by allowing judges to issue notices to parliament whenever a law conflicts with any of the broad human rights. The LNP will not support a bill that will give the judiciary the ability to ignore the clear intent of parliament and to scrutinise the intent of every piece of legislation that comes before it to determine whether it is inconsistent with human rights. The LNP will not support a bill that explicitly gives the judiciary the power to depart from the literal meaning of words in legislation, which creates an extraordinary power to effectively rewrite legislation.

A human rights act will cause never-ending unintended consequences and will put offenders before victims. There are many examples from other jurisdictions. I refer to clause 36, the right to education. The bill talks about every child having a right to access to primary education. I have just met with representatives from Independent Schools and heard about remote students who are struggling to get money after the floods and drought. These are real examples that will not be fixed under this bill. This morning we heard about the way we are treating our maternity services in the bush. I refer to clause 37 that talks about the right to health services. The government is in breach of its own act already.

There are other international examples. A Canadian provincial government creates incentives for doctors to serve in rural areas but the Canadian court overrules that because it is an interference with freedom of travel. In the United Kingdom a court said the police could not interfere with a group of gypsies or travellers who pulled down a fence on a private property and occupied the land because it is an interference with freedom of movement. Sex offenders could appeal decisions to have their supervision conditions overturned. Young people causing havoc in the street, committing acts of vandalism or intimidating older people, will say something like, 'Oh, the police won't do anything about it because it'll be an interference with our human rights'.


Courts will have wider power not to admit evidence which is held to have been obtained in breach of a person's human rights, which will destroy the prosecution's case. Bikies will challenge organised crime laws by arguing they have the right to associate with one another. Police powers to conduct random licence and name checks may be unlawful. Prisoners will have more power to own goods, such

as objectionable material, even if it breaches prison policy. More applications for prisoners to undergo surgery, such as IVF, will be granted. Sex offenders will have greater power to change their name despite it not being in the public interest. There are many examples where a human rights bill will open the door to these unintended consequences.

Ours is one of the freest countries in the world. Our freedom compares favourably with every other nation state in the world and it rests on common law principles that work and that guide us. It rests on parliamentary democracy and it rests on robust freedom of speech. In conclusion, I again reference Bob Carr. He has compared our status and standing with that of the United States, which has a full constitutional bill of rights, and concluded that Australia has better outcomes. In the end, it is the political character and culture of a country that determines how free it is; not a bill of rights that wrenches decision-making away from the elected people of this place and gives it to non-elected judges.

The LNP will always support laws and policies that are aimed at protecting vulnerable Queenslanders. We are supportive of the laws currently in place that protect the vulnerable and that offer adequate remedies to compensate victims for their losses. Queensland already has a robust system for protecting the vulnerable from poor bureaucratic decision-making through a well-resourced and professional public service, the capacity for judicial review of administrative decisions and an outstanding judiciary. Queenslanders already have ample protections of their human rights embedded in Queensland and Commonwealth legislation, particularly that which relates to discrimination; common law protections of freedoms, including association, expression and belief; and Constitutional rights, all of which are operating effectively in Queensland.

I will be voting against this bill of rights for the many reasons that I have articulated today. I have to say this: we attend ballot boxes, receive how-to-vote cards and go through a process of democratically electing members to this House. How can we support something that will take away many of the reasons that I am here? Sometimes I question why we are here, considering some of the debates that go on in this place. However, one thing we will not stand for is the watering down of our parliamentary right to act for our constituents.

 **Mr POWER** (Logan—ALP) (3.01 pm): So far in this debate, all speakers from both sides of the House have stood in this place and said that they support human rights as a concept. While some make platitudes about the concept, they say they reject any further expression of it in the parliament and in our laws. Some in this place make all the right platitudes and we have heard that from the members for Toowoomba North and Toowoomba South. They say that we already have protections, such as the Magna Carta, which is a document that was abolished soon after it was created and explicitly restricted the rights of certain citizens. They cite the common law. We know we have the ability to make laws to override the common law, unlike a constitution. They refer to 1,000 years of the Westminster system, our courts, democracy and sceptical media. Obviously, all of those are important. However, we know that neither 1,000 years of the Westminster system nor the common law prevent egregious breaches of human rights.

I come from the Irish Catholic community. The penal laws drawn up by the British government meant that for 200 years people who had my ethnicity and faith could not participate equally in the United Kingdom. They could not join the army, be a judge or even vote. That was explicitly defined in the same system that gives us protections. We know that that fed into Australia, as Irish Catholics could not practice their religion for some 30 or 40 years after the settlement of this country. They could not speak their language.

That system also fed into laws made in this parliament such as the Aboriginal 'protection' act. I say 'protection', because that law did much to control, diminish and ruin the human rights of people. The act was passed in 1897 and further built upon, without impediment, in 1899, 1901, 1928 and further. Why did the Magna Carta, the common law or 1,000 years of Westminster democracy not protect Aboriginal Australians whose human rights were so badly trampled upon?

We know that there can be legitimate concerns with bills such as this, but we have not heard about those from the opposition. We know that it is difficult to be universal in human rights. We know that the United States would have entrenched slavery if they had had the choice and thought it through. We know that in 1600, if the English had put forward a bill of rights, they would have made it an anti-Catholic act. We know that, if white-dominated Australia had developed a full bill of rights in 1901, it probably would have been a racist one. Indeed, our attempt at codifying human rights at this point is just that: a product of this time, this place and our views. But I ask a legitimate question: can we not in this parliament aspire to help define what Queenslanders see as our collective human rights? Everyone in this parliament has stood in this place and said that they believe in human rights; that they want to strengthen human rights. Can we not say what we think human rights are?

I note that in this parliament we have boldly said that there are what are called positive rights, such as the right to education and health services. Our proud declaration of those positive rights will contribute to a better Queensland, as Queenslanders bring forward better ways to provide those basic services, which are now defined as rights.


It is as if the LNP is debating a different bill. They quote Bob Carr, who talked about a completely different structure. I know that the member opposite will not quote Bob Carr, because he would know that Bob Carr was talking about a differently structured bill of rights.

I find it curious that it is a challenge for anyone in the LNP to mention clause 43, the 'Override by Parliament' provisions. That clause makes it absolutely clear that this parliament can declare that it is overriding an act. That gives absolute primacy to parliament. I say to the member for Toowoomba North: there are no overlords. There is nothing like that in this bill. He talked about a separate bill, almost to the point of irrelevancy. It is important that we look at clause 43 and clause 54. Any LNP member who does not make reference to that in a future speech will know that they are attempting to mislead this House.

It is vitally important that we know what this bill is, as opposed to other structures of human rights charters. In this place we are just 93 people. Do we always know the exact consequence of all laws for all Queenslanders, in all circumstances and for all time? Is it not right that, where our laws undermine the human rights of our citizens, we are asked to look again at the intent of those laws and make a determination as to whether or not that was what we wanted to construct for our state? The alternative it is to suggest that we know everything that will happen into the future and how laws will impact on every Queenslander. It is extremely arrogant of the LNP to suggest that they could know that.

I again stress that clauses 43 and 54 allow for override by parliament provisions, which can declare that there are exceptional circumstances in a law that is being put forward. However, no LNP member ever mentions that. When they speak to their community groups, again they will ignore those clauses and mislead people. In saying that I do not refer to the member for Ninderry, as I am sure he will speak directly to the issue. The LNP refuses to mention clause 43. They want to set up a straw-man policy and argue something other than what we are actually debating today.

I stress to all members of this parliament that this is an important reminder to us of the impact that our laws have on Queenslanders. We know that we can override them and that parliament will still have primacy. We also know that Queenslanders have a voice and they will tell us when their human rights are undermined. I commend the bill to the House.

 **Mr WEIR** (Condamine—LNP) (3.08 pm): I rise to make a brief contribution to the Human Rights Bill 2018. The committee report indicates that the committee accepted 149 written submissions, as well as 135 form submissions. As documented in the explanatory notes, a range of stakeholders was consulted on the bill prior to finalisation. The explanatory notes state that overall stakeholders were supportive of the bill being based on the Victorian model, with the addition of social and economic rights.

This is a bill that will excite lawyers, social advocates and ideologists and go largely unnoticed in the general population. I must say, I am somewhat underwhelmed by this legislation. From what I can see, virtually all the issues raised in the bill are already covered by various other acts. Indeed this bill would seem to be another overreach by this government that will result in unintended consequences and a boom time for the legal profession.

It would appear that I am not alone in these thoughts. There were some submitters who raised concerns relating to how human rights under the bill will be managed when a conflict arises. The Queensland Teachers' Union expressed concerns that the rights, as stated in the bill, are too broad, which will result in the courts being required to interpret their intent, including where a conflict arises. They stated—

There are numerous inconsistencies in the Bill which arise from the extremely broad nature in which the rights are expressed. For example, the right to freedom of expression may conflict with the right to privacy or reputation.

It is the submission of the Queensland Teachers' Union that the Parliament should not pass laws that will require a Supreme Court determination in order to understand.

As I have already stated, sections of this bill would seem to me to be previously covered by our current laws. These include the following. Subclause 15(1) provides that every person has a right to recognition as a person before the law. Subclause 15(2) provides that every person has a right to enjoy their human rights without discrimination. Subclause 15(3) provides the right for legal protection: every person is equal before the law and is entitled to the equal protection of the law without discrimination. Subclause 15(4) provides the right to equality: every person has a right to equal and effective protection against discrimination. Clause 16 states that every person has the right to life and the right not to be arbitrarily deprived of life.

Various submitters stated and reflected views on the Termination of Pregnancy Act 2018 saying that the bill's proposed saving provisions were inconsistent with the bill's proposed right to life. Expressing an alternative view, Professor Heather Douglas offered support for clause 106, stating—

It is particularly pleasing to note that clause 106 protects the reproductive rights of women ensuring that nothing in the (proposed) Human Rights Act affects any law relating to termination of pregnancy or the killing of an unborn child.

In response to submissions, the department stated—

Under Queensland law, a child becomes a person capable of being killed when it has completely proceeded in a living state from the body of the mother.

There are many who would dispute that view. It would seem that this bill of rights does not extend to the unborn.

Clause 18 provides for the right to freedom from forced work. According to the explanatory notes subclause 18(1) provides that a person must not be held in slavery or servitude. Subclause 18(2) provides that a person must not be made to performed forced or compulsory labour. I could have used that one against my father a few times when he sent me out fencing and burr cutting and so forth.

Clause 19 provides for the right to freedom of movement, specifically that every person lawfully within Queensland has the right to move freely within Queensland, enter or leave Queensland or choose where they live. Do we not have that now unless one is under a court order?

Clause 20 provides for the right to freedom of thought, conscience, religion and belief. Clause 20 is modelled on article 13 and refers to the right of everyone to develop autonomous thoughts and conscience, to think and believe what they want and to have or adopt a religion free from external influence. I do not understand how that works. Does an external influence include religious education in our schools?

Clause 21 provides for the right to freedom of expression. Subclause 21(1) provides that every person has a right to hold an opinion without interference. There are some opposite who do not seem to agree with that from what I have heard today. Subclause 21(2) upholds the right to seek, receive and impart information and ideas orally, in writing, in print, by way of art or another medium within or outside of Queensland.


The Queensland Teachers' Union expressed concern that this right may be used to justify cyberbullying of state government employees, particularly teachers, and cyberbullying between students. They stated—

A bully may assert their cyberbullying conduct is an expression of their opinion and an exercise of their right to "seek out and receive" the opinions of others.

This is exactly the kind of interpretation that worries me. I support the rights of the individual, particularly the most underprivileged. I oppose this bill because I believe that it is open to misinterpretation and has the potential to be abused.

I know the member for Toohey is very passionate about this legislation. I recall that the member spoke of the need for such a human rights bill in his first speech. I believe that his conviction is sincere. I am not sure that that is 100 per cent correct for the Deputy Premier.

When I heard this bill was being introduced into the House I thought bingo, here comes the old switcheroo. We all know the Deputy Premier has been eying off the seat of Toohey, with her future in the electorate of South Brisbane becoming quite precarious. With the passage of this bill, the member for Toohey can put his hands up and say, 'My work here is done,' opening the way for the Deputy Premier to move to Toohey. We will see if this is the case. I oppose this bill because I think it will cause more problems than it will cure.

 **Mr BERKMAN** (Maiwar—Grn) (3.14 pm): I rise to speak in support of this bill, which will finally legislate human rights for Queenslanders. This is a win for so many campaigners, peak bodies and support services that have been fighting for a human rights act for many years. It is only appropriate that I begin by acknowledging their work over many decades. The Greens have long advocated for explicit human rights protections to be enshrined through legislation in Queensland, to enhance our democracy, set the standard for measuring the conduct of government, the courts and the community, to assist the most disadvantaged in society and ensure government departments consider the impact of their day-to-day operations on human rights.

A dialogue about human rights between elections is vital to protect Queenslanders' rights. Our unicameral parliament, without the oversight of a house of review, can pass legislation that infringes on people's rights with no consequence until the threat of the next election looms. This should be a serious concern to all of us who value a healthy democracy.

One high-profile example that has been mentioned by others in this debate is the introduction of the vicious lawless association disestablishment, or VLAD, laws in 2013. The VLAD Act up-ended hundreds of years of common law protections and legal principles. These are the same protections that this bill's opponents say are sufficient to protect our less fortunate. Without a human rights act there was nothing to stop the government trampling over the rights of Queenslanders, and no need to justify the changes with anything more than the usual base rhetoric. This is a big part of why I support this long overdue reform for our state and why I think it so crucial that we have a human rights act in Queensland.

While I do support the act, my view is that there are some glaring omissions and missed opportunities. I would like to take the opportunity to address these. During the first review of the act, serious consideration must be given to amendments that include an independent human right to a healthy, safe environment, including clean air and water, under part 2.

Submissions to the committee have noted that as of 2012, 92 national constitutions recognise that citizens have a substantive right to live in a healthy environment, consistent with the sustainable development goals. Alongside a number of other submissions on the bill, the Environmental Defenders Office articulated this perfectly. Without a clean, healthy environment, the basic human rights to life, health, work and education cannot be fully realised and they add that 'protection of the environment is a vital part of contemporary human rights doctrine'.

It is essential that the right to a healthy and safe environment be made explicit, rather than implied, to most effectively support the achievement of other rights. It would result in improved decision-making around new laws affecting environmental impacts, serve to reduce the likelihood of litigation by bringing forward consideration of a healthy environment and address the injustices in environmental protection measures for marginalised Queenslanders, especially those whose livelihoods and wellbeing are dependent on a healthy environment, like farmers and Aboriginal and Torres Strait Islander people.

Aboriginal and Torres Strait Islander people are uniquely vulnerable to environmental harm because of their cultural and religious links to their territories. Lock the Gate's submission on this bill also made an important recommendation that the act include a right to free, prior and informed consent for Aboriginal and Torres Strait Islander peoples, for developments affecting their land and communities.

I welcome the particular cultural protections this bill aims to give Aboriginal and Torres Strait Islander people, and submit that rights to a clean, healthy environment and to free, prior and informed consent would advance the bill's policy objectives. The words of the UN Special Rapporteur on human rights and the environment are especially pertinent here: 'The notion of sustainability is the essence of both indigenous economies and their cultures.'

I want to reinforce a point made in the submission by Sisters Inside that neither the bill nor the human rights discourse surrounding it should be used to justify prison expansion in Queensland. Spending significant resources to make prisons human rights compliant is a futile exercise and the focus of this government's efforts must be on reducing the number of women and girls in prisons, and prison populations more broadly.

One of the greatest legal challenges to Indigenous Australians' human rights is the unacceptable and tragic level of Indigenous incarceration. I would like to highlight that this bill does nothing to help reduce incarceration rates for Indigenous Queenslanders, and that is a real shame. Rather than closing the gap, this bill just opens the prison gates wider for Indigenous Queenslanders. This Human Rights Bill does little to help reduce high suicide rates for Indigenous people in custody—a critical element of the Closing the Gap strategy.

This bill should do more to consider the particularly vulnerable position of incarcerated people including allowing complaints to be raised directly with the commission without the need for an internal complaint first. In general, the bill misses opportunities to encourage dialogue and build a culture that is respectful of human rights in the corrective services. For example, as the Caxton Legal Centre says in their submission, the bill treats issues like overcrowding as an operational issue before viewing it as a human rights issue. The proposed amendments to the Corrective Services Act and the Youth Justice Act unnecessarily limit prisoners' rights, particularly given the explicit provision for limiting human rights protections under section 13 of the act where this is deemed reasonable and justifiable.

No other developed country in the world has a poorer record than Australia for recognising the plight of innocent citizens wrongly sent to prison. Queensland could have easily adopted section 23 from the ACT's Human Rights Act to ensure the act's compliance with article 14(6) of the International Covenant on Civil and Political Rights, or the ICCPR as it is known. This was addressed in some detail in an excellent submission by former solicitor Michael O'Keeffe, who made the point that Queenslanders who have been wrongfully imprisoned then judicially exonerated have fewer legal rights than someone who slips on an onion at Bunnings.

The Queensland Human Rights Bill should have included a provision to provide restitution for judicial exonerees, as required under international human rights law, and to address inequality and injustice of human rights for innocent Queenslanders, particularly Indigenous exonerees who have suffered serious miscarriages of justice and wrongly served long periods in prison.

I would note another glaring omission to the bill highlighted in Amnesty International's submission. Amnesty is particularly concerned that section 33(3) lacks clarity and will not prevent violation of the Convention on the Rights of the Child and article 10 of the ICCPR by allowing children to be detained alongside adults in prison. Protecting a child's fundamental human rights while in detention is paramount, and I share concerns that this bill does not do enough to ensure this.

Ultimately, as I have said time and time again in this chamber, we must reduce rates of incarceration across-the-board. In particular, the government must also commit to raising the age of criminal responsibility to 14 years old and stop locking children up altogether. Once again, it should be stressed that it is Aboriginal and Torres Strait Islander people who are most impacted by this issue. Indigenous children are 25 times more likely to be imprisoned than their non-Indigenous classmates.


As observed in a number of submissions on the bill, the omission of a right to housing is stark and disappointing. At a fundamental level, human rights should be concerned with the conditions of a worthwhile human life, which necessarily include rights to housing as well as health and education. As the ACT Bill of Rights Consultative Committee observed in its 2003 report, the right to housing is as integral to human dignity as the right to vote.

In recognising that housing is in fact an internationally accepted human right, its inclusion in this bill would significantly assist the stated objective of ensuring that 'public functions are exercised in a way that is compatible with human rights'. For example, the submission made by Sisters Inside included a recommendation that the bill be amended to include an additional right to housing, to guide social housing decision-makers to exercise their discretion in a manner that is consistent with the human rights of women and girls, and their children.

Time escapes me. A human rights act cannot promote and protect human rights effectively unless it is accompanied by continued strong political leadership on human rights issues, a systematic education and ongoing training program for public officials and the judiciary, and an accessible complaint-handling process. To this end, I would urge the Queensland parliament to see this bill as providing impetus for long-term, meaningful investment in community legal centres and community advocacy organisations, especially those helping the most vulnerable sections of our society whose rights are most often compromised. As a former CLC lawyer myself, I know that these services are constantly underfunded, and this act should serve as a timely reminder of the importance of the work done by these services. Initially, neither the ACT nor the Victorian human rights framework enabled a complainant a cause of action for an infringement of a human right. The ACT has revisited this and it is under review in Victoria.

I suggest that the ability to commence stand-alone proceedings for breaches of human rights is consistent with the objectives of this bill. As the Caxton Legal Centre pointed out in its submission, access to damages does not prevent dialogue or obstruct an approach which favours discussion, awareness raising and education about human rights.

In closing, many have argued here that our existing legal and political systems provide sufficient safeguards for Queenslanders and therefore human rights legislation is unnecessary to protect our rights and liberties. We must remember that these opponents are essentially advocating for a society where government remains able to infringe upon our human rights and they often argue from a place of privilege and social safety. For many of us, our wealth, standing or lot in life shield us from the sorts of rights violations that a human rights act seeks to protect. Ultimately, this is an important and historic day for all those who continue to fight for a fair and just society. I commend this bill to the House.

 **Mr PURDIE** (Ninderry—LNP) (3.24 pm): I rise to make a short contribution on the Human Rights Bill introduced by the Attorney-General on 31 October 2018. This bill will make amendments to over 20 pieces of existing effective human rights protections already in place in Queensland including the Anti-Discrimination Act, the Corrective Services Act, the Corrective Services Regulation, the Disability

Services Act, the Family and Child Commission Act, the Financial Accountability Act, the Industrial Relations Act, the Industrial Relations (Tribunals) Rules, the Information Privacy Act, the Integrity Act, the Ombudsman Act, the Parliament of Queensland Act, the Public Guardian Act, the Public Sector Ethics Regulation, the Public Service Act, the Public Service Regulation, the Queensland Civil and Administrative Tribunal Rules, the Statutory Bodies Financial Arrangements Regulation, the Statutory Instruments Act and the Youth Justice Act.

This proposed Human Rights Bill is not a rebranding. It poses a significant change that goes beyond the identification of certain rights which already exist within the list of existing bills I just mentioned. This proposed bill as it stands now has the potential to create uncertainty in the division of powers. It creates an ambiguous shift in the relationship between the court, parliament and executive.

The declaration of incompatibility could impair the institutional integrity of the Supreme Court as it goes beyond the court's current ordinary duty to only make observations in their judgements. Decisions based on interpretations by judges could distort the separation of powers by empowering judges over elected representatives of Queenslanders. On what basis or need did the government feel it was necessary to make such drastic changes? History demonstrates that human rights are shaped, formed and enforced within existing legislation. There is always room to do better. However, is a separate human rights bill required?

My colleagues and I are questioning the relevancy of this bill not only in terms of need but also on what evidence based research is the government using to support this bill and the substantive shift in process change it will create. Queensland already has a system in place for protecting the vulnerable from substandard bureaucratic decision-making by providing adequate resources and engaging a professional Public Service. The Queensland Ombudsman, and in some circumstances the CCC, closely monitors the Public Service and intervenes to protect people from negligent and harmful decision-making that infringes on people's human rights.


While I acknowledge the support from some submitters advocating for more protection for our most vulnerable, I also acknowledge the concerns raised by the Queensland Law Society in which the powers granted may not fit within a judicial officer's role. In my former career as a Queensland police officer and in my current career as a member of parliament, I took an oath to serve and protect all Queenslanders. I will always support laws and policies that demonstrate improved outcomes for vulnerable Queenslanders. However, I do not feel that this bill will result in better protections for our most vulnerable.

Along with the support of my colleagues, I urge the government to consider the following: removal of the power the bill transfers to the court by making a declaration that a statutory provision cannot be interpreted in a way that is compatible with human rights; and that amendments uphold the role of the judiciary as it is now, where they speak to parliament through their judgments. We seek these amendments to ensure that our constituents continue to have control through a democratic process, through the channel of their elected representatives, to shape and enforce our human rights today and into the future.

It was former senator and New South Wales Labor premier Bob Carr, who I know the member for Logan spoke so highly of just before, who said in relation to human rights legislation—

Parliaments are elected to make laws. In doing so, they make judgements about how the rights and interests of the public should be balanced. Views will differ in any given case about whether the judgement is correct. If it is unacceptable the community can make its views known at elections. A bill of rights is an admission of the failure of parliaments, governments and the people to behave reasonably, responsibly and respectfully.

In closing, transferring power from parliament to the courts to shape future legislation could in itself be perceived as taking democratic rights away from the people. To express their voice through parliamentary representation is not a form of disempowerment to politicians but a shift in power away from the people we represent.

 **Mr KRAUSE** (Scenic Rim—LNP) (3.30 pm): One of the most important features of our legal system, the common law, is that everything is permitted and freedom is absolute unless limited by law—judge-made adjudication through the courts or legislation passed through parliament. It is a system that has served us well for centuries. Like the member for Glass House, I want to strongly reject any notion that I do not care about or do not want to look after the needs of disadvantaged or sick or disabled people in our community. I do. I regularly lobby on behalf of people in the electorate who have issues with the government. I lobby for solutions through government to improve their standard of living and the way that people enjoy their life. It is an outrageous slur to be made by members opposite that we do not care about people who need lifting up in our society.

I was part of the 2016 committee which looked at this issue. This is a copy of the report from the 55th Parliament. My views on this matter were well set out in that report—report No. 30—of the previous committee. The recommendations put into that report by the government members at the time are interesting to read in light of what we have before us. Recommendation 4 states:

Government Committee Members recommend that the judiciary have no part in any complaint process where a person is perceived to have suffered a human rights matter.

This bill before us shows the clear leftward drift of the government members, particularly the member for Ferny Grove, who was the chair of that committee and is now a minister and part of the cabinet. He has clearly changed his view or been persuaded to change his view about these issues, because this bill transfers power to the courts and has a significant judicial role in the adjudication of complaints about human rights.

There are two major flaws in the government's bill. The first one is that the only action that improves people's lot in life when they have issues, whether it is about disadvantage, disability or other issues that need to be addressed, is through government or legislative action in this House. Think about the NDIS and the changes made through that process, the Sex Discrimination Act, the Disability Discrimination Act and a whole range of other anti-discrimination laws that have been enacted through debates in the political process and legislation changed through parliament through the lobbying of MPs. No argument in courts about whether or not people's human rights have been infringed will have the same impact as the legislative process. No court can—no court should—be the body that sets out the rules and framework for how people's rights need to be interpreted and what action the government should take to do that. Those decisions need to be made here by this parliament and by a government that is accountable to this parliament, not courts that make judicial decisions. Governments need to step up and do this, not abrogate their responsibilities. We have had such bad government in this state for most of the last 30 years that I can see why some people think a human rights act will be a panacea to their problems because they have suffered bad government for most of the last 30 years. That is the first major flaw.


The second major flaw is that it shifts power from this place to the courts. It is another forum of argument, another forum of dissention, another forum where people take their complaints about the rights and wrongs of society and try to have them addressed through the court system, when in many cases arguments about rights or wrongs in human rights are very, very grey and very finely balanced. We will see that when the arguments come under this bill. There are no black-and-white decisions in many of these cases, and the adjudication of those matters needs to be made by people who are elected by the people of Queensland and who are accountable to the people of Queensland, not unelected judges.

I know that many members will make arguments that they do not have an impact on the democratic process; that judges will not have an impact on the democratic process. However, when judges make declarations that a particular law is incompatible with how they see human rights, it is going to have an impact. Those decisions should be made by people who are accountable to the electors of Queensland, not unelected judges.

It is not often that we see evidence from members opposite about how little they understand the issue they are talking about, but we saw one of those examples this morning, I believe, if I heard what was said correctly by the member for Greenslopes. He said that what he saw going on in Venezuela was an example of why we need a bill of rights in Queensland, because of the suffering of the people of Venezuela under a dictatorial government, the abuse of human rights and the suppression of the media. I have some news for the member for Greenslopes if he did not know this. A quick search on the internet will show that the constitution of Venezuela devotes about one-third of its articles to protecting freedoms and rights and liberties, but it did not do anything to protect the people of Venezuela from a dictatorial and authoritarian government.

That is the problem with these bills of rights. In our case it will transfer power to the judiciary to make decisions that we should be making, but in many countries if you do not have the culture right it does not do anything to protect people. I suspect this bill will have much the same impact because real change only comes through this place and through the actions of government, not through arguments in court about areas of human rights to which there are sometimes no clear answers and which unelected judges should not be making decisions on because they are sometimes very contentious, very grey issues. They are decisions that we should be making here rather than transferring that power.

People died over centuries. There were wars fought to have the power in parliament to make laws accountable to the people. Today when the government passes this bill it will be giving away some of that power from this place to the judiciary up the road. It is not right and we should not be voting for this bill.

 **Mr NICHOLLS** (Clayfield—LNP) (3.37 pm): The great advances in the human condition, whether in health, education, material prosperity, representative democracy, individual human liberty, defiance of dictatorships and peace and stability, and civil and political rights have almost without exception come about since the development of the Westminster system together with capitalism and free enterprise. It is a political system tracing its roots back almost 900 years with the great declaration of Magna Carta. It is important also to note that Magna Carta and the 1689 English Bill of Rights did not create any new rights. They secured rights—in the case of Magna Carta, rights that had been secured from the King; in the case of the Bill of Rights 1689, which still applies in this place, rights which secured a guarantee of the constitutional settlement of the Glorious Revolution which saw the re-establishment of rights that had been taken away by Cromwell.


It is a system that has its faults—indeed, a system that has matured and changed over the centuries. Nevertheless, it is a system that has worked and delivered so much including the end of slavery in Britain while it was still going on in the United States, which had a bill of rights; the abolition of the property qualification to vote; the enfranchisement of women, taken up early and enthusiastically here in Australia and New Zealand; the abolition of the White Australia Policy; the resistance to dictatorships and totalitarian regimes; recently, the recognition of marriage equality; and even here in Queensland the resolution of the abortion debate.

Let me be clear: this is not about whether Queenslanders or indeed Australians should enjoy the full range of civil, political, economic and other rights. Of course they do. They already do under a Westminster parliamentary democracy. To suggest otherwise—to say that we need more because we are not protecting rights when we have some of the proudest traditions of protecting and enhancing rights in the world—is both absurd and denigrating.

Let us look at Nazi Germany. They had a form of bill of rights, guaranteeing the ‘dignified existence of all people’. Let us look at Zimbabwe. There was no mention of Zimbabwe and their bill of rights or even in fact the Soviet Constitution and their appallingly named People’s Court. None of that guaranteed any of those rights.

I am conscious of the time but I must say: the separation of powers is a significant issue that has not been addressed here today. The other question is: who is clamouring for this bill? Who is asking for it to come out? Is it being discussed at the bars and clubs, at the barbecues, at the community clubs? No. Who is bringing it forward? We have the member for Toohey and his coterie of ALP supporters at the Yeronga branch. He referred to Professor George Williams. What he failed to tell the House is that Professor Williams is one of the most outspoken proponents for bills of rights, that he headed up the Victorian inquisition that, unsurprisingly, recommended it and that he now says, ‘This bill of rights is far superior.’ The Attorney refers to Stephen Keim, a well-known Labor supporter. The bill should be opposed.

Madam DEPUTY SPEAKER (Ms McMillan): Under the provisions of the business program agreed to by the House and the time limit for this stage of the bill having expired, I call the Attorney-General to reply to the second reading debate.

 **Hon. YM D’ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice) (3.40 pm), in reply: I thank the members for their contribution. I know I say that after every bill. I do question making that statement today.

Opposition members interjected.

Mrs D’ATH: If those opposite want to interrupt, then they are not going to give their shadow any time to talk to their amendments. They can decide whether they want to keep doing this or not.

Madam DEPUTY SPEAKER: Order!

Ms Simpson interjected.

Madam DEPUTY SPEAKER (Ms McMillan): Order! Member for Maroochydore, you are warned under the standing orders. I had called order and you continued.

Mrs D’ATH: In replying to the debate that has gone on with this bill, there are a couple of themes that are worth touching on, but I have to say that I found the responses from those opposite quite appalling. I hoped that this would have been one of those rare occasions where the whole parliament could come together. This should have been one of those occasions where the whole parliament could come together. Sadly, that was not the case.

I want to very quickly touch on the reference to the lack of support. It might come as a surprise to those opposite, but if they had read the committee report they would have seen hundreds of submissions from individuals and groups giving evidence to the committee. They might want to look up in the gallery and face the people who are here listening and say that their views do not count.

I just want to name a few of the significant stakeholders that those on the opposite side seem to be so dismissive of: A Human Rights Act for Queensland, QCOSS, Caxton Legal Centre, Community Legal Centres Queensland, Queensland Council for Civil Liberties, the Aboriginal and Torres Strait Islander Legal Service—

Mr Nicholls interjected.

Mrs D'ATH: You may not want to hear it but you should listen. I will continue: LGBTI Legal Service, Sisters Inside, Prisoners Legal Service, Human Rights Law Centre, Micah Projects, Queensland Aboriginal and Torres Strait Islander Child Protection Peak, Tenants Queensland, Queensland Alliance for Mental Health—

Opposition members interjected.

Mrs D'ATH: I am just going to keep going: Council on the Ageing Queensland, Community Services Industry Alliance, PeakCare, Queenslanders with Disability Network, Ethnic Communities Council of Queensland—

Opposition members interjected.

Madam DEPUTY SPEAKER: Order! Member for Southern Downs, I can hear you constantly. It is very difficult to hear the minister.

Mrs D'ATH:—the National Disability Services, Endeavour Foundation and Queensland Advocacy Incorporated. Those on the other side may be dismissive of their views, but I can assure this House and those stakeholders out there that the Palaszczuk government cares about their views. We are listening and we are delivering for those good people of Queensland.

There has been a lot of fearmongering from those opposite. We have heard that this bill is going to do nothing but at the same time it is going to change everything. They cannot have it both ways. I have heard over and over again that it is undemocratic, that it undermines the Westminster system, that the courts are going to scrutinise every single piece of legislation, that we are going to see the courts allegedly overturning legislation—although, if they had read the bill, they would have seen that that cannot occur with the dialogue model. We heard that we are going to see the courts bogged down with causes of action, even though it can only be a piggyback action. Again, they would have had to have read the bill or the committee report or listened to any of the debate on this side to know that.

I want to say something about the rubbish that is being said about the judiciary and separation of powers, and those opposite should know about separation of powers, because they have overstepped the mark numerous times when it comes to separation of powers. Those opposite tried to claim to the people of Queensland that we are going to see declarations of incompatibility coming out of the courts on everything. However, since they introduced the charter in Victoria in 2006, there has been one declaration of incompatibility issue—one. There is no evidence to back up the claims of those opposite.

Opposition members interjected.

Madam DEPUTY SPEAKER: Order! Resume your seat, Minister. Again, members, it is very difficult to hear the minister.

Mrs D'ATH: When it comes to the number of matters before the courts, again, if those opposite had done their research they would know that on average over the past few years there have been about 20 matters per year before the Victorian courts. That is out of thousands of matters that come before the courts every year.

There is already evidence there in Victoria and the ACT. They cannot come in here and claim that this bill will do all these things when there is no evidence to back it up. I have to comment on the member for Clayfield's remarks that, basically, because a bill of rights—either entrenched or as a charter or a human rights bill, as we are seeking to introduce here in Queensland—in other countries has not fixed everything, it is just not worth doing. That is the view of those opposite. Listening to this debate, I feel like we have gone backwards by decades. It is appalling. I want to thank everyone on this side for their considered and sensible contributions to this debate, but I particularly want to acknowledge Minister Enoch's contribution. I say it was the best contribution.

In summing up, can I say that this is a good thing for Queensland. This is what the people of Queensland deserve. They have a right to be heard. Those on the other side can go back to their electorates and explain why they are voting against this today. We on this side are proud of what we are doing.

Division: Question put—That the bill be now read a second time.

AYES, 49:

ALP, 47—Bailey, Boyd, Brown, Butcher, Crawford, D’Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lui, Lynham, Madden, McMahon, McMillan, Mellish, Miles, Miller, Mullen, B. O’Rourke, C. O’Rourke, Palaszczuk, Pease, Pegg, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Stewart, Trad, Whiting.

Grn, 1—Berkman.

Ind, 1—Bolton.

NOES, 42:

LNP, 38—Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Frecklington, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McArdle, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O’Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Sorensen, Stevens, Stuckey, Watts, Weir, Wilson.

KAP, 2—Dametto, Katter.

PHON, 1—Andrew.

Ind, 1—Costigan.

Resolved in the affirmative.

Bill read a second time.

An incident having occurred in the gallery—

Mr SPEAKER: Order! Members in the gallery, there is no applause allowed in the gallery.

Consideration in Detail

Mr SPEAKER: Consideration of the preamble is postponed until after the clauses and schedule have been considered.

Preamble postponed.

Clauses 1 to 48—

 **Mr JANETZKI** (3.54 pm): I seek leave to move amendments en bloc.

Leave granted.

Mr JANETZKI: I move the following amendments—

1 Clause 4 (How main objects are primarily achieved)

Page 12, lines 15 to 20—

omit.

2 Clause 5 (Act binds all persons)

Page 13, line 2, ‘and part 3, division 3’—

omit.

3 Clause 5 (Act binds all persons)

Page 13, line 4, ‘divisions 1, 2 and 3’—

omit, insert—

divisions 1 and 2

4 Clause 45 (Effect and expiry of override declaration)

Page 31, lines 8 to 10, from ‘the Supreme’ to ‘Also,’—

omit.

I table the explanatory notes to my amendments.

Tabled paper: Human Rights Bill 2019, explanatory notes to Mr David Janetzki’s amendments [265].

We have heard from this side of the House all afternoon and yesterday that this is not necessarily a question of human rights. The opposition has repeatedly stated its support for the mechanisms by which rights in our state are protected and advanced, as they have been for the 160 years of our heritage, whether it be here in this parliament or the courts, whether it be rights protected through a fine

Public Service or whether it be rights protected through a free and forthright media. It is not a question of rights for the opposition. For us the most offensive part of this bill, the part that concerns us the most, as the member for Clayfield was articulating when he was guillotined, is the declaration of incompatibility, the question of the transfer of legislative power to the judiciary. It requires quite a technical look at the declaration of incompatibility and how it may actually work.

If a court is satisfied that a statutory provision offends a right in some way, then it may have the ability to issue a declaration of incompatibility. That is a mechanism that asks courts to put aside their question for certainty and instead seek new rules based on convenience and reasonableness. It is a court driven remedy arising from a consideration of abstract questions of law without the right or obligations of any individual person or issue being considered.

Government members, and most recently the Attorney-General, have spoken about the fact that there has only been one declaration of incompatibility in Victoria. However, up to 2005 in the United Kingdom there had been 20-odd declarations of incompatibility issued. On each and every occasion it was the parliament that was subservient to what the judiciary had recommended. This is the last place, this is the last stand for laws in this state. In the United Kingdom we have seen in practice what a declaration of incompatibility means. It means that the rights of this legislature—us as parliamentarians—are secondary to the demands of the judiciary. That is why these amendments must be supported.

Mrs D'ATH: Mr Deputy Speaker—

Mr DEPUTY SPEAKER (Mr Stewart): One moment. Members, under the provisions of the business program agreed to by the House and the time allocated for this stage of the bill having expired—

Honourable members interjected.

Mr DEPUTY SPEAKER: Order, members. That is not a signal for discussion. The question is—

That clauses 1 to 183 and the schedule, as read, stand part of the bill.

Division: Question put—That clauses 1 to 183 and the schedule, as read, stand part of the bill.

In division—

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! Members!

Honourable members interjected.

Mr DEPUTY SPEAKER: Members, I am on my feet. Members, it has been very clear that when the Speaker gets to their feet everyone comes to silence and you resume your seats. That did not happen. When the bells are ringing it is not a signal for talk across the chamber or yelling across the chamber.

AYES, 49:

ALP, 47—Bailey, Boyd, Brown, Butcher, Crawford, D'Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lui, Lynham, Madden, McMahan, McMillan, Mellish, Miles, Miller, Mullen, B. O'Rourke, C. O'Rourke, Palaszczuk, Pease, Pegg, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Stewart, Trad, Whiting.

Grn, 1—Berkman.

Ind, 1—Bolton.

NOES, 43:

LNP, 38—Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Frecklington, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McArdle, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Sorensen, Stevens, Stuckey, Watts, Weir, Wilson.

KAP, 3—Dametto, Katter, Knuth.

PHON, 1—Andrew.

Ind, 1—Costigan.

Resolved in the affirmative.

Clauses 1 to 183 and schedule, as read, agreed to.

Division: Question put—That the preamble be agreed to.

AYES, 49:

ALP, 47—Bailey, Boyd, Brown, Butcher, Crawford, D’Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lui, Lynham, Madden, McMahon, McMillan, Mellish, Miles, Miller, Mullen, B. O’Rourke, C. O’Rourke, Palaszczuk, Pease, Pegg, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Stewart, Trad, Whiting.

Grn, 1—Berkman.

Ind, 1—Bolton.

NOES, 43:

LNP, 38—Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Frecklington, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McArdle, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O’Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Sorensen, Stevens, Stuckey, Watts, Weir, Wilson.

KAP, 3—Dametto, Katter, Knuth.

PHON, 1—Andrew.

Ind, 1—Costigan.

Resolved in the affirmative.

Preamble agreed to.

Third Reading

Division: Question put—That the bill be now read a third time.

AYES, 49:

ALP, 47—Bailey, Boyd, Brown, Butcher, Crawford, D’Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lui, Lynham, Madden, McMahon, McMillan, Mellish, Miles, Miller, Mullen, B. O’Rourke, C. O’Rourke, Palaszczuk, Pease, Pegg, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Stewart, Trad, Whiting.

Grn, 1—Berkman.

Ind, 1—Bolton.

NOES, 43:

LNP, 38—Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Frecklington, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McArdle, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O’Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Sorensen, Stevens, Stuckey, Watts, Weir, Wilson.

KAP, 3—Dametto, Katter, Knuth.

PHON, 1—Andrew.

Ind, 1—Costigan.

Resolved in the affirmative.

Bill read a third time.

Long Title

Division: Question put—That the long title of the bill be agreed to.

AYES, 49:

ALP, 47—Bailey, Boyd, Brown, Butcher, Crawford, D’Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lui, Lynham, Madden, McMahon, McMillan, Mellish, Miles, Miller, Mullen, B. O’Rourke, C. O’Rourke, Palaszczuk, Pease, Pegg, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Stewart, Trad, Whiting.

Grn, 1—Berkman.

Ind, 1—Bolton.

NOES, 43:

LNP, 38—Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Frecklington, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McArdle, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O’Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Sorensen, Stevens, Stuckey, Watts, Weir, Wilson.

KAP, 3—Dametto, Katter, Knuth.

PHON, 1—Andrew.


Ind, 1—Costigan.

Resolved in the affirmative.

FISHERIES (SUSTAINABLE FISHERIES STRATEGY) AMENDMENT BILL

Resumed from 4 September 2018 (see p. 2174).

Second Reading

 **Hon. ML FURNER** (Ferny Grove—ALP) (Minister for Agricultural Industry Development and Fisheries) (4.12 pm): I move—

That the bill be now read a second time.

I am pleased to speak on the Fisheries (Sustainable Fisheries Strategy) Amendment Bill 2018 and the report of the State Development, Natural Resources and Agricultural Industry Development Committee on the bill. Queensland's fisheries management framework is in desperate need of reform. Currently, decision-making processes are slow and unclear, and our ability to respond to issues such as black marketing lags behind other Australian jurisdictions. Our goal is for Queensland to have a system that represents international best practice for fisheries management, where Queensland leads other jurisdictions at home and abroad. Change needs to occur if we are to leave a legacy of sustainable fisheries for our children and grandchildren. That is why our government has introduced the Sustainable Fisheries Strategy and \$20 million in funding to support it. The bill will implement some of the key actions in that strategy.

The purpose of this bill is to modernise Queensland's fisheries management framework to enable us to meet the many challenges that lie ahead. The Palaszczuk government is committed to making our fisheries sustainable for the future, profitable for the commercial sector and enjoyable for recreational fishers. Our fisheries are a resource for all Queenslanders, whether they are making a living or fishing for enjoyment. We need to manage our precious public resources suitably.

The overwhelming message from stakeholders to a number of reviews since 2014 is that fisheries management must change. Doing nothing is not an option when the current system is not working. In 2017 the Palaszczuk government released the Sustainable Fisheries Strategy, outlining a vision for the future management of the state's fisheries. The modernisation of the Fisheries Act through this bill is a key step in providing the legislative foundations needed to support implementation of this strategy.

The proposed amendments to the Fisheries Act are intended to achieve four outcomes: firstly, modernise the objectives of the Fisheries Act and recognise the interests of key stakeholder groups; secondly, clarify the roles of the minister responsible for fisheries and the chief executive in the management of the state's fisheries to allow for more responsive decision-making through the use of harvest strategies; thirdly, strengthen the enforcement powers and penalties to address serious fisheries offences such as black marketing; and, finally, reduce complexity and remove redundant provisions.

The State Development, Natural Resources and Agricultural Industry Development Committee has considered the bill and has recommended that it be supported. I thank the committee for its comprehensive review of the bill and for discussing the issues facing our fisheries with individuals from all sectors. I acknowledge the committee's efforts to travel across Queensland to listen to communities including Cairns and Moreton Bay. The committee heard from a wide range of stakeholders with diverse interests in the ongoing health of our fisheries. I also thank the committee for making the effort to join our Queensland Boating and Fisheries Patrol officers on-water to draw a direct impression of why these changes are needed. The committee has made a number of other recommendations that I would like to respond to.

A key component of the bill is to provide stronger compliance powers and penalties for serious offences such as seafood black marketing. The bill brings Queensland in line with other states by establishing a maximum penalty of 3,000 penalty units, currently \$391,650, or three years imprisonment for individuals convicted of trafficking in priority fish species. The bill as introduced defines a commercial quantity as being five times the recreational in-possession limit for priority species. The committee has recommended that 'commercial quantity' be redefined to a threshold that is significantly lower. While I support a tough stance on this issue, it is important that we meet legislative standards to ensure the penalty can and will be applied. Given the severity of the penalty associated with trafficking in priority fish in the bill, I believe that the current threshold—that is, five times the in-possession limit—is appropriate and in line with the seriousness of the offence. The government will undertake a review of the effectiveness of the provisions of the bill at combating black marketing of Queensland's fisheries resources in three years.

The bill also creates a new offence provision for failing to carry a vessel tracking unit or deliberately turning off a vessel tracking unit while at sea, with a penalty of up to 1,000 penalty units, currently \$130,550. This new penalty reflects the importance of vessel tracking to the future management of the state's fisheries. On 8 November 2018 an amendment was made to the Fisheries Regulation to require that vessel tracking equipment be fitted to commercial fishing vessels in Queensland's net, crab and line fisheries from 1 January 2019. The amendment to the regulation has been subjected to parliamentary scrutiny and was upheld.

At the early stages of drafting the bill the Palaszczuk government identified the need to safeguard information of fishers above and beyond existing safeguards. The bill establishes an offence for any inspector, Public Service employee, local government employee or delegate who inappropriately issues or disseminates such information with a maximum penalty of 50 penalty units, \$6,257.50. This will provide an additional safeguard beyond those provided by the Information Privacy Act 2009. Some submissions received by the committee expressed an opinion that this penalty was insufficient and out of step with the penalty for commercial fishers failing to comply with the new vessel tracking requirements. The committee has recommended that penalties for both these offences be at comparable levels.

I note the committee's recommendation. However, the current penalty is justified and consistent with Queensland legislation—for example, section 493 of the Biosecurity Act 2014. Any significant increase of this penalty would be a significant departure from established government policy. As such, the government does not support this recommendation. The government commits to reviewing the appropriateness of the provisions of the bill related to information security in three years.

At the request of the committee, I have been asked to clarify the nature of the indemnity provisions contained in contracts between fishers and third-party provisions of vessel monitoring systems. The management of vessel tracking data is delivered through the Australian Fisheries Management Authority and a memorandum of understanding. The contract between the vessel tracking satellite provider and the Australian Fisheries Management Authority requires data to be stored in a manner that satisfies Commonwealth government data security standards. Fisheries Queensland has confidentiality agreements with the providers. Independent of Fisheries Queensland, vessel tracking contracts between fishers and the providers have standard terms and conditions that limit liability of the company, and these contracts are still subject to Commonwealth and state consumer and privacy legislation that protects the rights of individuals.

I also want to take this opportunity to clarify that vessel tracking data is held and managed separately to data held by Fisheries Queensland. Fisheries Queensland has advised that no vessel tracking data is held with FishNet Secure, another fisheries information management system used by Fisheries Queensland. Some members may be aware that there was a brief period of unauthorised access to this database over the Christmas period. While this matter is currently being investigated, I can confirm that no vessel tracking data was accessed or available. The committee has recommended that the Department of Agriculture and Fisheries provide an update on the implementation of vessel tracking 18 months after the bill is passed. I am committed to reporting back to the committee and look forward to reporting on how vessel tracking has contributed to the sustainability management of our fisheries.

I also want to address some other matters raised in public submissions made to the committee. The first relates to the respective roles of the minister and the chief executive in decision-making processes under a harvest strategy. Through the bill, the Minister for Fisheries will be responsible for approval of harvest strategies which outline preagreed decision rules to achieve ecological, economic and social objectives that have been developed in collaboration with stakeholders. Once the harvest strategy has been approved by the Minister for Fisheries, the chief executive will be responsible for the day-to-day management and making fishery declarations in accordance with the harvest strategy.

The bill does, however, provide the Minister for Fisheries the capacity to direct the chief executive to make a different position other than that recommended through a harvest strategy. This requires the minister to publish a statement of reasons as to why it was necessary to depart from the harvest strategy. It is also important to note that all declarations made by the chief executive are considered subordinate legislation and must be tabled in the Legislative Assembly. As subordinate legislation, these declarations may be subject to a disallowance motion. All normal processes associated with the approval and scrutiny of fisheries legislation will continue to apply to the declaration made by the chief executive.

Concerns were also raised that the establishment of a 20-metre exclusion zone around the nets and baited drum lines used by the Shark Control Program would somehow affect the transparency of the program. Information on the Shark Control Program is published on the Department of Agriculture

and Fisheries website. This amendment is to reduce the risk of people injuring themselves on Shark Control Program equipment. That will not apply to persons who pass through the exclusion zone on a boat without stopping. The nets and drum lines used by the Shark Control Program can be dangerous and the government is committed to ensuring the program operates effectively to protect swimmers and our beaches. I have personally been on the water for several hours with Queensland Boating and Fisheries Patrol officers and contractors involved in this program. I commend them for their hard work and their professionalism in protecting our patrolled beaches.

Finally, there were concerns from the Queensland Law Society with regard to the proposed powers to be granted to inspectors, specifically to enter a place without a warrant or consent or a reasonable notice period. The department has consulted with the Department of Justice and Attorney-General in drafting this bill. I note the concerns raised. The proposed powers are consistent with other legislation such as the Fair Trading Inspectors Act and is not establishing legislative precedent in Queensland. The bill provides fisheries inspectors access to businesses that deal in the buying, selling or processing of seafood under certain conditions without a warrant. This will not permit entry to any areas used for residential purposes, where a warrant will still be required.

The bill also provides a fisheries inspector with powers to access a vehicle where it is evident it has been involved in fishing activities and it is reasonable to inspect the vehicle to ensure compliance with the Fisheries Act. This does not extend to vehicles such as caravans that are set up as residential living quarters. No other changes to the fisheries inspector entry powers are proposed. Importantly, there are no changes that would allow access to tents, camp sites or any places used for residential purposes. This is a balanced approach between providing sufficient powers to effectively prevent black marketing and protect individual civil rights. The changes being made through the bill are part of the government's long-term strategy to ensure that our fishery resources are managed in a sustainable and responsible manner.

We all want our children and grandchildren to be able to enjoy a sustainable fishery, either for recreation or to support commercial fishing businesses or for all Queenslanders to enjoy local seafood. The bill will provide a framework to ensure that our fisheries will continue to provide economic, social and cultural benefits to the Queensland community well into the future. I note the committee's statement of reservation from members of the opposition, particularly in relation to vessel tracking.

Debate, on motion of Mr Furner, adjourned.

MOTION

Building and Construction Industry



Hon. MC de BRENNI (Springwood—ALP) (Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport) (4.26 pm): I move—

That this House—

1. notes:

- (a) that under the supervision of the member for Everton, the Liberal National Party removed mandatory financial reporting for licensees in the building and construction industry;
- (c) that the independent Building Industry Fairness Implementation and Evaluation Panel was established to assess the implementation of the Palaszczuk government's building industry fairness reforms and that it will report to government in March 2019;
- (d) the Commonwealth government commissioned Murray report identifies the Queensland model of project bank accounts as best-practice;
- (e) the failings the Australian Securities and Investments Commission to fully enforce Australian corporate law as it relates to the building and construction industry;
- (f) that while the LNP federal government has failed to support subcontractors, this House welcomes federal Labor leader Bill Shorten's commitment to introduce project bank accounts, target phoenix activity and establish a litigation fund for subcontractors to access justice; and

calls on the Prime Minister to include national action on security of payment, phoenixing and industry law enforcement at the next COAG meeting.

I want to start by addressing the ridiculous claims made by those opposite this morning that there is not enough opportunity to come into this place and speak up for Queensland subcontractors. It is quite pathetic to see such faux outrage on such a critical matter. During the second reading debate on the building industry fairness reforms, under a regime of sessional orders that gave every member of the opposition a maximum of 10 minutes to speak, those opposite had over seven hours to contribute to that debate yet used only 63 minutes. Let the record show that the current Leader of the Opposition, the former leader of the opposition, the former housing minister, the member for Everton, the current

shadow minister and the member for Kawana made no contribution whatsoever when the building industry fairness bill was being debated. They did not care then about protecting subbies and they certainly do not care now.

In stark contrast, it has been this Premier and this government that are at the leading edge of protecting subbies in the building and construction industry nationwide. Queenslanders backed this government when we went to an election promising to continue to implement these reforms, and it is Labor that has travelled the state to hear from subcontractors, it is Labor that has consulted with industry to develop nation-leading reforms and it is Labor that is delivering those reforms. We are the only state in Australia with a comprehensive reform package. We do this because it is only Labor that stands up for small businesses. These reforms are so core to our agenda of a fair go that it was the final contribution the Premier made to this House before calling the last state election.

The LNP has run silent on this issue. Do members know why? Because at the heart of the issue of non-payment of subcontractors are the decisions overseen by the member for Everton when he was the minister for housing and public works. Those opposite know it, we know it and subcontractors know it. The member for Everton even bragged about it. I refer to his statements in the House, and I table for the benefit of the House an excerpt from *Hansard*.

Tabled paper: Extract, dated 30 October 2014, from the Queensland Parliament Record of Proceedings [\[266\]](#).

He said—


We have brought in new minimum financial requirements. This has cut a lot of red tape and is saving licensees thousands of dollars each year.

The reality is that the changes made under his watch have cost thousands of subcontractors millions of dollars since those changes were introduced in 2014.

I note that the member for Everton is finally breaking his silence to speak on this issue. The member for Everton needs to stand in this House and apologise to the thousands of subcontractors whose businesses, livelihoods and families have been destroyed by what can only be described as reckless and dangerous policy. If the member for Everton were genuine, the next time we come into this place and ask the parliament to consider the next phase of implementation of the reforms, we should expect to receive his support.

It appears as though the LNP members have been reborn. They say, 'Forget the past. Forget our record. Forget that we came into this House and contributed nothing to the debate.' We have an opposition leader who has suddenly discovered the issue of security of payment and, apparently, only the LNP members can be trusted to deal with it. Are they kidding? Frankly, nobody buys it. Subcontractors do not buy it. The Queensland public does not buy it.

The reality is that we have an opposition that is desperate for an ounce of relevance. It is jumping on a *Courier-Mail* campaign to protect subcontractors whilst all along it has contributed nothing. It is only a Labor government that has a record of standing up for subcontractors. It is only the Palaszczuk Labor government that has been taking the fight up to make sure that subcontractors are paid on time, in full, every time.

 **Mrs FRECKLINGTON** (Nanango—LNP) (Leader of the Opposition) (4.31 pm): This motion was moved by the housing minister and he could not even take his whole five minutes to speak to it. We see from this Labor government openness, accountability, arrogance and cowardice. Under the watch of the Palaszczuk government, 50 building companies have fallen over. Under the watch of the Premier of Queensland and this incompetent housing minister, 7,000 subcontractors have fallen over. That is half a billion dollars. What is the minister's solution? He definitely wants to blame the member for Everton, but he is certainly blaming Canberra.

Government members interjected.

Mr SPEAKER: Members to my right, the minister was not taking interjections and I made that clear to the opposition. In this case, I do not believe that the Leader of the Opposition is taking interjections. I ask you to make your contribution at the appropriate time.

Mrs FRECKLINGTON: Subcontractors are sick of the political blame game. It is obvious that the Minister for Housing and the Premier in this state have been caught out. That is why the LNP is calling for a commission of inquiry into the building industry. We know that subcontractors are the backbone of this great state. They provide employment. We know that, under the Palaszczuk Labor government, the building industry has gone from bad to worse.

The LNP's policy for a commission of inquiry is the right platform to deliver this change. We know that the current system is broken. We know how many building companies have fallen over. We know how many subcontractors are hurting. We also know that many hardworking subcontractors are not being paid when they deserve to be paid. A commission of inquiry would have the same powers as a royal commission. We need those powers to get to the bottom of these dodgy practices.

We know that there is no easy fix, but a royal commission will allow people, allow subcontractors, to tell their story. We need to hear from the operators of building companies who have gone bust. We need to nail Queensland's crooked operators. We need to know how they got away with it and we need to know who has helped them.

This inquiry is more than just probing the underpayment of subcontractors. We also know that senior government officials, or senior government figures, were warned of major collapses and they failed to act. The public deserves to know who knew what and when they knew that and what those on the benches opposite in this House knew. The education department and the health department continue to hand out contracts to high-risk builders only for them to collapse.


Mr Mander: Disgraceful.

Mrs FRECKLINGTON: I take that interjection from the Deputy Leader of the Opposition. It is disgraceful. We know that some of those building companies had been suspended by the QBCC. Complaints about financial records that had been forwarded to police and ASIC simply went nowhere. Not a single major building company has been prosecuted by the Palaszczuk Labor government. Those opposite appear to see nothing, do nothing and hear nothing—unless it is coming from the union movement.

As usual, we have heard a lot of talk from Labor, but we have seen no action. Our subcontractors deserve a government that will stand shoulder to shoulder with them and protect their families and their employees. All they get from those opposite is more talk and no action.

The buck stops with this Premier. In 2015, the Premier promised the world and, once again, she failed to deliver. We have seen that in the health area, which we spoke about in this House yesterday. We know that the Premier has failed the building industry. We need only to look at the 5,000 jobs that have been lost in the construction industry under the Premier of Queensland in the past 12 months. I am surprised that the Treasurer of this state has not told people involved in the building industry that they need to reskill. We have heard that with regard to workers in the resources industry. The LNP will continue to take up this fight until the next election, because the building industry deserves—

(Time expired)

 **Ms SCANLON** (Gaven—ALP) (4.36 pm): I rise to speak in support of the motion moved by the honourable Minister de Brenni. The Palaszczuk government knows that, in order for Queenslanders to have secure, stable and well-paid jobs, the industry they work in must be fair, safe and sustainable. It is not unreasonable to expect that, when people do a job, when they deliver a service, they should get paid. For subcontractors in the building and construction industry, that is often not the case.

Queensland's \$46.6 billion building and construction industry is the state's third largest employer with 230,000 employees. It is an industry that needs confidence and certainty of work. When dodgy bosses and shady operators start to withhold payments, it can have serious consequences. The Palaszczuk government's building industry fairness reforms represent the strongest regime in the country to crack down on this practice. We have given the Queensland Building and Construction Commission the powers to investigate, to drill down and uncover the truth. We have done this to protect Queensland jobs and to bring confidence to investment and buildings such as those being built on the Gold Coast.


If licensees do the wrong thing or fail to pay, our message to them is, 'We will track you down and we will hold you to account.' We have given the QBCC a direct line of sight to companies that may be in trouble. New powers under the QBCC Act provide far-reaching powers of entry, search and seizure. We will now have the evidence that the police require to commence proceedings under the Criminal Code and act rather than having a system that relied on a 'trust the big end of town' approach taken by the LNP.

So many of my constituents have found themselves without pay from dodgy companies. Bernard Moolman, the director of a Nerang company, Ozzie Electrical and Solar, was left \$88,000 out of pocket and had to let go 30 staff after he was left empty-handed following the collapse of the Cullen Group. The Gold Coast community is continually let down by its wall-to-wall LNP representation. In no other industry is that clearer than the building industry. Under pressure from Labor and subcontractors, the federal LNP government commissioned the Murray report, which backed the Queensland model of

project bank accounts as the best way to ensure that subcontractors get paid. The Morrison government has failed to act. It is more bothered about avoiding questions about its dodgy deals than protecting Queensland workers.

Subbies are literally building Queensland and the Gold Coast, which is why subbies across Queensland were cheering yesterday at Bill Shorten's announcement that a federal Labor government would back in Queensland's building industry fairness reforms to ensure that all Queenslanders get paid in full, on time, every time. Clearly we have done a lot of work and having a federal Labor government that also has Commonwealth project bank accounts, tackles phoenixing and properly funds ASIC will be another step towards ensuring our subcontractors have justice.


I will always stand up for subcontractors. I spoke in this House during my first speech about the need for subbies to get paid. It is interesting to see that the LNP has finally broken its silence on this issue. I do not know where those opposite were when subbies were crying out for reform when the Newman government was in power. It will be very interesting to see if they continue their support in the future. I support the minister's motion.

 **Mr MANDER** (Everton—LNP) (Deputy Leader of the Opposition) (4.40 pm): The first thing I want to do is sympathise with the public servants of the Department of Housing and Public Works who have to put up with this incompetent minister. My office has been inundated with calls from public servants who wish I was still the minister. Let me state the history as it really was. When we came into government the BSA was a basket case that had for years been led by, ironically, Robert Swarten. Everywhere we went we heard people complain about how incompetent the BSA was and how they wanted reform. We commenced a parliamentary inquiry that went for the first 12 months of our term. When that inquiry finished we came up with a comprehensive plan to totally overhaul the BSA and came up with the QBCC. We created an organisation that had teeth. We appointed a commissioner from New South Wales who had, by the way, investigative experience as well, who was determined to put a cleaner through this system. We increased the penalties for those contractors who would not pay their subcontractors. We made it an offence.

These laws did not come in until October 2014 at the end of our term. We handed this new government a framework. It had an organisation that had teeth and it did nothing. The minister whinges about some of the changes that we made. If they were so damaging why has it taken them four years to do anything about it? What the minister is saying is an absolute load of rubbish. This government has been sitting on its hands. It is disgraceful that this minister has given subcontractors false hope. He has promised the world and delivered nothing. We have already heard the opposition leader say that over \$500 million has not been paid to subbies under this minister's watch. This government may be able to get away with giving false hope for one election, but it will not get away with it for two elections.

There are issues in the building and construction industry and we need to do something more than has been done. The only answer is to have a commission of inquiry, one with the powers of a royal commission that has teeth and authority, so that we can get to the bottom of these issues. The people who were the architects of the failure of the BSA are now running the show. Robert Swarten is back on the board, along with Dick Williams and Jade Ingham from the CFMMEU. How could a union thug be on the regulator? It is absolutely ridiculous and is treating these people with contempt.

As I said earlier, a full and comprehensive overhaul of the BSA took place. The QBCC came into effect at the end of our term. Unfortunately we lost the election three months later. We handed this government an organisation that could do something, with a commissioner who had the commitment to do something and it has done nothing whatsoever. All it has done is given false hope and promises. Contractors are falling over too regularly and this government is doing nothing about it. The only solution is a full commission of inquiry. The government will have our full support if it brings that before the House because subcontractors deserve to be paid. They do not need false promises from this minister.

 **Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Employment and Small Business and Minister for Training and Skills Development) (4.45 pm): I am very pleased to speak in support of this motion. I wish to reflect on the contribution from the member for Everton. The member has the gall to come in here and say that public servants still wish he was the minister. He sacked 1,500 public servants in the public works department.

Mr Mander: I'm only telling the truth. It's embarrassing.

Ms FENTIMAN: You sacked 1,500 of them. They are not wishing you were still the minister.

Mr SPEAKER: Minister, you will direct your comments through the chair. The member for Everton has some latitude given there is a bit of provocation. I ask that you come back to the motion.

Ms FENTIMAN: I am particularly pleased to speak in support of this motion as the small business minister. All small businesses should absolutely have the confidence to get paid in full when they deliver work on a job site, on time, every time. By industry, the construction industry has the highest number of small businesses across Queensland: 75,000 small businesses. Growing up on the Gold Coast I saw firsthand how tough it can be for subbies; how tough it can be in a boom and bust industry. I saw firsthand how hard it was to get reliably paid in that industry, even without an insolvent principal contractor. I know that because my dad was a subcontractor—a carpenter, a leading hand, a foreman. I am so proud to be a minister in this Palaszczuk Labor government because our building industry reforms represent the most rigorous in the country. I am particularly proud of that.

Opposition members interjected.

Mr SPEAKER: Members to my left, I believe that the level of interjection is too high. I have allowed some backwards and forwards, but I want to hear from the current member on their feet.

Ms FENTIMAN: As I was saying, I am particularly proud of the work the Palaszczuk Labor government is doing to fix the damage caused by those opposite, particularly the member for Everton, whose reforms in this place actually meant—

Mr Mander: Reforms!

Ms FENTIMAN: Whose legislation when he was the minister meant that building companies no longer had to provide their financial information to the regulator. The regulator was not even allowed to ask for that information.

Mr Bennett interjected.


Mr SPEAKER: Member for Burnett, I will not ask you again to cease your interjections.

Ms FENTIMAN: We are fixing the mess of the LNP. When those opposite were in government they abolished the small business commissioner whose job it was to advocate for subcontractors to help resolve disputes. Eight months into the contract of the small business commissioner, the then small business minister, the member for Currumbin, abolished the position. For their entire term in government we had no-one helping small businesses and subcontractors with disputes. It was a retrograde step and shows how little those opposite care about small businesses and subcontractors. That is just one example of how those opposite stripped advocacy from subcontractors. In exactly the same way, those opposite stripped powers from the QBCC preventing them from properly investigating a construction company's financial health. Now we are in this mess and we are fixing it.

We have now returned the powers that the LNP in government stripped away. We are undoing their damage by enabling the regulator to get financial information from head contractors and we have brought back the Small Business Champion. Once again, we have a voice at a national table and we have powers for the regulator. Many times the issue of the non-payment of subcontractors has been directly raised with our Small Business Champion and she continues to advocate at a federal level to ensure that our federal counterparts are doing their bit in this space.

Through our Queensland Building Plan, we have introduced fairer progress payment systems and adjudication procedures. We are doing our part to fix the mess of those opposite, who abolished the small business commissioner and prevented the regulator from asking for financial information. Despite the mess they made, they have the gall to come in here and pretend that they care about subbies and say that public servants want them back. I can tell them that public servants know that they have a lot to fear from an LNP government, given their record.

We are absolutely doing our part to support subbies. I am incredibly proud of our reforms in this space. I cannot believe the arrogance of those opposite who stand up and say that they stand for subbies and public servants. We are fixing their mess finally.

 **Mr HART** (Burleigh—LNP) (4.51 pm): What a pathetic contribution from the previous speaker. Clearly she misunderstands how legislation in this state works. From the motion that the minister has moved, it is clear that he is divesting responsibility for what happens in this state, trying to shift the blame to the federal government, which is what this Labor Party does constantly. They shift the blame to somebody else. They try to blame somebody else.

The previous speaker said a couple of times that the changes made by the member for Everton prevented the regulator from asking contractors for financial information. That is not true. Quite clearly, the member does not understand anything about legislation. In fact, what was changed was that the reporting of the minimum financial requirements—

Ms Fentiman interjected.

Mr HART:—if the member would like to listen—was actually strengthened by the member for Everton. At the time, companies were required to report annually on their finances and say to the QBCC, the tough cop that the member for Everton put in place when the BSA did not work, ‘We’ve looked at our financial records this year and we comply.’ That is what they had to do. We said that that was a waste of time and money as contractors still had to comply with the minimum financial standards. In fact, the member for Everton changed it so that companies had to make sure that they met the minimum financial standards every quarter; not every year, but every quarter and I think something else happens every quarter.

Opposition members interjected.

Mr SPEAKER: Pause the clock. Members to my left. Leader of the Opposition, do you have a comment to make?

Mrs Frecklington: No.

Mr SPEAKER: Thank you. Members, please cease your interjections. I want to hear from the member for Burleigh.

Mr HART: These are financial companies. These companies turn over millions of dollars. Every quarter, they are required to put in their BAS statements. They have to know how much money is coming and going. It is a pretty simple thing. If they did not have in the bank as much money as they were spending, maybe they no longer met the financial requirements, and they had to report that to the QBCC. The member opposite should be aware that if anybody says to the QBCC, ‘I’m not sure these guys are going to be able to pay their bill when it is due,’ the QBCC can always ask for that financial information. That never stopped happening. Therefore, the member was trying to mislead the House on that issue, although maybe she was not misleading; maybe she just does not understand.

What has the Labor Party done in the past four years? The minister went to an election promising that all subbies would get paid. What has he done in the meantime?

Mr Mander: They brought back the small business commissioner.

Mr HART: They brought back the small business commissioner and they have advocated for people, but have they actually achieved anything? The project bank accounts trialled over the past year were due to come in on 1 January. Then all of sudden they were to come in on 1 March, which is coming up pretty soon.

Mr Bennett: That is Friday.

Mr HART: Yes, it is Friday. Now the minister’s website says it will be 2019, which could be any time this year. Who knows? Maybe they will come in, maybe they will work and maybe they will not. When the member introduced the bill in 2017, the last thing that the previous government did before—

Mr Bennett: Which we supported.

Mr HART: We did support it. There were 144 amendments moved at the last minute, which shows how much of a mess that legislation was. They have not managed to achieve anything.

I have mentioned JM Kelly numerous times. The member should be aware of that issue. I have been talking about it for months. The government was warned about JM Kelly. The minister was warned about it. The Premier was warned about it. The members for Rockhampton and Keppel were warned about it. Nothing was done. The QBCC was there. We need a royal commission into this. We need a commission of inquiry to get to the bottom of the issue. That is what the people of Queensland need.

(Time expired)

Division: Question put—That the motion be agreed to.

AYES, 49:

ALP, 47—Bailey, Boyd, Brown, Butcher, Crawford, D’Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lui, Lynham, Madden, McMahon, McMillan, Mellish, Miles, Miller, Mullen, B. O’Rourke, C. O’Rourke, Palaszczuk, Pease, Pegg, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Stewart, Trad, Whiting.

Grn, 1—Berkman.

Ind, 1—Bolton.

NOES, 40:

LNP, 38—Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Frecklington, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McArdle, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Sorensen, Stevens, Stuckey, Watts, Weir, Wilson.

PHON, 1—Andrew.

Ind, 1—Costigan.

Resolved in the affirmative.

MOTION**State Schools, Air Conditioning**

Mr BLEIJIE (Kawana—LNP) (5.02 pm): I move—

That this House calls on the Palaszczuk Labor government to adopt the LNP's plan to air-condition every Queensland state school classroom.

Mr Minnikin interjected.

Mr BLEIJIE: I take the interjection from the member for Chatsworth. It is cold in here because the aircon is on. Could you imagine the uproar of Labor members if we turned the aircon off—turned that little switch off? Imagine the uproar.

An opposition member: A breach of their human rights.

Mr BLEIJIE: I take that interjection. It would be a breach of Labor's human rights to not have aircon. They would have a case to make to Commissioner McDougall of the Human Rights Commission. Can you imagine the Labor ministers down in their nice offices without the aircon on? Can you imagine the Annexe without the aircon on? How long has this parliament had air conditioning? It is expected by Labor members in government that they work in air-conditioned offices. It is expected, as it should be, for public servants to work in air-conditioned offices.

Why is it different for our teachers? Why is it different for our tuckshop workers? Why is it different for our students, our teacher aides, our support staff in our schools? Why is it when you are in a school south of Gladstone that you do not have the right to have air conditioning in your school? Why is that the case?

The best the minister can come out with is, 'I'd love to air-condition schools and I'm sure the Premier would love to as well, but it's impossible to do so.' How is it impossible? You pick up the phone to the aircon mob, you pay the money and you get the aircon installed. It is not impossible. I look at the member for Buderim sitting up there. He would have a Buderim aircon mob that would be able to air-condition his classrooms. It is not that hard.

The minister said it was impossible and then she said it would take five to 10 years. If it is impossible, how is it going to take five to 10 years? She admitted that it can be done. The minister admitted that it can be done. You put it in the budget.

The LNP has committed to air-condition every state classroom over two terms of this parliament. The Labor Party objected to it. The Labor Party do not want to air-condition classrooms. I have been to classrooms in Ipswich. It is over 40 degrees in some of those classrooms in Ipswich. I would love to see how the members for Ipswich and Ipswich West vote on this motion tonight. We have seen the emails that their P&Cs have sent to their electorate offices. How will they vote on this motion? They are happy to put solar panels on the roofs of classrooms but they are not happy to air-condition the classrooms.

The Labor Party does not think it is impossible to air-condition classrooms. The minister might think it is impossible. Good friend of the Premier's Gail Hislop, the candidate for Burleigh on two occasions, thinks you can air-condition classrooms.

Mrs Frecklington: What did she say?

Mr BLEIJIE: I will tell you what the Labor candidate for Burleigh said. She said—

A win for Burleigh school students: we have secured a commitment from Queensland Labor of \$50 000 to fund the purchase and installation of five air conditioning units for classrooms.

Unless you have been in one of those classrooms in the peak of summer, it is hard to describe the sweltering conditions and just how distracting the temperature can get, especially for younger children. This funding will go some way to improving conditions for students ...


I table the Labor candidate for Burleigh's post.

Tabled paper: Extract, undated, from Facebook page titled 'Gail Hislop for Burleigh' [267].

How can the Labor candidate for Burleigh think it is okay to air-condition schools? You might think she said that during the election campaign. No, she said it in January this year. Guess what? The post has been deleted from Facebook because I suspect the minister's office made the call and said, 'Get it down. We don't want to commit to it.'

If it is okay for Labor to think the kids of Burleigh can have air-conditioned classrooms, why is it not okay for the kids in Bundamba, Buderim, Coomera, Kawana—everywhere? The only party that will air-condition every state school classroom is the Liberal National Party. It is time the minister stopped getting the excuses book out and just admitted she got it wrong, fix it and air-condition every state school classroom in Queensland.

(Time expired)

 **Hon. G GRACE** (McConnel—ALP) (Minister for Education and Minister for Industrial Relations) (5.07 pm): I move—

That all words after 'House' be deleted and the following words inserted:

'calls on the LNP opposition to explain how they intend to fund and implement the LNP's plan to air-condition every Queensland state school classroom.'

Is it not interesting that when they are in government they do nothing and when they are in opposition it is all care and no responsibility? The member for Kawana gets up and quotes a candidate for the seat of Burleigh—a candidate, not even someone in this House.

Opposition members interjected.

Mr SPEAKER: Order! Pause the clock! Members to my left, there were quite limited interjections by those to my right during the member for Kawana's contribution. I would like the same courtesies to be afforded to the minister during her contribution.

Ms GRACE: Let me quote the member for Surfers Paradise, who was the minister for education when they were in government. Let me quote someone who was actually in government at the time and could have done something about air conditioning in classrooms. What does he say? 'The state government cannot afford to fit out every Queensland school—

Mr Minnikin interjected.

Mr SPEAKER: Member for Chatsworth.

Ms GRACE:—with air conditioning—

Mr Minnikin interjected.

Mr SPEAKER: Member for Chatsworth.

Ms GRACE:—due to an estimated \$2 billion cost.'

Mr Minnikin interjected.

Mr SPEAKER: Pause the clock. Member for Chatsworth, I have called you out three times. Either be responsive or remove yourself from the chamber if you cannot do that during the debate.

Ms GRACE: Thank you, Mr Speaker. It is unruly. It really is unnecessary. That was said by the member for Surfers Paradise on 10 December 2014. Three weeks before they went to the election they said they could not afford it. The then minister said that they should be looking at other ways to cool the classrooms. The truth of the matter is that the situation has not changed. They still have not told us how they intend to find \$2 billion.

First of all, during her budget reply speech the Leader of the Opposition said, 'We are going to air-condition every single classroom.' Then they realised, 'Oops, we made a mistake. We can't do every single classroom. Sorry, we've made an error. It is now every state classroom.' They backflipped before they even had it on the table.

Mr Power interjected.

Mr SPEAKER: Member for Logan, please resume your seat if you are going to interject.

Ms GRACE: They think that the people of Queensland are going to trust them to air-condition every single classroom. It is a joke.

The price that they quote keeps changing. It was \$2 billion in December 2014. That was the figure quoted by the minister for education at the time who I think may have got some pretty sound advice—but, of course, the member for Kawana knows it all and says, 'No. It is now \$1.5 billion. It is not \$2 billion.' That is in spite of the fact that under Labor we have added 2,000 classrooms since 2015 to the classroom stock in Queensland state schools. Now it is not \$2 billion, as it was according to the then minister for education; it is only \$1.5 billion. It is a joke.


They have no plan on air-conditioning classrooms. It is all care and no responsibility. There are no details on how they intend to pay for it. Maybe they want to sell another school like the one the member for Surfers Paradise wanted to sell in Fortitude Valley—and Labor is building a brand-new high school—or like the land they wanted to sell at Calliope—and Labor is building a brand-new high school. It is in the member for Callide's electorate, so he should be proud of Labor's policy when it comes to that.

On radio recently the member for Nanango did another backflip. When asked, 'Member, it may not actually be possible to air-condition every classroom,' she responded, 'Oh, sorry, well we would need to look at every option possible.' That was another backflip on the radio—not necessarily committing to air conditioning but looking at other options. The truth of the matter is that Queensland does not believe you. The truth of the matter is that you have no plan.

Mr SPEAKER: The member's comments will come through the chair.

Ms GRACE: The truth of the matter is that the LNP have no plan for funding this. The truth of the matter is that they have no idea. When they were in government they could not do it but all of a sudden they are going to magically find \$2-plus billion, plus the maintenance. We are getting on with the job: \$23 million invested this year; \$5 million on maintenance. Our Cooler Schools Zone is all done. There are air conditioners. We maintain them and we replace them. We put money into all of those. We work with P&Cs to air-condition classrooms. We have a solar panel program that will help with electricity costs. Labor has the answer; the LNP does not.

(Time expired)

 **Mr MICKELBERG** (Buderim—LNP) (5.13 pm): I rise today to speak in support of the shadow minister for education's motion which calls on the Palaszczuk Labor government to adopt the LNP's strong plan to air-condition every Queensland state school classroom. Earlier today here at Parliament House I hosted a group of student leaders from Chancellor State College in my electorate. We discussed their views on the issues we are considering here today. When I told them that we were debating a motion calling on the government to air-condition every Queensland state school classroom, one of the teachers remarked, 'Why do you even need to debate that? Surely it is just common sense.' I think that is fair enough. If only those on the other side of the House would see common sense as well.

We discussed the fact that the Premier and Minister for Education often cite the cost to air-condition every state school classroom as being 'impossible'. The observation was made that government is about managing priorities, and ensuring that our kids get a great education should be one of our first priorities. Clearly for this government it is not.

After the LNP's announcement to air-condition every state school classroom, as we heard earlier, the Minister for Education said, 'I'd love to air-condition—and I am sure the Premier would love to as well—every classroom tomorrow but of course that's impossible.' How the minister arrived at this conclusion is unclear given that her department does not even know how many state school classrooms need to be air-conditioned. The New South Wales Labor opposition clearly do not think it is impossible given that they have announced a policy to air-condition every state school classroom. That policy mirrors the LNP's policy. Governing is about priorities and air-conditioning state school classrooms should be up near the top of that list.

One of the young school leaders from Chancellor, Kenya, explained to me that not having an air-conditioned classroom affects her academic performance, and we know the evidence supports her assertion. NAPLAN results for Queensland schools are below where they need to be. Across Queensland, writing standards for grades 3, 5, 7 and 9—all the levels that were assessed—were below the national standard last year, and our year 7 and 9 results were the second lowest in the nation. Mums, dads, teachers and students all know that kids concentrate better in air-conditioned classrooms.


Perhaps the most significant contribution came from another young student leader at Chancellor State College, Breanna. Breanna requires the assistance of a wheelchair and she explained to me that being confined to a wheelchair she often becomes very hot and uncomfortable as the air is unable to circulate adequately. She explained that it is a significant distraction and it makes it hard for her to concentrate.

As we sit here debating a human rights bill, which is supposedly required to protect the rights of the disabled, surely the very least we can do is listen to the voice of a young student who has to battle the heat and discomfort on a regular basis. Back up the hollow rhetoric with concrete action so that students like Breanna have the same chance as everyone else at getting a great education.

I have been advised that the cost to air-condition the remainder of Chancellor State College is between \$270,000 and \$300,000. The school P&C at Chancellor has air-conditioned as many classrooms as it can possibly do, but it should not be the job of our P&Cs, whose resources are already stretched filling the gaps in this Labor government's school budgets. The very fact that P&Cs are endeavouring to pay for air conditioning is evidence in and of itself that school communities across Queensland see the need. This government needs to recognise this and adopt the LNP's policy.

What strikes me as so ridiculous about this debate is the fact that today we sit here in Parliament House in air-conditioned comfort while students across the state swelter. Even our prisons are air-conditioned, but this government does not see fit to air-condition our classrooms where those who will shape our future work to acquire the knowledge that will set them up for life.

Queenslanders are sick of the petty games and brinkmanship that we see every day from this government. They are sick of the government shifting blame and passing the buck. They are sick of failures of accountability and they are sick of politicians putting their own interests ahead of the community. Air-conditioning every state school classroom is a sensible and much needed policy which the community supports. I implore the government to put aside political point scoring, hear the voice of the community and adopt the LNP's policy to air-condition every state school classroom.

 **Mrs LAUGA** (Keppel—ALP) (5.18 pm): I rise to support the motion as amended this evening. Since it was elected four years ago, the Palaszczuk government has made giving Queensland kids a great start a top priority. As a result, we have seen record investment in new and enhanced school infrastructure; additional teachers, teacher aides and support staff; and a focus on programs that will make our students the global citizens of tomorrow.

Since 2015 the Palaszczuk government has delivered 13 new schools in the fastest growing parts of the state. There are now some 2,000 more classrooms being used at state schools from Cape York to Coolangatta today compared to when the Palaszczuk government was first elected. Since 2015 we have also delivered 33 new school halls and nine performing arts centres at state schools across the state.

In the past four years the Palaszczuk government has employed more than 4,000 additional full-time-equivalent teachers, from just over 42,000 at the start of 2015 to more than 46,000 today. We have also employed more than 1,500 additional full-time-equivalent teacher aides. Today there are around 10,900 teacher aides in Queensland schools compared to around 9,300 in January 2015.

In relation to air conditioning, more than 3,500 classrooms in almost 400 state schools in the hottest and most humid parts of the state—the Cooler Schools zone—already have air conditioning installed. Outside the Cooler Schools zone, schools make decisions in consultation with their community and many have installed air conditioning in classrooms using minor works allocations and P&C funding.


The Palaszczuk government's record of achievement stands in stark contrast to the record of education cuts, sackings and closures from those opposite when they were in government. When those opposite were in government they said that they could not afford it—even with a massive multibillion dollar Strong Choices slush fund which they would have had access to after flogging off our assets. When those opposite were in government, instead of building for enrolment growth across the state they closed schools without community consultation and threatened to sell them off. They failed to properly maintain the state's then 1,234 schools and left behind a \$260 million backlog of critical school maintenance. In addition to closing schools and failing to build for enrolment growth, the LNP cut more than 500 teachers from Queensland schools—on their way to sacking a total of 14,000 public servants across the state. But now in opposition they suddenly have all the answers. What then Minister Langbroek said could not be done in 2014 suddenly they can do at the flick of a switch. It is all very easy in opposition, isn't it?

Mr Stevens: You'll find out soon enough!

Mrs LAUGA: You can solve all the world's problems with a single thought bubble. I think you will be experiencing opposition for a little while longer. The hard work of government is a different matter—working through competing priorities, consulting with stakeholders and finding the money to properly fund initiatives. The LNP made such a hash of government the last time around—they were elected for the first time in 20 years and the people of Queensland turfed them out in less than three years with the loss of almost 40 seats. If you want to come into this House claiming you now have all the answers, put your money where your mouth is.

Mr SPEAKER: Member for Keppel, direct your comments through the chair.

Mrs LAUGA: How are those opposite going to fund it? How are those opposite going to implement it? What are those opposite going to cut in order to fund it? Let us have no more thought bubbles and no more carping from the sideline. Show the people of Queensland you have done the serious policy work required from an alternative government. Otherwise it is just more hot air from an incompetent opposition.

 **Mr BATT** (Bundaberg—LNP) (5.22 pm): I rise to speak in support of the private member's motion moved by the member for Kawana, and in doing so I call on those opposite to adopt the LNP's plan to air-condition every Queensland state school classroom. Since I began in my role as Bundaberg's MP, the lack of air conditioning in our state school classrooms has been one of the most common complaints I have heard from my constituents. Countless teachers, parents, principals, school staff, grandparents and students have asked me when air conditioning will become a reality in their classrooms. I am tired of having to tell them that Labor is not interested. Air conditioning is not only something our state schools want; it is something our state schools need in order to provide our young people and teaching staff with the comfortable learning environment they undeniably deserve.

In June 2018 we announced that an LNP government will install air conditioning in every state school classroom in our great state. Just one month later in July the New South Wales Labor opposition leader made the same commitment in New South Wales. Also in July the Queensland Teachers' Union voiced their support for air-conditioned state school classrooms. Despite all of this, this Labor government still refuses to follow suit. How much more convincing do they need?


Under this Labor government, state schools south of Gladstone do not obtain funding to install air conditioning in their classrooms. My electorate of Bundaberg is just a two-hour drive from the cut-off line. We just miss out, yet we experience the same weather conditions as Gladstone and communities further to the north. For much of the year we endure extreme hot and humid conditions. I have been advised by teachers and principals that there are classrooms in Bundaberg that cannot be used in summer as they are too unbearably hot. I have also heard from teachers in Bundy that they are being forced to hold their classes outside in the shade of a building or a tree purely because it is cooler outside than in their classroom. That is not fair on the students or the teachers.

What is Labor's plan? Under Labor, Queensland's hardworking P&Cs based south of Gladstone are expected to raise the funds for air conditioning themselves. Making local parents pay for air conditioning is Labor's plan, and I do not think that is good enough. With over a year until the next election, Bundaberg P&Cs are desperate to raise funds for air conditioning and I will continue to support them in every way that I can. By October 2020 I will have donated barbecues to all 15 state schools in my electorate to use as raffle prizes, with all funds raised going straight to the P&C. These community raffles have been very well received at Bundaberg's P&Cs. They are extremely grateful for this assistance as they receive none from this Labor government.

Our P&C members should not be responsible for raising the funds to install air conditioning when those located just a few hours north have it paid for. Under this government our kids are left struggling, suffering and sweltering in their classrooms. The Premier's office and the ministerial offices are all air-conditioned. Our electorate offices are air-conditioned. What about our kids' classrooms at Avoca, Brayan Road, Bundaberg Central, Bundaberg East, Bundaberg North, Bundaberg South, Bundaberg West, Kalkie, Thabeban, Norville, Walkervale, Bundaberg Special School, Bundaberg North State High, Bundaberg State High and Kepnock State High schools? What about the thousands of students at these schools in my electorate? Some of these 15 schools have air-conditioned classrooms paid for and installed by their P&C. Others have not because they genuinely cannot afford to do it.

Our Wide Bay region currently has a youth unemployment rate of around 20 per cent—the second highest in Queensland. This number desperately needs to decrease. Studies have shown that employability is linked to education and that comfortable learning environments help students stay focused and engaged. Still the Labor government does not budge. Local teachers tell me that, when a classroom gets air conditioning installed, the behaviour improvement of the students is phenomenal. In Queensland in 2017, 13 out of 20 NAPLAN rankings went backwards. It is no wonder kids are struggling to learn and concentrate when their classrooms are over 35 degrees.

The Queensland education department does not even know how many classrooms are air-conditioned. Labor does not care. How much more obvious can it be? The LNP's goal is for Queensland's kids to be the smartest in the nation. To achieve that, we need to air-condition our classrooms to give our kids the best possible start to their careers and lives. Our kids are the future leaders of Queensland. Our kids are worth it. I call on those opposite to quit their ignorance and finally show some leadership by adopting the LNP's plan to air-condition every state school classroom in Queensland.

 **Ms RICHARDS** (Redlands—ALP) (5.27 pm): I rise to support the amended motion. I support calls for the LNP to explain how they intend to fund and implement the LNP's plan to air-condition every Queensland state school classroom. I question whether those opposite are really being honest with the Queensland public when they commit to air-conditioning every school. How many teachers will they cut? How many programs will they cut? How many students will they cram into classrooms to fund this promise? It is hollow and dishonourable leadership to score easy political points when making a broad policy announcement.

Queensland voters know better than to simply accept the LNP's word. They broke that trust with the voters when they sacked 14,000 public servants. They broke that trust when they closed our schools and sold off assets. I know our Queensland community will never forgive the LNP for closing the Barrett Adolescent Mental Health Centre.

Opposition members interjected.

Mr SPEAKER: Order! Pause the clock. Member, resume your seat. Members to my left, I have been listening during this debate and I would appreciate the same courtesy being afforded to speakers from the government side as has been afforded to those members from the opposition. I want to make myself clear that the level of interjection is too high. I will start naming members and remove you from the chamber.


Ms RICHARDS: Those opposite continue to deny that in 2013 as a result of their fiscal repair strategy there was a cut of 519 teachers. Unlike those opposite, the Palaszczuk government always delivers. How can the opposition honestly tell the Queensland public that they can air-condition all state schools for \$1.5 billion? The price just keeps changing. The estimated cost provided by the member for Surfers Paradise in 2014 when he was the minister for education was \$2 billion. Their budget black hole just gets bigger and bigger. All school leaders know that there are more costs associated with air-conditioning classrooms than just the installation. Have the LNP considered the cost of upgrading the existing electrical infrastructure to support the extra load of all air-conditioned classrooms?

What about the many heritage buildings? Have the LNP considered the ongoing costs for electricity bills, maintenance, repair and replacement of those new units? Again, I call on the opposition to be open, honest and transparent with Queenslanders. These have been great big, bold promises with scant detail provided so far by the LNP. As seems to be par for the course, their numbers just do not stack up.

Without detail, those opposite are asking the public to speculate. How did the LNP arrive at this new funding figure? How will the LNP fund their commitment? Regardless of what commitments might be made, Queenslanders will judge promises based on track records, and Queenslanders know that the LNP track record is to cut, sack and sell. I am proud to be part of a Palaszczuk government that continues to deliver for Queensland. This government does not just make promises; we deliver. We have a track record to prove that we deliver for Queenslanders. While the LNP cut, sacked and sold, this government is investing in employing and building. We are delivering for all Queenslanders.

Since 2015, the Palaszczuk government has invested in a remote kindy program which is now educating more than 160 young Queenslanders; we have closed the gap on attainment proportion of Indigenous students receiving a Queensland Certificate of Education to just 0.3 per cent; we have employed more than 4,000 full-time-equivalent teachers and more than 1,500 full-time-equivalent teacher aides; and we have delivered 13 new schools for Queensland families. In addition to these, the government is also investing \$97 million in the Advancing Clean Energy Schools program. This program will assist schools in a really true and meaningful way to reduce energy costs and the expense that comes with this to more than 800 schools through solar and energy efficiency measures.

The difference in the track record of this government and of those opposite is clear. The Palaszczuk government will be honest and transparent with the Queensland public as we continue to deliver for the state. Again, I call on the LNP to be honest, to be transparent and to explain how they intend to fund and implement the LNP's plan to air-condition every Queensland state school classroom.

 **Mr McDONALD** (Lockyer—LNP) (5.31 pm): Today I am proud to rise and speak to this motion and support our leader, Deb Frecklington, and our common-sense commitment to Queensland that the LNP will air-condition every state school in Queensland. This is great news for Queensland and it is great news for the Lockyer state electorate. I have 34 schools, and 30 of those will benefit from this great news. It is great news for parents, teachers and of course the kids. Cool kids are smart kids. In my home communities this year, we have seen temperatures above 44 degrees. That is not cool, and our kids are struggling to be smart.

The ridiculous controls that this government maintains—that is, whether it applies south of Gladstone—do not reflect the true temperatures that our kids face. In fact Lockyer has higher temperatures year after year than many towns that are north of Gladstone that get air conditioning as part of their package. My schools in Lockyer rely on the great efforts on many occasions of their P&Cs or, if they are lucky enough, grants that their P&Cs might be able to win. I am proud to support our P&Cs and will continue to support the P&Cs in striving for those grants, but I look forward to the day when we no longer have to apply for those grants and cross our fingers that we hopefully get one. Our schools should have air conditioning.


As our leader recently said, we want kids to do well in school, but it is hard to work in sweltering classrooms and it is not fair on our hardworking teachers either. Our teachers deserve better. They are charged with looking after our most precious resource—our children, our future leaders. This government should treat our teachers, our future leaders and the P&Cs of our schools a whole lot better.

The Palaszczuk government do not care about this issue. The first thing they say in response to our policy is, 'Who's going to pay the power bill?' Let us get cost-effective power right across regional Queensland, and guess what. The LNP have a plan for that as well—extra competition in the regional sector, not a government owned monopoly that is ripping the money out of the pockets of families and schools, passing on huge profits to this debt loaded government. Some of my schools have even gone to the effort of putting solar units in their schools to cover the air-conditioning costs because, guess what, it is sunny when kids are at school and the air conditioners are being powered by those solar units.

P&Cs overwhelmingly support this proposal, and my P&Cs have spoken loudly in support of this policy. It is a great policy, a great initiative for a great future LNP government. It should not be left to our parents and volunteers to deliver air conditioning in schools. This is another example of a government that is out of touch with our communities. It is a further demonstration of a government that has got its priorities wrong. How many air-conditioning units could have been provided with the \$500,000 that could have been saved from the Lady Cilento hospital name change?

The LNP want to end the divide between kids in South-East Queensland and kids in the regions. That is why we have a plan to make it cooler for teachers and kids in every public classroom in the state. If the government adopts our policy, they will not only be combatting the heat faced by our children in schools; they will also be creating jobs. Yes, jobs—jobs that will help the worst unemployment rates in the nation. God knows that our regions could use that.

This will not only improve learning outcomes for our kids; it will provide a more comfortable environment for our teachers and principals as well. We want our kids to be the smartest in the nation, and I cannot believe that this Labor government bows to the executive of the government who say they cannot afford it. Let us get the priorities right. This is good policy. Good governments look after the most vulnerable in the community, and in this case it is our children. The LNP calls on the government to adopt our common-sense LNP policy and air-condition every classroom in the region.

 **Mr BUTCHER** (Gladstone—ALP) (5.36 pm): I rise tonight to support the motion as amended by the Minister for Education. The motion moved by the LNP is a classic example of the LNP talking a big game but failing to deliver. They have gone out and made this big promise without any idea of how it will be funded or how it will be delivered. They are not even sure what they promised, as we have heard from other speakers. They have flip-flopped, they have gone backwards, they have gone forwards and they still have not come up with a clear promise for what they say they will do.

The Leader of the Opposition in her budget reply speech said that the LNP would air-condition all schools in Queensland—all schools. Minutes later, the promise had changed when it was revealed that the promise only applied to state schools. Now all of a sudden they are saying that they do not care about those funded schools, the private schools. They do not care about them. They just care about the state schools now. They changed their mind within a minute.

The plan announced by the Leader of the Opposition in her budget reply just does not add up, as we know over here. She promised more spending, she promised lower debt and she promised no new taxes, but she cannot do that without cutting jobs or selling assets. We know that for a fact. In her budget reply speech, she committed to more than \$4 billion in new projects and spending. That figure includes the estimated \$2 billion cost to air-condition all state schools in Queensland, which the LNP education minister said was unaffordable when they were in government. They have also opposed our modest revenue measures, which leaves them with a further \$2 billion to find in their new spending. That all adds up to a massive \$6 billion black hole that the LNP have in their economic plan for Queensland.

I have heard speakers here tonight talk about getting some cheaper options and doing something different. We saw what happened with that when they ordered some trains from India. All we want from the LNP tonight is a straight answer on how they will pay for their promises. What services will they cut? Which workers will they sack in Queensland? Which assets will they sell in this state? We know on this side that they only have one plan. It is a plan that they keep in the top drawer just in case by chance one year they get elected. It is to cut, sack and sell.

Honourable members interjected.


Mr SPEAKER: Order! Pause the clock. I seem to have very little difficulty hearing members to my left speak during their contributions due to limited interjections. I am hearing a lot more interjections when members to my right are speaking. I said I would start naming members and ask you to leave the chamber. If you cannot control your own behaviour and remove yourself, then I will remove you.

Mr BUTCHER: As the ministerial champion for the northern peninsula area, I have seen the \$23 million Cooler Schools program fixing the air-conditioning units that we currently have. These are a huge cost because they are old, dated and need replacing. That is not even in the LNP's planned spend on these new air conditioners. What is going to happen in the future?

I am not surprised that the Leader of the Opposition does not want to talk about the LNP's real plan tonight. When they were elected in 2012, Campbell Newman signed a contract with Queensland. We only have to look at a few of the elements of that plan to know that what the LNP promises and what they do when in government are two totally different things. Let's look at some highlights that they may have forgotten.

They promised to save families money on their electricity bills. Power prices went up by 44 per cent. They promised to reduce unemployment in Queensland to four per cent—remember that figure? In six years they took the unemployment rate from 5.5 per cent trend to a peak of 6.7 per cent. They promised to support an independent, strong Public Service and they sacked 14,000 of the public servants they purportedly wanted to support. They promised to give people a real say on issues affecting their local communities. They were the most arrogant government in memory who rode roughshod over the communities; they did not listen to anyone.

Here we have a promise to air-condition state schools. They are confused about what schools to include. There is no plan for how it is going to be rolled out. They have no idea how they are going to pay for it. We know that they have a secret plan—and this is a promise. What services are they going to cut? Which workers are they going to sack? Which assets are they going to sell? Tonight they need to be honest with themselves. They need to tell the people of Queensland the real truth about the LNP in Queensland.

 **Mr CRISAFULLI** (Broadwater—LNP) (5.41 pm): Leadership is about having a vision, about having a vision to create a legacy, about doing things not for political reasons but because they are right; about doing things—

Government members interjected.

Mr SPEAKER: Order! Members to my right.

Ms Jones interjected.

Mr SPEAKER: Member for Cooper. I have just called the House to order.

Mr CRISAFULLI:—that will be the right thing not just for next year but also for years to come. What the Leader of the Opposition did in her budget reply speech was announce a policy that is right, that is visionary, that is costed and that will be delivered over two terms of government. That is what people are yearning for in this state, an end to the kind of politics where things get brought in only to create wedges, only about division and only about politics. This is about kids; it is about doing the right thing for our kids and our grandkids and creating a legacy in this state.

Let me tell honourable members about the two state schools in my electorate. I only have two schools in my electorate, but they are proud schools. They are really proud schools. They are led by two great principals, Val Faulks from Biggera Waters and Murray Gleadhill at Coombabah. Let me tell honourable members about those schools. Coombabah has one air conditioner in the entire school. One! Biggera Waters State School has two: the library and the science centre. That is it. There are buildings at that school that were delivered on the back of a truck in the 1970s. If members opposite mean to tell me that those demountables without any form of climate control are fair and reasonable in the year 2019, we are failing. They are like freezers in the winter and furnaces in the summer; they are not a place where I would want my kids to learn. As a result, I will stand up and back this because it makes sense.

Ms Jones: Take them back to Townsville.

Mr CRISAFULLI: Even with the shrill comments coming from opposite, I will say that our kids deserve so much better than what they have.

We have heard a lot in this place today about rights. I will tell honourable members about some rights. We have a right to have air conditioning, and it is on. The people who serve—the public servants—have a right to have air conditioning, and they have it. Those in jail have a right—

An honourable member: Prisoners.

Mr CRISAFULLI: Those prisoners have air conditioning, yet somehow those opposite come in here and suggest that a policy, that a visionary policy, to be delivered over two terms of government is not right, and that is a disgrace. We hear a lot about climate change in this place, so let me respond to what the Premier says every time. I believe in climate change. I sure do. Doesn't that make this policy so much more sensible? In a climate that is warming, is it not fair and reasonable that our kids should have a right to have their schools air-conditioned? My neighbour the member for Bonney and I share Coombabah State High School. There is barely a handful of air conditioners. Labrador State School—less than half. Are you going to go and tell those kids that they do not deserve it?

Mr SPEAKER: Member, you will direct your comments through the chair.

Government members interjected.


Mr CRISAFULLI: We hear about cost. Those opposite are yelling about cost.

A government member: It is important.

Mr CRISAFULLI: It is important. In the last 12 months the royalties from coal have increased in this state by nearly a billion dollars. We are talking about a policy that will cost a couple of hundred million dollars a year, yet somehow those opposite will tell us that almost a fifth of the royalties for something they rail against day in day out is not worth spending on their kids.

I will conclude my comments by saying the following. If those opposite vote against this, they should go back to their electorate and tell their constituents why they voted against it. This motion is not about wedge politics, it is not about ideology; it is about our children and it is worth backing.

(Time expired)

 **Mr BROWN** (Capalaba—ALP) (5.46 pm): I rise to speak in support of the motion as amended. The LNP simply cannot be trusted on this issue or any other issue. Let's look back. I am giving them a little bit of credit on this one because it has gotten a little bit better than when they were in opposition last time prior to being in government. Let's look back at the policies that they released last time they were in opposition. Who could forget the clanger of tasers for teachers? They have gotten a little bit better since then. I went back over the article. Poor old Pete Coulson copped it, but he did not actually come up with the policy. He got sacked for falling asleep on the job and then they blamed him for coming up with this policy. I am glad they have Pete back, I am glad they are not sleeping on the job and I am glad they have come up with a policy that is slightly better than what they came up with last time they were in opposition.

In 2014 the member for Surfers Paradise and then minister for education declared that the government could not afford air conditioning in all Queensland schools. At the time he estimated that the cost would be \$2 billion. Fast forward five years and not only is the LNP promising to air-condition all Queensland schools; they are saying they can do it for only \$1.5 billion. It is time for the LNP to tell the people of Queensland how they are going to cost their policy, how they are going to fund their policy and how they are going to implement this policy. They need to tell all of Queensland how they will fund the estimated \$50 million in annual maintenance bills, not to mention the running costs. Thus far we have heard five speakers from the opposition bench and they have not detailed once how they are going to cost this policy or even roll it out. I see the member for Clayfield, the former treasurer, is next on the speaking list. He is a numbers man. I am hoping he is going to bring it home and tell us how they are going to fund it, how it is going to be done and how it is going to be implemented. I am looking forward to the contribution of the member for Clayfield after this.

Mr Watts interjected.

Mr SPEAKER: Pause the clock. Member for Toowoomba North, you are warned under the standing orders for your continued interjections. I have given instructions to the House. I would like to hear the member for Capalaba's contribution.

Mr BROWN: They say that actions speak louder than words, so let us look at the actions undertaken by the LNP when they were last in government. I have a three-word summary: cut, sack and sell. They cut important education programs and they closed schools. They had a hit list of 50 state

schools they planned to close, including in my electorate. Many of these sites were earmarked for private sales to developers. They failed to employ additional teachers to cater for enrolment growth. In 2013 there were a massive 9,700 additional students in Queensland schools but the LNP government did not employ an additional teacher. Not one. This led to the equivalent of 519 teachers not being employed in our schools—519 teachers' careers were destroyed by the then LNP government. Class sizes grew, putting additional stress and increased workloads on our teachers.

The LNP needs to tell the people of Queensland how many schools are going to be closed. How many schools are they going to sell off? What educational programs will they defund and how many jobs are they going to cut to fund this policy? As other members have already noted, the Leader of the Opposition has flip-flopped on this policy. First it was for all schools; then it wasn't; then it is all state schools. The Palaszczuk government, through the education department, fully funds air conditioning for more than 380 state schools in our hottest, most humid areas. We have installed air conditioning in many classrooms using minor work allocations, working closely with P&Cs in relation to funding. I particularly want to hear how you are going to reward those schools—

Mr SPEAKER: Direct your comments through the chair, member.

Mr BROWN:—that raised funds to air-condition every single classroom, like Coolnwynpin State School in my area. What is their reward for doing the hard yards to fund their own air conditioning? We want to hear how those opposite are going to compensate those schools for doing the hard yards. The Palaszczuk government has invested in education for all to see. It is now time for the LNP to show us how they are going to fund this promise.

Mr NICHOLLS (Clayfield—LNP) (5.51 pm): Mr Speaker, getting a lecture from the Labor Party on releasing costings is like trying to believe that Vladimir Putin believes in liberty and democracy or that Dave Hanna had nothing to do in the Labor Party. It is completely and utterly unbelievable. This is from a government that sprung four new taxes on the people of Queensland less than 48 hours from an election and then came back after they were re-elected and slugged them with another one-plus billion dollars on a waste tax that they did not talk to anyone about. This is from a government—Mr Speaker, I seek your indulgence—that went to the 2014-15 election saying that they had a debt action plan and then changed the way they counted the debt, raided the state's superannuation funds, raided every hollow log they could possibly find, and changed the way they calculated their debt. They said that half the debt owed by the state is not actually owed by the state: it is owed by companies that are state owned, but it is not owed by the state. They talk about an inquiry into the building industry, but they could not even get their own accounts in order. They come in here and have the hide to say to the LNP, 'Tell us your costings.' What a hide!

What do we have in the meantime? We have a government that is rolling in revenue as a result of the increasing price of coal. They stand up in here and say, 'Our exports are growing enormously,' as if they have been out there with shovels, driving excavators and digging the coal out of the ground themselves. You can see the member for South Brisbane or the member for Cooper doing that, can't you? Out there in pink reflective vests, hardhats and steel-capped boots—

Ms GRACE: Mr Speaker, I rise to a point of order. I know that was not directed at me, but I think there is some parliamentary sexism that has come out in that and I think we should look at that.

Mr SPEAKER: Member for McConnel, there is no point of order. If you have issues that you would like to raise you have the appropriate channels.

Mr NICHOLLS: What they will not tell you, of course, is that they are reaping the rewards of the hard work of the LNP, who changed the royalty regime to make sure the people of Queensland got a fair price for their product, which was sold out of the ground by multinational companies.

Honourable members interjected.

Mr SPEAKER: Pause the clock. Member for McConnel, you are warned under the standing orders. Member for Currumbin, you are warned under the standing orders for quarrelling across the chamber. I have been very clear about my expectations.


Mr NICHOLLS: A change in the royalty regime to make sure Queenslanders got the right price for their coal—a product that they own—is now benefitting a government that is writing up coal revenues every year, as opposed to an LNP government, that had to write down coal revenues which had been falsely projected by the prior government at \$5 billion higher. When it comes to fiscal rectitude, thank you very much but I think I will avoid a lecture from the Labor Party.

The days of students sitting it out in hot, uncomfortable classrooms is destined to continue under a do-nothing Palaszczuk Labor government—destined to continue under an education minister who can find \$500 million for two schools, one in her own electorate and one in South Brisbane—and she

can do it at the drop of a hat; it is not even in the budget—but she cannot find enough money to air-condition schools in the rest of the south-east corner. This Premier and education minister travel in air-conditioned, chauffeur driven cars, work in air-conditioned offices and are feted by their bureaucrats who live in their air-conditioned offices, but they cannot find the money to air-condition our schools. This is an education minister who has time to kowtow to her union mates—an education minister who can spread union propaganda through schools—but who thinks it is all really just a bit too hard. Perhaps we should not expect any more from an education minister who, when she was the employment minister, said, ‘Youth unemployment is always difficult to address. I do not know that there is much you can change structurally. There is always an issue with youth unemployment. It is not new. It has been around a long time.’ If you are looking for a job in Queensland, under Labor it is going to be around a lot longer with 6.1 per cent unemployment, while the rest of the country is showing an improvement all the way through under a Morrison federal Liberal government, driving the unemployment rate down.

This is a government that can find \$265 million for a botched hospital IT system, \$239 million for other mismanaged IT projects and \$160 million for the rail fail, but they still cannot find money to deliver for students. Let me talk about this most importantly, because I know about this. For kids with disabilities it is even harder, and for the therapists and teachers who have to sweat it out in 40 degrees like they did at the beginning of this term—

(Time expired)

 **Hon. KJ JONES** (Cooper—ALP) (Minister for Innovation and Tourism Industry Development and Minister for the Commonwealth Games) (5.57 pm): If the member for Clayfield really cared about the most vulnerable in our community he would not have closed the Barrett centre. That is his legacy.

I support the amendment. This is a bit of a hard one, because I support the amendment but I do not know whose speech opposite I support the most. My favourite might have been the member for Lockyer, who said this is a common-sense policy. Well, it is common; the problem is there’s just no cents. There are no dollars, there are no cents and there is no money to fund it. Then we had the member for Kawana, who wanted to talk about 1 William Street. All the other members opposite backed him up about 1 William Street. Guess who prioritised building an air-conditioned tower for themselves over air-conditioning classrooms?

Opposition members interjected.

Mr SPEAKER: Pause the clock. Minister, please resume your seat. Members to my left, I cannot even hear the contribution being made. I understand that some to and fro in the chamber is healthy, but I would like to hear the member’s contribution.

Ms JONES: We know that the LNP do like to rewrite history. Just for the record, particularly for the new LNP members on the backbench, it was the LNP government that decided to build a brand-new executive building for themselves instead of prioritising schools, roads or the public infrastructure that the people of Queensland want.

I will pick up where the member for Clayfield left off. The member for Clayfield did what LNP members always do: sit in here and carp about the taxes that Labor governments impose. Tonight we heard their plan, yet they have never said on the record that they would repeal any single one of them. Their policy position is: ‘Guess what, Queenslanders? We’re going to fund the air-conditioning of all the schools in Queensland by cutting taxes.’ That is their solution because they have one big, fat magic pudding sitting out the back. It is a cruel joke. It is a very cruel thing to go out and say to teachers, teacher aides and students, ‘We’re going to air-condition your school but we have no plan to pay for it. We’re not going to be open and honest about what taxes we will impose or what cuts we will make to pay for it.’ That is not what they are talking about. They are making empty promises. There is one thing we can count on—

Mr Lister interjected.

Mr SPEAKER: Member for Southern Downs, I have repeatedly warned you about your interjections. You are warned under the standing orders.

Ms JONES: There is one thing Queenslanders can count on when it comes to the LNP. That is, they say one thing and do another. They all letterboxed our electorates—

Honourable members interjected.

Mr SPEAKER: Pause the clock. Member for Buderim, you are warned under the standing orders. I take a pretty dim view of those members who have already had an opportunity to make a contribution trying to out-shout the member who has the call.

Ms JONES: We all remember when they letterboxed all of our electorates with material showing their beautiful smiling faces—'beautiful' is a bit of a stretch—and saying that they were going to cut electricity prices, guaranteed. It was a guaranteed, rolled gold election commitment to cut electricity prices, but what did they do? They increased them by 42 per cent. That is their record.

Opposition members interjected.

Ms JONES: I take that interjection. They are arguing with me; they are saying it is 44 per cent! My favourite contribution would have to be by the member for Broadwater, who talked about the fact that this policy was costed.

Mr Crisafulli interjected.

Ms JONES: Your comments were that this was costed. The member for Broadwater should show us the costings. Your leader does not have them.

Mr SPEAKER: Minister, direct your comments through the chair.

Ms JONES: The shadow education minister does not have them. The former treasurer of Queensland does not have them. Of course, the alternative leader of the LNP does have them. The member for Broadwater should not come into this House and claim that this is a costed policy if he is not willing to release those costings.

This is a cruel promise by the LNP that once again shows their total disregard for the state schooling system. They think it is okay to make a promise to teachers, teacher aides and parents that they will not fund. In the same breath they complain about us introducing revenue measures to pay for the infrastructure we are delivering for this state. You cannot have it both ways. We know that you cannot have it both ways and Queenslanders see through the false promises of those opposite.

If the Leader of the Opposition does not have costings, she should ask the member for Broadwater for his costings because he claims to have them. This is a cruel stunt by the opposition that has no plan to fund it and no plan to introduce it.

An opposition member interjected.

Ms JONES: If it is a great policy, fund it.

Division: Question put—That the amendment be agreed to.

AYES, 48:

ALP, 47—Bailey, Boyd, Brown, Butcher, Crawford, D'Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lui, Lynham, Madden, McMahon, McMillan, Mellish, Miles, Miller, Mullen, B. O'Rourke, C. O'Rourke, Palaszczuk, Pease, Pegg, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Stewart, Trad, Whiting.

Ind, 1—Bolton.

NOES, 43:

LNP, 38—Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Frecklington, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McArdle, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Sorensen, Stevens, Stuckey, Watts, Weir, Wilson.

KAP, 3—Dametto, Katter, Knuth.

PHON, 1—Andrew.

Ind, 1—Costigan.

Resolved in the affirmative.

Division: Question put—That the motion, as amended, be agreed to.

AYES, 49:

ALP, 47—Bailey, Boyd, Brown, Butcher, Crawford, D'Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lui, Lynham, Madden, McMahon, McMillan, Mellish, Miles, Miller, Mullen, B. O'Rourke, C. O'Rourke, Palaszczuk, Pease, Pegg, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Stewart, Trad, Whiting.

Grn, 1—Berkman.

Ind, 1—Bolton.

NOES, 43:

LNP, 38—Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Frecklington, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McArdle, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Sorensen, Stevens, Stuckey, Watts, Weir, Wilson.

KAP, 3—Dametto, Katter, Knuth.

PHON, 1—Andrew.

Ind, 1—Costigan.


Resolved in the affirmative.

Motion as agreed—

That this House calls on the LNP opposition to explain how they intend to fund and implement the LNP's plan to air-condition every Queensland state school classroom.

SPEAKER'S STATEMENT

Water in Parliamentary Precinct

 **Mr SPEAKER:** I wish to advise members who have not seen the email circulated by the Clerk that we have lost mains water pressure in the parliamentary precinct. The only water available is that which is gravity fed from level 23 down to level 8. Urban Utilities is investigating.


I ask members to give consideration to their actions in the chamber as they relate to people's ability to move around the precinct. Members who wish to use bathroom facilities will need to utilise facilities on levels 8 and above. Some members do not have an office in that part of the building; other members have an office and/or accommodation. We will provide updates, but I seek members' indulgence to carefully consider their actions in the House in terms of their water use and people's ability to move around the precinct and access the appropriate facilities.

FISHERIES (SUSTAINABLE FISHERIES STRATEGY) AMENDMENT BILL

Second Reading

Resumed from p. 480, on motion of Mr Furner—

That the bill be now read a second time.

 **Hon. ML FURNER** (Ferry Grove—ALP) (Minister for Agricultural Industry Development and Fisheries) (6.14 pm), continuing: The Palaszczuk government remains committed to rolling out vessel tracking, which is a key action under the Sustainable Fisheries Strategy. This was also a recommendation of the LNP government's MRAG review commissioned in 2014. In 1998 the former minister for primary industries the Hon. Henry Palaszczuk oversaw the rollout of mandatory vessel tracking in Queensland's trawl fishery. Despite strong opposition at the time, vessel tracking has since become a proven and vitally important part of this fishery's management strategy. Nevertheless, I understand this is a significant change for many of our commercial fishers. The government has recognised that assistance in managing the change was warranted. That is why \$3 million in rebates to support the cost of purchasing and installing vessel tracking devices has been made available to affected commercial fishers.

I am confident that the use of vessel tracking will help to modernise the management of our other fisheries and, along with harvest strategies, will help demonstrate that these fisheries are also sustainable. Vessel tracking is widely used in other Australian and international fisheries. It gives authorities better information on what vessels are doing and where they are operating. The department continues to work with commercial fishers to implement vessel tracking. I am pleased to advise that fishers have gotten on board and now have vessel tracking units in place. I thank them for working hard with the department to implement and design workable regulation that will help improve compliance and improve Queensland's confidence in the sustainability of their fisheries. There are now approximately 1,300 units that have been purchased from the providers, with approximately 550 activated, registered with Fisheries Queensland and polling. Since 1 January this year, Queensland Boating and Fisheries Patrol has focused on educating fishers and improving awareness of the new vessel tracking obligations. Vessel tracking will help secure the future of our commercial fisheries and clearly demonstrate that they are sustainable and compliant.

The government is continuing to pave the way for a world-class fisheries management system and has recently released a directions paper outlining management reforms for Queensland's priority fisheries. These reforms are the product of extensive consultation with all sectors. These changes,

which will be implemented over the next 12 months, will help to ensure Queensland's fisheries rank amongst the best managed fisheries in the world. Recently I have been out talking to stakeholders, with the majority supportive of the proposed changes to the Fisheries Act and the direction we are taking. Many are saying that it is long overdue and will finally enable Queensland to have more contemporary, responsive and best practice fisheries management.

I want to emphasise that many of the provisions in the bill will not have a major impact on ordinary fishers. These provisions will have an impact on those who are doing the wrong thing. That is the case if they are black marketing seafood or whether they are flouting the rules that govern private access and profit from our precious public resources in the fisheries. We need to emphasise that these resources belong to all Queenslanders. We need to take action and adopt policies that keep our fisheries sustainable. The illegal take of seafood is a real and present danger to that goal. It has a real impact on jobs and employment in the industry. The unlicensed selling of fisheries resources undermines the legitimate commercial fishing industry and threatens Queensland's reputation as the producer of high-quality seafood. These concerns were echoed by many industry stakeholders in the consultation. They know that any person doing wrong casts an aspersion on the acts of everyone operating in the fishery and undermines the efforts of so many to demonstrate sustainability over a long period of time. These laws will help crack down on these opportunists.

Similar concerns were raised with me by a professional crabber in Hervey Bay who took the time and effort to show me how his business operates and his concerns for the future. He is one of the many commercial fishers who are serious about the future of their industry, who thinks about their markets and consumer needs and who is passionate about their product.


I want to give just one example of the blatant black marketing and illegal take of seafood that has occurred over the past year. I commend the officers involved for their actions. In April last year, an angler at Somerset Dam took a gross excess of red claw from that dam. By way of background, red claw has a possession limit of 40. This offender had around close to 200 in his possession—more than 133 kilograms. Eighty-two freshwater traps were seized along with a 4.5-metre catamaran and a kayak. This was clearly not an amateur or off-the-cuff operation and nor was the person involved a first-time offender.

A restaurant manager, who said he bought the red claw for a staff party and did not intend to sell it, was fined \$1,000 after pleading guilty to one count of selling seafood without an authority. Yesterday, we took this message of deterrence further. As the boat was so illegally modified that it could not be sold, we determined that stronger action was needed. We crushed that boat and we will crush other boats as required. We will not abide black marketing in Queensland.

I would like to acknowledge those Queenslanders, especially on social media, who expressed their support for strong penalties against black marketing. If fishers are thinking about breaking the rules, they had better be ready to risk losing their fishing boat. To reinforce that message, the forfeited vessel has recently been displayed at prominent boatramps in South-East Queensland. Our new offence will play an important role in stopping and deterring this kind of conduct.

It is clear that more action needs to be taken. I make this point to emphasise that black marketing is a real issue. We need to support our fisheries staff, including our patrol officers, by giving them the powers that are operationally appropriate and necessary to carry out their enforcement duties and objectives. We did not fund 20 new officers on the fisheries beat without reason. Those officers are passionate about their work and we in the government are passionate about giving them the tools they need to stop black marketing and support fisheries compliance. That is why we are giving inspectors the powers to do their work properly, in full compliance of public expectations, so that people who are doing the wrong thing can be stopped. That is in the public interest.

The same principle underpins our movement to harvest strategies in the bill. This bill is an opportunity for our parliament to move our current outmoded system to a best practice framework in line with Queensland's rightfully high expectations of the management of our precious public resources. All sectors will have a role to play in ensuring the health of our fisheries now and into the future. This bill is this parliament's opportunity to create that legacy for our children and our grandchildren.

 **Mr PERRETT** (Gympie—LNP) (6.22 pm): I rise to speak to the Fisheries (Sustainable Fisheries Strategy) Amendment Bill 2018. This bill seeks to modernise Queensland's Fisheries Act 1994 by implementing the Sustainable Fisheries Strategy, which was released in June last year. An examination of this legislation has resulted in five recommendations from the committee and a statement of reservation from the non-government members of the committee. These members raised concerns in

relation to the committee's final report, specifically regarding the vessel monitoring system, powers of entry and the absence of a regulatory impact statement. I will address those issues in my contribution to this debate.

In part, this bill goes some way to bringing in the reforms that the industry needs. However, as is usual with this Labor government, it has overreached in some matters and simply does not do enough in others. That is why I will move a number of commonsense and practical amendments that will deliver the intent of this bill. I will outline in more detail these amendments during the consideration in detail stage and I hope they will receive bipartisan support. I table the amendments and explanatory notes circulated in my name.

Tabled paper: Fisheries (Sustainable Fisheries Strategy) Amendment Bill 2018, amendments to be moved by Mr Tony Perrett MP [268].

Tabled paper: Fisheries (Sustainable Fisheries Strategy) Amendment Bill 2018, explanatory notes to Mr Tony Perrett's amendments [269].

It is no secret that, over the past 20 years, the Queensland commercial fishing industry has been declining. Under the watch of successive Labor governments, which have been in government for the past 17 years of those 20 years, it has been neglected and overlooked. In recognition of that neglect, in 2014 the former LNP government commissioned the MRAG report, an independent review of our fisheries. We were going to get the balance right in our fishing sector.

Years of political and ideologically driven policy by those Labor governments has seen Queensland's once proud commercial fishing industry become a mere shadow of what it once was. It has struggled to survive through years of neglect by Labor governments, which have diminished the industry. For years, the Labor Party has overseen an agenda that has not supported the hundreds of family commercial fishery businesses that support our state with some of the finest catch in the world. Instead of working with them and modernising our important commercial fishing industry, Labor continues to tie up the industry in bureaucratic and administratively burdensome red and green tape. We on this side represent those commercial fishers and the communities they support. We know how important it is to support our fishers. We know that it is important for them and their families and their industry to get the balance right between them, the environment and the recreational fishing industry. I was pleased that some aspects of this bill are consistent with the recommendations made by the independent review of our fisheries commissioned by the former LNP government in 2014.

The fishing industry regards this bill as just the latest in a series of government decisions forcing it out of business. The fishing industry sees this bill as yet another attack by this government on the little man—on small business. It sees this government as a government that panders to elites—a government that panders to environmental activists, big business and big unions. The fishing industry regards this bill as a government attempt to force our small commercial fishing operators out of business.

This bill aims to modernise the objectives of the Fisheries Act 1994 to recognise the interests of key stakeholder groups; to clarify the decision-making process and establish harvest strategies to guide decisions; to strengthen the compliance powers and penalties to address serious fisheries offences such as black marketing; and remove redundant provisions. The most controversial part of this bill is where it looks to provide stronger compliance powers and penalties for serious offences such as seafood black marketing. It is clearly an activity on which the industry is seeking action. In fact, more than 90 per cent of respondents to the review supported the adoption of stronger compliance powers and penalties to address serious fisheries offences. Although black market activity clearly undermines law-abiding fishers and their businesses, there is no consensus position on any specific course of action.

That lack of consensus is found in other aspects of this bill. The proposed vessel monitoring system compliance requirements have created much angst and concern in the fishing industry. This bill requires that vessel tracking equipment is required to be fitted to all licensed commercial and charter boats by 2020. The rollout of the VMS trackers has been nothing short of a farce. There are numerous very public examples of faulty VMS responders, shonky government authorised suppliers and general mismanagement from the department that have marred the rollout of VMS. Safety concerns around the logistical appropriateness of VMS trackers has completely undermined the rollout and needs to be reviewed.

Fishermen are not permitted to go out and fish—earn a living—while their VMS is broken or not in operation. That is crippling small business fisheries along the coast owing to the botched rollout and faulty devices. It is simply not good enough that Labor is tying up our fishers with more red and green tape while it cannot even properly roll out its own laws. It speaks volumes for the contempt the government has for our seafood industry. We need a proper review into what has happened with the

VMS rollout to warrant so many commercial fishers being sent faulty responders and having such poor service from a government authorised provider. It is time to conduct a full review into this botched rollout and consider delaying the rollout of VMS until we get to the bottom of this mess.

The fishing industry remains concerned that there has been no provision for the adequate protection of fishers' intellectual property. This is the knowledge of fishers that has been gained over years of working and knowing their environment. It is about fishers knowing the ideal spot, the right time to fish, the right place to make a catch. At the heart of fishing is knowing when to go out and where to go. Commercial fishers consider that their intellectual property is often worth more than the state issued licence. This intellectual property is often built up over years of fisheries experience and has a high commercial value. Therefore, like any business interest this should be valued and protected.

There is significant concern that the penalties associated with protecting this information are inadequate. There is concern that those penalties for illegal distribution and misuse of this knowledge are not reflective of the seriousness of the act and are inadequate. The penalties for misusing or sharing this information unlawfully should attract the same significant penalties as commercial fishers would receive for breaching VMS compliance. Compliance seems to be more important to this government than the actual protection of the intellectual rights of hardworking fishers. It is typical of a government that is addicted to bureaucratic red tape and regulations rather than the protection of the interests of the fishers. For example, the maximum penalty for illegally disclosing vessel tracking data is 50 penalty units or \$6,527.50 in fines. Yet commercial fishers guilty of breaching VMS compliance face maximum penalties of 1,000 penalty units or \$130,550. They are completely out of proportion to each other.

Queensland's commercial fishing industry is justifiably concerned that the data and information collected through VMS could be illegally passed on to activists and environmental groups. We are seeing it happen already to farmers who are being targeted by Aussie Farms' website. It will not stop there. They know that these zealots and activists possess the long-term goal of completely shutting down elements of Queensland's commercial fisheries industry. The committee attempted to address these concerns in recommendation 3 which looks at increasing penalties for misusing VMS information. However, while the LNP agrees with the intent of the recommendation, we are concerned that this intent may be lost through any prospective government amendments. This is why there is a need to extend the same maximum potential penalty that applies to commercial fishers to public servants who may use the VMS information in an unauthorised way. This is about recognising the seriousness of undermining the intellectual rights and property of fishers.

Recommendation 5 from the committee seeks to provide a review of the VMS program after 18 months. It is important that any review is not just lip-service. That is why we need to outline specifically the elements that this review should include. It is important to ensure that a review provide the necessary findings for a proper assessment of the program.

The LNP believes that these minimum requirements would be the estimated costs of industry to implement the vessel monitoring system; the estimated cost of government from the implementation of the vessel monitoring system; the number of penalties issued under section 80(3) and the number of penalty units levied; whether any confidential information from the vessel monitoring system has been disclosed or used without authorisation and the penalty units levied for these breaches; and how the data from the vessel monitoring system has been used to improve fisheries management.

As I mentioned earlier, successfully combating black market activity in seafood is important to ensure the long-term viability of this industry. Everyone in the industry knows this. In an effort to combat black market activities, the bill will introduce a new offence of engaging in trafficking activity for priority fish. The maximum penalty for the offence will vary depending on whether the trafficking relates to a commercial quantity. If the trafficking relates to a commercial quantity, the maximum penalty will be 3,000 penalty units or \$391,650 or three years imprisonment. Otherwise it will be 1,000 penalty units or \$130,550.

Stakeholders raised concern that five times the recreational limit or weight equivalent was not adequate especially given the varying values associated with certain types of priority fish. The concern here is what constitutes a commercial quantity. While recommendation 2 from the committee called for a review of the definition of a commercial quantity regarding priority fish, it does not go far enough. It asks for a threshold that is significantly lower than the five times the recreational limit or weight equivalent. The issue needs absolute certainty and clarity to address industry concerns. That is why the LNP will move amendments to ensure that the quantity that constitutes a commercial quantity should be reduced from five to two times the recreational limit or weight equivalent.

At the core of the LNP's beliefs and values is an abiding belief in individual freedoms and property rights. Labor's core beliefs are big government and big bureaucracy which override the activities of the individual and commercial enterprises. It is why it does not understand small business, contractors, small proprietors and everyday mums and dads who want government out of their lives so they can get on with working hard and providing for their families and their future. It is disturbing that this Labor government continually passes laws that contravene the principles of individual freedoms and property rights by enabling unreasonable powers of entry and investigation. None of this is new. We have seen this before. Last year's draconian and regressive vegetation management laws eroded the rights of property owners and individuals against the misappropriation of bureaucratic power with a warrant. In fact, this fisheries bill will be the ninth bill before the House in the past two years that impedes on Queenslanders' rights.

The Queensland Law Society raised significant concerns regarding the powers it grants inspectors to enter a place, including a boat or vehicle, without a warrant or consent or a reasonable notice period. It said—

In our opinion, the drafting could be corrected to protect an individual's rights by ensuring that entry powers are subject to consent, a warrant, a reasonable notice period or, at the very least, a reasonable suspicion that an offence has been or is being committed and that entry without a warrant, consent or notice is necessary to prevent evidence from being destroyed. We urge the committee to recommend these changes to the drafters of this bill. We also call on all parliamentary committees to robustly review these types of provisions where they appear in bills and to provide strong recommendations to the relevant department that such provisions should not infringe upon fundamental legal rights.

That is why we support the Law Society's view to remove the power of inspectors to enter premises without a warrant. We need to restrict the new entry powers for fisheries inspectors to enter premises used for trade or commerce or vehicles to having the consent of the owner, a five-day notice period or having a warrant. There should be no entry rights to premises used for trade or commerce or vehicles without the owner's consent, a reasonable notice period or a warrant. I cannot stress too much our opposition to laws that trample individual rights, that sanction unjustifiable intrusion or laws that give inspectors unreasonable and excessive powers. We saw that with the vegetation management laws and we see this happen again under the watch of the same minister. These powers breach fundamental legislative principles. We will always fight against the destructive and insidious legislative and bureaucratic creep in this state which is giving more power and less oversight to bureaucrats than our police officers. The only people to benefit from this are governments that cut corners, governments that do not respect the rights of citizens to fair administrative and due diligence processes.

The lack of a regulatory impact statement from the Department of Agriculture and Fisheries into the impact of the bill fails any test of good governance. It shows that the government is interested in nothing more than paying lip-service to the impact on everyday, hardworking families, workers and businesses that operate in seafood industries. In yet another piece of legislation under the current minister's watch, the government has failed to consider the overall economic and social impact of its laws on industries and communities. This is about proper due diligence which is yet again being bypassed, just as it was with the vegetation management laws. This should be a major red flag for anyone interested in responsible and good governance.


Why does this government not want to get a full appreciation of the economic impact of this bill? What is it hiding? The absence of a statement shows that this legislation is driven by crass politics and ideological blinkers rather than quality data and evidence. The trend by this lazy, incompetent Labor government of only half baking its legislative agenda has to stop. Our fisheries deserve better. The workers and families in the industry deserve better. Regional Queenslanders deserve better.


The bill proposes a new offence for being in an exclusion zone for shark control without permission. The department has advised that there has been interference with some of the apparatus. As this is a bill about the fishing industry, it raises an unfair implication on fishers. The debate at the end of last year after a number of shark attacks showed the ridiculous opposition of environmental activists to control measures. They want them removed. The report notes—

The Labour Environment Action Network Queensland...argued that the exclusion zone 'further decreases public transparency of the Shark Control Program (SCP) especially for independent community based observers who are currently the only ones providing independent oversight.'

Similar views were expressed in the joint submission from the World Wildlife Fund, the Humane Society International, the Australian Marine Conservation Society and the submission of Sea Shepherd Australia. Those conservationists and green activists have a dangerous and unsafe agenda. The government is negligent in its responsibility when it panders to them.

What we are proposing provides an opportunity to address the bill's inadequacies. The amendments strengthen the protections for commercial fishermen against the misuse of VMS technology. They address the committee's findings regarding VMS penalties and review, as well as redefining commercial quantities. They restore balance to the powers of entry and investigation. They halt this unhealthy and legally dubious addiction to eroding individual rights. These proposals deserve bipartisan support because they are sensible, practical and constructive. They support our commercial fishing industry. I urge the government to support our amendments.

 **Mr DEPUTY SPEAKER** (Mr Stewart): Before I call the member for Bancroft, I will give an update on the water situation. Urban Utilities has informed us that an accident in Margaret Street has impacted our water supply. It has been repaired and we now have water back to the precinct.

 **Mr WHITING** (Bancroft—ALP) (6.40 pm): I rise to support the Fisheries (Sustainable Fisheries Strategy) Amendment Bill that is before the House. Our fisheries are a public resource for all Queenslanders. That resource belongs to us all. The member for Gympie talked about intellectual property. Once again I stress that you have no intellectual property if there is no resource available to be used. On the issue of intellectual property, during a committee hearing at Cairns a witness said that within the industry people know where each other's marks and fishing spots are and it is policed by the industry. He said that there is only an issue if outsiders get that information. When we talk about intellectual property, it is very much shared intellectual property. However, we have been focusing on the resource that every Queenslanders shares.

The member for Gympie also said that we are driven by an ideological agenda and green tape, which shows how narrow is the focus of those on the other side. Only one party seeks to get a real balance between commercial and recreational fishing, charter fishing and first nations fishers. It is really important that we remember that we are balancing all of those needs to provide a sustainable resource for countless generations to come. We know that all around the world fisheries are under incredible pressure. If we do not take firm and strong action, our fisheries will come under even more intense pressure.

As I have said, our fisheries are a resource for all Queenslanders, now and into the future. Fishing provides jobs. It is a popular pastime. It is an important cultural touchstone for many communities. This bill is an important part of keeping our Queensland fisheries public and viable into the future. I heard the member for Gympie say that we are not looking after workers. Only one side of this parliament is committed to keeping our fisheries going for generations to come. We will ensure that we have an industry for countless generations of Queenslanders into the future. We want to create a sustainable legacy for our children and our grandchildren so that they too can enjoy the benefits of our fisheries.

For that reason, our government announced the Sustainable Fisheries Strategy, which is a strong project of reforms that will take Queensland from lagging behind to leading other jurisdictions. As the minister has said, our government has provided over \$20 million in funding for new initiatives, including 20 new Boating and Fisheries officers, improved marine and scientific monitoring and rebates for vehicle tracking units. It is time for action in fisheries. We know that successive Queensland governments have recognised the need to reform Queensland's fisheries management system. In fact, we have heard that this process started in 2014, under the previous LNP government. At that time it was recognised that Queensland's fisheries management framework is outdated and cumbersome. It is incapable of appropriately responding to sustainability issues. As it stands, Queensland's decision-making processes are slow and unclear. Our ability to respond to issues such as black marketing lags behind other Australian jurisdictions. The amendments in this bill will modernise fisheries management in Queensland. The bill will give effect to the Queensland Sustainable Fisheries Strategy 2017-2027, which was developed by the government after many years of extensive consultation.

The State Development, Natural Resources and Agricultural Industry Development Committee heard from a wide range of stakeholders interested in the health and future of Queensland fisheries. We spoke with numerous industry and conservation groups, as well as recreational fishers from all over Queensland. The committee travelled to Cairns and held hearings along Moreton Bay. I acknowledge the help of the member for Nudgee, who chaired the Cairns hearing during my absence. I acknowledge all members of the committee for their participation in the inquiry, as well as the witnesses, people in the department, our secretariat staff and everyone who made submissions. I think our report provides a balanced and fair overview of both the fisheries bill and the progress of reforms in Queensland fisheries.

Queensland's seafood is an important commodity. As we know, it is sourced from public waters. Our fish stocks need to be kept sustainable to maintain environmental balances, while providing employment opportunities and delicious seafood for local and overseas markets. Therefore, it is critical


that the government has the appropriate tools and powers to stop illegal operators and deter wrongdoers. A key objective of the bill will provide stronger compliance powers and penalties for serious offences, such as seafood black marketing.

During the consultation this year, we found that more than 90 per cent of respondents supported the adoption of stronger compliance powers and penalties to fight serious fishing offences. At our hearings, everyone had the same opinion: come down harder on black market fishers. The minister has spoken about being in charge of an operation in which a boat was crushed. However, it was not only crushed; if you look on social media, you will see that it was shredded. It was a fibreglass boat, but it is now crumbs. That is a great signal to show that in Queensland there is probably a no more detested person than a seafood black marketeer, because they steal from all of us and they steal from our future generations.

The bill provides fisheries inspectors with the powers they need to effectively investigate offences such as black marketing. Individuals convicted of trafficking in priority fish species could face a maximum penalty of up to 3,000 penalty units or three years imprisonment. It is clear that Queenslanders want action taken to stop the black marketing of seafood, which undermines legitimate fishing businesses. This bill delivers on that.

Under this legislation, fisheries inspectors will have greater powers to inspect commercial premises, but it is important to note that these changes do not provide fisheries inspectors with powers beyond those granted to other inspectors under Queensland legislation. This bill makes no changes to laws that allow access to tents, campsites or places used for residential purposes without a warrant. It allows inspectors to take action on the water or in fish shops to get the evidence they need, on the spot, which is where they say they need improved powers. The opposition says that they want compliance officers to get a warrant and give five days notice. Should the inspectors say, 'Please, Mr Black Market Fisher, can we come back in five days to see if you have illegal fish on your premises?' Will the suspect say, 'Sure, come on back!?' In the inquiry, we clearly heard that that is not sufficient in this modern day and age.

I will not talk any more on the bill, but shall leave it to my fellow committee members to speak about how useful a tool the VMS is. I commend the bill to the House.

 **Mr WEIR** (Condamine—LNP) (6.48 pm): I rise to make a contribution to the Fisheries (Sustainable Fisheries Strategy) Amendment Bill 2018 as a member of the State Development, Natural Resources and Agricultural Industry Development Committee. The Fisheries (Sustainable Fisheries Strategy) Amendment Bill 2018 was introduced into the Legislative Assembly and referred to the committee on 4 September 2018, with a reporting due date of 2 November 2018. The committee heard at the departmental briefing by Mr Scott Spencer, the Director-General of DAF—

In 2014, the previous government had an independent inquiry by MRAG Asia Pacific, led By Professor Glenn Hurry. That report was released in 2015 ...

...

... the current government then released a green paper on fisheries management in Queensland. We received a very large number of submissions—11,800 submissions—to that green paper. Over 10,000 of those were from the conservation sector.

A discussion paper was released for public consultation for a period of nine weeks from 16 March 2018 to 20 May 2018. At the committee's public briefing in Brisbane, Mr Scott Spencer spoke about the intention to modernise the Fisheries Act, stating—

For the first time, the legislation will recognise the fact that there are different sectors in the fishing industry. We often get the response that the act is all about commercial fishing, which is not unusual given that that is where the majority of restrictions apply. However, the new legislation before you will actually recognise for the first time recreational, commercial, charter fishing and Aboriginal and Torres Strait Islander fishing as all part of the very complex area and stakeholders that we manage.

This aspect of the bill had general support. This was evidenced by Ms Hance, President of the Queensland Game Fishing Association. She stated—

With an estimated five million Australians going fishing each year and spending \$10 billion a year in doing so, we are pleased that recreational and charter fishing have been formally recognised for its economic, social and environmental contribution to the Queensland and Australian economy and communities.

The bill will introduce a harvest strategy framework into the act, which was met with a mixed response. Ms Claire Anderson from the department, whom I notice is here tonight, stated about a harvest strategy—

They will cover all sectors, so commercial, recreational and charter. A harvest strategy will pick out key indicators that measure the performance of a fishery. For the commercial sector, for example, it may be catch rates.

An example of this was the coral trout fishery which has recently been granted a quota catch increase due to increased catch rates. Ms Anderson further commented—

We also have other indicators such as biomass, so we estimate through modelling how much biomass of a particular fish stock is available and we can see whether it is trending up or down.

This aspect of the bill was the subject of some difference of opinion, although the desired outcome was supported by Mr Kleinschmidt, a commercial and recreational fisherman in Moreton Bay. He told the committee—

We should not be at a point where we have to shut a fishery down because the biomass is not there. We have to be one step ahead of that. We cannot let any fishery get to that point. It has to be stopped before that point.

The concern expressed by industry was around the validity of the data. At the committee's hearing in Scarborough Dr Pollock, Scientific Adviser, Sunfish Queensland, commented—

The biomass model is basically a mathematical model that you plug data into and you get some information out of. The mathematical model is not too bad, but the data being put into it is pretty dodgy, to say the least.

Mr Spencer responded by stating that biomass was only one tool used for the collection of data. He stated—

Currently we collect data from commercial fishers by way of log books, via their VMS so we know how many days they are operating. We collect it from the charter boats through log books.

...

We are doing our boat ramp surveys for recreational fishers, because one of the areas in which we were probably deficient in data was recreational fishing. It is so difficult to collect it.

As acknowledged earlier, there is support for the strategy. However, the department needs to work more closely with industry to ensure the reliability of that data.

In relation to the clarification of the decision-making process, the minister will maintain responsibility for a strategic oversight of Queensland's fisheries, including the approval of harvest strategies and relocation decisions. The chief executive will be responsible for day-to-day management. The department advised the committee—

It is important to note that the proposal is for the chief executive to be able to adjust possession limits and total allowable commercial catch only if it is outlined in a pre-agreed harvest strategy which has been approved by the Minister for Fisheries after public consultation.

All declarations made by the Chief Executive are considered subordinate legislation and must be tabled in the Legislative Assembly and may be subject to a disallowance motion.

One area of the bill that received almost unanimous support was the need for tougher enforcement on black marketing. In an effort to combat black marketing, the bill will introduce a new offence of engaging in trafficking activity for priority fish. If the trafficking relates to a commercial quantity, which is currently five times the recreational bag limit, the maximum penalty will be 3,000 penalty units, \$391,650 or three years imprisonment. Otherwise it will be 1,000 penalty units.

The committee has recommended the commercial quantity limit be reduced from five times to a much lesser amount. If anyone is caught with five times over the bag limit, it is not a mistake. That recommendation has been ignored by the minister.

By far the most controversial aspect of this legislation is the introduction of the vessel monitoring system. This is not surprising given the sneaky way this government has gone about introducing this aspect of the legislation. The laws for implementing VMS were introduced by regulation, tabled in this House on 13 November 2018. This has meant that the regulation is already in effect as of 1 January 2019, with no opportunity to debate it in this House. The bill we are debating today only deals with the penalties for noncompliance. As of 1 January 2019 VMS must be fitted to all commercial net, crab and line fishing vessels and charter vessels by 1 January 2020.

The proposed purpose of VMS is to prevent fishing in protected zones and to assist in addressing black marketing as all commercial vessels will be tracked in real-time. The industry has expressed strong concerns around the protection of data collected by VMS as it is the intellectual property of the owner and takes years to collect. This data is the most valuable resource the fishing operator has.

The penalty for not having a VMS installed and operating properly and interfering with its operation will be 1,000 penalty units or \$130,550. Conversely, if the data is leaked or sold on the black market, the penalty is 50 penalty units or \$6,500. The committee finds this grossly inadequate and has recommended that the penalty for breach of the data reflect the penalty for noncompliance. This is

another recommendation that the minister has ignored. There were concerns raised as to the reliability and durability of the VMS in certain conditions and the impact that that would have on the fisher if the system failed. The committee has requested an update on the implementation of VMS in 18 months.

Once again we see the Palaszczuk government overstepping the mark when it comes to powers of entry, without the need for a warrant by a departmental inspector. The same applies in the vegetation management laws. If a police officer suspects there may be drugs or a dead body at a premises they would need a warrant to enter, but if a fishing inspector suspects there may be an undersized mud crab at a seafood shop, they do not require a warrant.

The last part of this bill that I will touch on briefly is the new offence of being inside an exclusion zone within 20 metres of a shark control apparatus. This is an attempt to prevent the deliberate sabotage of shark prevention devices. This is supported where those devices are in place.

It was apparent during the committee hearings that there was a lack of trust between the fishing industry and the government. There needs to be urgent attention given to building that relationship going forward.


I must say that I am very disappointed that the significant recommendations put forward by the committee have been ignored. They were endorsed by the entire committee. We all voted on them. We all endorsed those recommendations. They were significant concerns. They were the major concerns as we went through this process.

The minister has once again disappointed. He has failed to represent the very people that he is charged to represent. He has let down the commercial fishermen of this state. I am extremely disappointed. I feel sorry for the rest of the committee members, particularly those on the Labor side, who have to rewrite their speeches to defend that position. It is an atrocious decision.

Debate, on motion of Mr Weir, adjourned.

ADJOURNMENT

Kruger, Mr D

 **Ms LEAHY** (Warrego—LNP) (6.58 pm): I rise to inform the House of a special birthday. Dexter Kruger turned 109 years old on 13 January at a celebration held at the Rotary-run aged-care facility Pinaroo in Roma. Dexter Kruger is Australia's oldest man and the oldest Australian born citizen.

Now Dexter is not your average 109-year-old. He has published 12 books detailing his life and his latest titled *As You Like It* was published on his 109th birthday. Mr Deputy Speaker, I am not permitted by Dexter to table this book because he sells them on Facebook. Sorry, if anyone wants one, you will have to purchase it through Dexter's Facebook page.

He has been able to write 300 stories in 12 books. He is assisted by Janet Rowlings, who took over being his typist shortly after Dexter's 106th birthday, and little did she think that she would be working with him three years later. Janet has been honoured to type his last four books. Janet says Dexter has a phenomenal memory—and I can attest to that as well—and he makes her laugh every day. He has a quick, dry wit.


Dexter is on Twitter, Facebook, YouTube and Instagram. That is a pretty good effort for a 109-year-old. He has had some problems with Twitter though. Twitter did not allow him to input his year of birth because it does not think anyone could be born before 1910. It took some persistence, but Dexter was not perturbed by Twitter's shortcomings for the elderly and he eventually managed to set up a Twitter account.

Kicking off his birthday celebrations early, Dexter started the morning with an interview on ABC Radio National. Then it was off to church and a delicious morning tea. He then received a swathe of media attention later in the day, meeting with TV crews from Channel 7 and channel 10 in the afternoon before his big birthday bash. After all of the day's excitement, Dexter was somewhat worn out but his signature charm and wit did not tire. He said he even surprised himself with his stamina on the day. Mr Kruger regularly updates his social media. A quick google will find him—through Facebook, Twitter, YouTube or Instagram where he updates his family and followers on his daily life.

Roma is proud to have Dexter in our community. I wish to extend my thanks to the staff at Pinaroo who provide 24/7 care for Australia's oldest man and to all the residents of the Pinaroo aged-care not-for-profit residential facility, which is directed by the local Rotary Club in Roma. I extend my thanks

to the Rotary members for the work that they do for Pinaroo and aged care, and right across the region in relation to drought assistance and for what they do for the community in general. Thank you very much. On behalf of the House, I would like to pass on kind regards and best wishes to Dexter for his 109th birthday.

Stretton Electorate, Roads

 **Mr PEGG** (Stretton—ALP) (7.01 pm): As I have spoken about before in this House, while the Brisbane City Council has been getting on with closing roads in my local area for no reason, the Palaszczuk government has been getting on with improving local roads for motorists. I want to update the House in relation to that.

Firstly, work is well underway on a dedicated left-hand turn from Macquarie Way on to Wembley Road at Drewvale. Construction is well underway. Locals can see it when they drive past every day. It is due for completion midyear. What that will mean for locals in Drewvale is that they will have a dedicated left-hand turn. They will not have to wait at the lights. That is going to allow them to get on to Wembley Road and get to where they are going a whole lot easier. It is a huge win for locals in Drewvale.

Mr Power: Hear, hear!

Ms Enoch: It is going to be awesome.

Mr PEGG: I note the comments from the member for Algester and the member for Logan, who are big supporters of the project and big supporters of upgrading the Gateway and Logan motorways.

Mr Dick: Hear, hear!

Mr PEGG: Of course, the member for Woodridge is a huge supporter as well. Speaking of the Gateway Motorway, as part of the upgrade, for the first time locals in my community will be able to easily access the Gateway Motorway southbound. We have always been able to access the Gateway Motorway northbound. There will be southbound ramps from Compton Road. That will mean that locals will be able to get to where they are going a lot easier than in the past. That is fantastic news, and the project is right on track.

One of the big issues—and I have been working with the member for Algester in particular and other members in relation to this as it is on the border of our electorates—was the right-hand turn from Beaudesert Road on to the Logan Motorway. That has been a real bone of contention for a long time. It has been a serious safety issue. There is great news. There is going to be an underpass which will allow the traffic to flow and will make it much safer. Again, it is well on track. In fact, not too long ago the member for Algester and I conducted an inspection of the work, and it is well on track. That is fantastic news.


But wait, Mr Deputy Speaker, there is even more good news! I wish to inform the House about the bus stop at the Stretton Gardens Retirement Estate. Another mistake the Brisbane City Council made on Illaweena Street was forcing the Stretton Gardens Retirement Estate to build a bus stop. Guess what? The bus stop was never actually used. The council made them build a bus stop and they did not schedule any bus services for it! Again, I have been working hard to clean up their mess. I have great news because in coming months—very, very soon—that bus stop will actually be used for the first time. The ghost bus stop—the bus stop for nowhere—will be activated. All my friends at the Stretton Gardens Retirement Estate will be able to get on a bus and get to where they need to go.

There is great news in Stretton. While the Brisbane City Council is causing a mess on Illaweena Street, we are fixing things. We are upgrading the Logan and Gateway motorways.

(Time expired)

Mr DEPUTY SPEAKER (Mr Stewart): Thank you, member for Stretton. You can take a breath!

Mason Jett Lee

 **Ms BATES** (Mudgeeraba—LNP) (7.04 pm): There is nothing more evil than killing a child. As legislators, we have to do everything in our power to protect our kids and ensure appalling yet avoidable cases such as the death of Mason Jett Lee never occur again. Sadly, we have all seen and read the details of little Mason's tragic death. What happened to Mason Jett Lee was an absolute tragedy. As a mother, it breaks my heart to think about what Mason suffered at the end of his short sad life. The public deserve answers to this case—answers this government have refused to disclose for three years, hiding behind legal excuses.

The Palaszczuk Labor government must come clean and release investigation reports into the child safety department and Queensland Health's handling of Mason prior to his death. For almost three years this Labor government has been looking Queenslanders in the eye and promising to release the final reports detailing the full picture of what went so horribly wrong. For almost three years all we have had is secrets, false statements and inaction. Queenslanders deserve answers, and we deserve to know how the system failed Mason Jett Lee to ensure no other child faces the same fate.


This is not about placing blame on front-line staff and hardworking child safety officers—as Labor ministers for child safety have a tendency to do. We welcome news today about a coronial inquest, but it should not be used to prevent these reports being released.

As soon as the LNP discovered this issue we exposed it and demanded something be done about it. This is not about just one tragic death; this is about fixing the system so more deaths do not occur. The Palaszczuk Labor government must release the Mason Jett Lee reports immediately so Queenslanders can see failings within our child protection system which will ultimately make it stronger. Anything less is just more cover-up and secrecy that has marred a broken system.

We need to ensure that we have the right laws and procedures in place to ensure this never happens again. We need to fix the broken child safety system to ensure that vulnerable kids in this state are protected. Under Labor, we have seen a record number of carers walking away from the child safety system. Under Labor, reported abuse is not being investigated within the required time frames. Under Labor, abuse is continuing under the protection of the department. Despite all the money being thrown at the system, we still see abused children at further risk of harm.

Queenslanders deserve better than a sneaky, do-nothing Labor government that cannot be trusted to protect our most vulnerable children. Mason, his aunt and Act for Mason deserve better than cover-ups and secrecy. His legacy should be about ensuring that the systems that failed him are changed so that it never, ever happens again.

Bulimba Electorate, School Leaders

 **Hon. DE FARMER** (Bulimba—ALP) (Minister for Child Safety, Youth and Women and Minister for the Prevention of Domestic and Family Violence) (7.07 pm): It is that time of the year again—which is one of my favourite times in the electorate—when as MPs we get to go to the leadership ceremonies of our local schools and see the young people who will be taking their school forward into the year as the new leaders. They are so proud. Their parents and teachers and principals are so proud. I am always so proud of them myself and love to watch them grow as they undertake their duties throughout the year.

Signifying their importance, I did want to read the names of the school captains who have been confirmed to date in my electorate into the record of parliament. From Balmoral State High School, the captains are Mikaela Cox and Roh Whittaker. I so treasure the opportunity to be on the selection panel for the Balmoral State High School captains each year. I see the calibre of the year 11 nominees each year and it is always an exceptionally difficult task to make the final decision. Mikaela and Roh are already showing the selection panel members that we made the right decision.


From Lourdes Hill College, the captains are Makensie Firmin and Piper Zuino, with whom I had the pleasure of having in to lunch today at the Strangers' Dining Room. What a great team they are, and what emotional intelligence and hard work they are applying to their positions.

From our primary schools, we have boys and girls whom I have watched grow up at their respective schools, watched their interest in the world around them, their enthusiasm and intelligence, their pride in their school and their eagerness to always do their best. Their positions are well deserved and I know they will do their schools proud. From Bulimba State School, Holly Ballard and Adam Tynan; from Morningside State School, Tal S and Thomas P; from Norman Park State School, Poppy Ammundsen and Ryan Cartwright; and from Murarrie State School, Hayden Manning and Evie Bucimann.

In my electorate we are spoilt for choice in terms of schools, principals, teachers and school staff. It would be impossible to make the wrong choice about where to send your child for their education. In addition to the schools I have already mentioned, we also have CHAC, Seven Hills State School, Camp Hill state school, Saints Peter and Paul's; St Oliver Plunkett's; and St Thomas's primary school. I am very much looking forward to their leadership ceremonies and to personally congratulating the school leaders.

It is a great delight to bring the secondary school captains in for lunch so I can have that time to really get to know them. I love the special leadership morning tea I have for the primary school captains in May where they come into Parliament House and they talk about their experiences in leadership. They mix and they love the opportunity to talk to each other and learn more. I thank all of these schools and all of these students for the great work that they are going to do through the year and for the pleasure they bring everybody in watching the way they carry out their positions.

Maroochydore Electorate, Public Transport Safety

 **Ms SIMPSON** (Maroochydore—LNP) (7.11 pm): What a joke earlier today when Labor lefties and loviess patted themselves on the back for introducing a human rights bill to supposedly protect rights including freedom of speech while gagging speech in this parliament. I was on the speaking list and I was denied the opportunity to speak on this bill due to Labor's guillotine motion. This Labor government runs a gag motion every sitting week of parliament. For the first time in this parliament's 150-plus year history, we have a weekly and usually daily guillotine. This has never been done before.

Tonight I have only three minutes to speak in the adjournment debate in a parliament with diminishing speaking slots about a matter of vital importance to my electorate of safety on public transport and a vicious attack which saw a victim pummelled. The bill passed earlier today will not help fix law and order issues and public safety on the streets of Maroochydore.


On Sunday afternoon this week there was a brazen and vicious daylight attack at the Maroochydore bus station witnessed in front of other passengers and passing motorists. It was sickening to watch the video footage aired in media showing a victim having their head apparently slammed into the road pavement. After a \$44 million cut to the police budget, it is hard to explain to the public why this state Labor government has cut police resources. I am urging the state government to get their priorities right and restore the police budget and boost front-line police and transport network resources.

People have a right to feel safe and be safe on our public transport and on our streets. There is also a need for more senior network officers from transport to stop the culture of fare evasion and other abuse. There should be no tolerance for bad behaviour on our public transport. Urgent action is needed from the government to restore public confidence by supplying the resources and making our public transport safe. Enough is enough. The public needs to be safe day and night when using our public transport system, let alone waiting for a bus.

We have seen the number of people using public transport on the Sunshine Coast fall away. One reason is that network planning needs to be overhauled, but another significant reason is concern about public safety. There is a growing culture of abuse where some young gangs behave as if they are untouchable. Senior network officers from the transport department are needed to crack down on fare evasion, which I myself have witnessed on buses after receiving complaints from the public, because this type of behaviour creates a culture of disrespect. Our hardworking police also need more resources to target this bad behaviour. I urge people to stand up with us as we fight to get resources restored to fix this, because public safety matters.

(Time expired)

Miller Electorate, Road Safety

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (7.14 pm): Annerley is a historic suburb in my electorate—one of the most northern suburbs in the Miller electorate—and has a fantastic community which cares very much about the safety of the public. The shopping centre there was once the most bustling shopping centre in the city outside the CBD. It is now a very busy area with a freight route going through there and the Annerley Road-Ipswich Road junction coming together.

Sadly, in the last 12 months we have seen a pedestrian fatality there and other instances involving vulnerable road users and cars. It is not a very good situation whatsoever. My community wants to see a reduced speed zone through Annerley shopping centre to increase safety for people. We have a visually impaired facility nearby. We have a lot of elderly people, and it is very difficult to get across a very busy Ipswich Road.

I have been advocating very strongly for the council to reduce the speed zone through Annerley shopping centre. Not only will that mean that safety is improved for everybody who needs to cross that incredibly busy and dangerous road from about the police station all the way up to Venner Road through the commercial precinct; the beneficiary will be the Junction Park State School. The school is not on


Ipswich Road; it is literally a stone's throw from Ipswich Road. It has a 40-kilometre speed zone on its main frontage at Waldheim Street, but the parents and community want to see a reduced speed zone on the main road to increase safety for their kids getting to and from school. It is a very active school with a very vibrant P&C with very high attendances and they have a very strong case.

Sadly, what we have seen from the Brisbane City Council is a lot of inaction. Ipswich Road is a city council road, and it is their responsibility to look at this issue and bring in a reduced speed zone which will cost people a couple of seconds and massively increase safety for the local community. What I say to the BCC is stop playing games and delaying, and get on with this.

They have finally given a commitment that they will do a speed review after a lot of pressure from Junction Park State School parents and Annerley shopping centre traders. They have finally agreed to that. They are now saying that by midyear this will occur. What I say is: get on with it because midyear is a very vague time frame. The community and parents want to see this happen sooner rather than later, but the way to do it is not through a school zone, which would only be focused around the school and is difficult given that there is no road frontage. It is not just for the school but for the whole Annerley community. We have seen this happen on David Low Way on the Sunshine Coast—

(Time expired)

Herbert River Farming District


 **Mr DAMETTO** (Hinchinbrook—KAP) (7.17 pm): I rise to make this House aware of a problem we are seeing in the Herbert River farming district situated in the heart of the Hinchinbrook electorate. The banks of the Herbert River are home to some of the country's most fertile ground. Farmers everywhere, though, are under increasing pressure from this government to be more environmentally sustainable. Best practice farming methods have been adopted by a large percentage of our farmers. Canegrowers in the Herbert River district depend on good drainage and well-maintained drains so they can grow sugar cane. It simply will not grow under water.

Our drainage board works closely with farmers to provide positive outcomes for growers all along the Herbert River and surrounding creek systems, but what we are dealing with is literally drowning our crops in low-lying areas in farms that are near our drain outlets. Our drainage issues are caused by two things—better drainage efficiencies in the system upstream and choked drain outlets where the drains meet the wetlands and the ocean. What used to be designed and maintained as good drainage systems is now choked with logs, Hymenachne, weeds and mangrove bush.

Classifying these drainage outlets as fish habitats and breeding grounds has made it almost impossible to maintain this important drainage system. I am calling for the Minister for Environment to help our region in making it easier for our drainage boards to do their role. The current framework puts too many roadblocks in place that creates a scenario where in most cases the cost of going through the permit process far exceeds the physical works. We need to be able to get into these areas with mechanical aids to help us remove weeds, logs and the build-up of vegetation so we can allow these drains to breathe. Maintaining mangrove vegetation is also important. I do understand the importance of mangrove vegetation, but I also understand its rapid growth, resilience and ability to propagate and spread quickly.

Most of our drains that are choked by mangrove are man-made drains. The mangrove is actually encroaching and spreading into places where we have never seen it before. This problem we are seeing with flood damage to farms is because we have not seen this water in this area before and it simply cannot get away. Nearly every time we see our region disaster declared, we qualify for category C funding. This is made available to farmers to help with crop losses and to fix farms. Some of this could be avoided. It is time to back our farmers and remember that sustainable for some also means protecting our agricultural industry.

Algerie Electorate, Community Organisations

 **Hon. LM ENOCH** (Algerie—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (7.19 pm): This evening I would like to congratulate all of the not-for-profit organisations in my electorate of Algerie for the great work they do for our community. These groups are run by incredible people who dedicate their lives to making our community a better place for all. Over the last year, organisations in the Algerie electorate have been granted over \$200,000 from the Gambling Community Benefit Fund to support the great work they do in our local area, and I would like to acknowledge the incredible achievements of just a few of the many.

I refer firstly to the staff and parents at Calamvale Special School who tirelessly advocate for some of the most vulnerable children in our society. They are led by a great P&C, with president Courtney McConchie, treasurer Samantha Specogna and vice-president Jodie McGrath, with the ongoing support of school principal, Sue Howell. Last year they received a grant to purchase a new vehicle. This has meant that staff are no longer required to get a bus licence to be able to drive the vehicle, making it easier for all classes to be able to access transportation without limitation.


The school was also able to install two wheelchair mounts, increasing accessibility for students. This investment has enhanced opportunities for students to participate in a range of activities in our community. The school also purchased a shade cover for their liberty swing. Every time I have visited, I have seen that that liberty swing—which is a special swing designed for students in wheelchairs—is very much loved. This has been a great outcome for the school community, bringing joy for many students.

Another organisation in the Algeester electorate—Belong—has been able to upgrade their training room, installing new carpet, benches, blinds, computers and projector screens. This facility is used by a range of people across our community, including those completing Skilling Queenslanders for Work programs. It is also a meeting space for multicultural groups and a general safe space for the community. This is a credit to the ongoing work of centre director, Trish Cattermole, and board chair, Jo Justo. I saw it firsthand recently, and I can say that it is an absolutely fantastic space.

Acacia Ridge Youth Space—one of the newer organisations in my electorate—are doing great work with young people. They have been able to purchase 3D printers and recording studio equipment, which have provided incredible creative opportunities for our youth. Approximately 20 people utilise these facilities every day, building their skills as young entrepreneurs and creative minds. Since the facility first opened last year, head of campus, Liza Page, and youth space coordinator, Chris Richards, have done a wonderful job creating an invaluable hub for young people in our community.

Investing in our communities in this way is vital. Organisations like Calamvale Special School, Belong and Acacia Ridge Youth Space are shining examples of that.

Maleny State School, Proposed Development

 **Mr POWELL** (Glass House—LNP) (7.22 pm): I rise to address the fact that D-day is fast approaching for the Maleny community. I refer to the live development application that is afoot for a proposed petrol station and fast-food outlet opposite the Maleny Primary State School. I will be up-front. Maleny could probably do with an additional petrol station, and that is very much supported throughout the community. Maleny has a very particular focus when it comes to fast-food outlets though, and it is probably not very welcome. However, no-one wants it as you enter the town and no-one wants it directly opposite our state school.


Sadly, because of changes made to the last Sunshine Coast Regional Council town plan, the project is code assessable. The one glimmer of hope the community and those who are very concerned about this have is that, because it is on a main road and it is directly opposite a state school, it has been referred to SARA—the state agency that looks at these considerations—for input from organisations such as Education Queensland and the Department of Transport and Main Roads. We have a decision due later this week from SARA. Sadly, that decision will ultimately inform what the council does. As I said, it is code assessable. If the decision comes back in favour even with conditions, then I suspect this is going to proceed.

I sent an email through as recently as late last week or early this week to Ministers Dick and Bailey with expert traffic engineering reports that show that there are significant issues if this development goes where it is proposed. I would ask that, if there is any opportunity for SARA to seriously consider these and rule accordingly, they do so. I know also that the school community has lobbied the education minister, Grace Grace, very hard.

I know that petrol stations and fast-food outlets operate opposite schools around the state, but let me refer to an article in the *Sunshine Coast Daily* from 26 February in relation to the Chancellor State College Secondary Campus. Councillor Dickson said in the article that the development had been conditioned by the book but admitted that planners may have lacked foresight by not anticipating the traffic and safety issues. What is basically happening here is that, despite there being a pedestrian crossing some 100 metres down the road, the kids are doing the bolt across the very busy road to the fast-food outlet. The council are now having to bring forward funding to put a safety refuge in the middle of the road and ultimately signalise it.

We have an opportunity here. I know when a council has made something code assessable that it is difficult for us to stop it, but I again plead with Minister Dick and Minister Bailey in particular as the relevant agencies to really look at this. I want to acknowledge Angie Kelly from No Fuel Opposite Our School EVER and Adrian McCallum from the Maleny Primary State School P&C for the advocacy that they have had in this area.

Redcliffe Electorate

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice) (7.25 pm): In speaking about my wonderful electorate of Redcliffe, I firstly want to make mention of the very serious allegations that were put by the member for Mudgeeraba in this chamber this week in relation to a doctor at the Redcliffe Hospital. I welcome the comments from Minister Miles that these are serious allegations and that all of the material will be referred to relevant bodies for investigation. I also echo his calls that, if anyone has any information or evidence in relation to those allegations of misconduct, they should contact the relevant authorities.

Many people would know about my passion of trying to get the barge back operating from the Redcliffe Peninsula to Moreton Island. The Queensland government released a tender for the private sector to establish a barge service from the Scarborough boat harbour to Moreton Island in July last year. I regularly get asked where this is at, so I want to give an update for the House this evening.

To support this outcome, the Queensland government committed funding of \$4 million for enabling works at Scarborough boat harbour. Unfortunately, the original tender process did not identify a suitable proponent. The Queensland government though has recently received new interest from a party looking to establish a barge service to connect to Moreton Island. In light of this, the Queensland government has commenced preliminary discussions with the interested party and has requested further information about the proposal. Once the proposal is received, it will be assessed by Queensland government officers to ensure the suitability of the proponent and proposal.

We have always said that this can only go ahead if there is a business out there willing to run this as a commercial enterprise. This government is the first government that has ever put money on the table to get this service operating. We are committed to speaking to any interested parties out there to see if we can make this a reality. We will see what comes of this proposal, but I am pleased to say that, although the original tender process did not reap benefits, there is a new interested party and those discussions are ongoing. I note the members for Bancroft and Murrumba and many other members on the north side of Brisbane are very keen to see this operational. The money is still there and those discussions are ongoing.

In the brief time I have left, I wish to talk about school investiture ceremonies, and I note that other members, including the member for Bulimba, also spoke about this. I wish to talk about the Redcliffe State High School leadership investiture ceremony that I went to this week. I acknowledge school captains Regan Gracie, Fletcher Day and Kai-Noa Wynyard, as well as student representative council president Jai Jackson. I congratulate them for becoming leaders for 2019 at Redcliffe State High School.

(Time expired)

The House adjourned at 7.29 pm.

ATTENDANCE

Andrew, Bailey, Bates, Batt, Bennett, Berkman, Bleijie, Bolton, Boothman, Boyce, Boyd, Brown, Butcher, Costigan, Crandon, Crawford, Crisafulli, D'Ath, Dametto, de Brenni, Dick, Enoch, Farmer, Fentiman, Frecklington, Furner, Gilbert, Grace, Harper, Hart, Healy, Hinchliffe, Howard, Hunt, Janetzki, Jones, Katter, Kelly, King, Knuth, Krause, Langbroek, Last, Lauga, Leahy, Linard, Lister, Lui, Lynham, Madden, Mander, McArdle, McDonald, McMahan, McMillan, Mellish, Mickelberg, Miles, Millar, Miller, Minnikin, Molhoek, Mullen, Nicholls, O'Connor, O'Rourke B, O'Rourke C, Palaszczuk, Pease, Pegg, Perrett, Pitt, Powell, Power, Pugh, Purdie, Richards, Robinson, Rowan, Russo, Ryan, Saunders, Scanlon, Simpson, Sorensen, Stevens, Stewart, Stuckey, Trad, Watts, Weir, Whiting, Wilson