



# RECORD OF PROCEEDINGS

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## FIRST SESSION OF THE FIFTY-SIXTH PARLIAMENT

### Wednesday, 1 May 2019

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## WEDNESDAY, 1 MAY 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 STATEMENT

#### Visitors to Public Gallery



**Mr SPEAKER:** I wish to advise that we will be visited in the gallery this morning by students and teachers from Labrador State School in the electorate of Bonney. I also wish to welcome to the gallery the YMCA youth member for Warrego, Madi Kenna.

### PETITION

The Clerk presented the following e-petition, sponsored by the Clerk—

#### Shute Harbour Road

From 172 petitioners, requesting the House to ensure the speed limit on the section of Shute Harbour Road between Tropic and Paluma Roads is reduced to 60km/h and to maintain Shute Harbour Road at four lanes [663].

Petition received.

### TABLED PAPERS

#### TABLING OF DOCUMENTS (SO 32)

#### STATUTORY INSTRUMENT

The following statutory instrument was tabled by the Clerk—

Legal Profession Act 2007:

[660](#) Legal Profession (Society Rules) Amendment Notice (No. 2) 2019, No. 62

[661](#) Legal Profession (Society Rules) Amendment Notice (No. 2) 2019, No. 62, explanatory notes

#### MINISTERIAL PAPER

The following ministerial paper was tabled by the Clerk—

Minister for Communities and Minister for Disability Services and Seniors (Hon. O'Rourke)—

[662](#) Director of Forensic Disability—Annual Report 2017-18

### NOTICE OF MOTION

#### Labour Movement



**Hon. G GRACE** (McConnel—ALP) (Minister for Education and Minister for Industrial Relations) (9.32 am): I give notice that I shall move—

That this House joins together on 1 May to recognise and celebrate the historic achievements of the labour movement in improving the lives of workers in Australia and notes and supports the initiatives of the Palaszczuk government in improving the working lives of Queenslanders, including providing safer workplaces and secure jobs for Queenslanders by:

1. taking urgent action on silicosis in the manufactured benchtop industry;
2. reforming workers compensation arrangements and processes to support victims of black lung and other dust lung diseases;

3. introducing industrial manslaughter laws;
4. establishing nation-leading labour hire licensing laws;
5. initiating a parliamentary inquiry into wage theft;
6. legislating 10 days paid domestic and family violence leave;
7. appointing a stand-alone workplace health and safety prosecutor;
8. calling for the Fair Work Commission to provide real wage rises for our lowest paid and oppose cuts to penalty rates;
9. returning Labour Day to where it rightly should be in May; as well as—

**Mr Bleijie:** Shame!

**Mr SPEAKER:** Sorry to interrupt you, Minister—

**Ms GRACE:** I take the interjection from the member for Kawana.

**Mr SPEAKER:** Minister, you may well take the interjection. I ask you to resume your seat. Member for Kawana and members to my left, I have afforded the courtesy to all members of this House when introducing or moving a motion that they be heard in silence. Member for Kawana, you are warned under the standing orders.

**Ms GRACE:** I continue—

10. repealing the attacks on working Queenslanders by the Newman government including by:
  - (a) reversing the cuts to front-line services and the sacking of 14,000 public sector workers;
  - (b) reinstating the rights of injured workers to take common law action by removing the LNP's unfair, arbitrary threshold;
  - (c) restoring the bargaining and workplace rights for our nurses, teachers, police, doctors, firefighters, ambulance officers, teacher aides, school cleaners and thousands of other public servants; and
  - (d) returning workplace entry rights to help protect worker safety in dangerous work sites.

## MINISTERIAL STATEMENTS

### Domestic and Family Violence

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.35 am): May is Domestic and Family Violence Prevention Month. It is a time to remember those lost to us, a time to stand with those left behind and a time to continue to promote a clear message that violence of any kind is not tolerated and to ensure that those experiencing abuse know that help is available and how they can access it. It is also a time to recognise the hard work of those working to support people affected by violence.

Four years on from receiving the *Not now, not ever* report, my government has completed 98 government directed recommendations and commenced the remaining 23. The Domestic and Family Violence Implementation Council continues to have an important role in our Not Now, Not Ever reform program. I now table the council's implementation progress report from December 2017 to November 2018.

*Tabled paper:* Domestic and Family Violence Implementation Council, Progress Report—1 December 2017 to 30 November 2018 [\[664\]](#).

We have allocated a record \$328.9 million over six years to drive significant reforms. The Respectful Relationships program is being taught in schools and we have dedicated specialist domestic and family violence courts. Campaigns including 'Do Something' are urging bystanders to speak up. We also recently launched a campaign to raise awareness of domestic and family violence for our LGBTIQ communities. We recently renewed contracts for more than 50 domestic violence shelters and support services. We have also recognised the importance of integrated service responses and have commenced trials of these innovative approaches in Logan, Beenleigh, Mount Isa and Cherbourg. These trials are supported with cross-agency teams focusing on high-risk situations and are now operating in three trial locations as well as Brisbane, Ipswich, Cairns, Caboolture and Mackay.

The report commends my government on the progress of our domestic and family violence reforms and concludes that momentum for change in our community remains strong, but there is still a long way to go. We know that the community and government must continue to work together to ensure every Queenslander is safe.

This month I encourage every Queenslander to get involved in awareness-raising activities in their community. Whether it is a walk against violence, a candlelight vigil—I will be attending one tonight at Kangaroo Point Cliffs—or a workplace event, it is important that we pause to remember and renew our commitment to work towards a Queensland free from domestic and family violence.

### Brisbane International Cruise Terminal

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.37 am): Construction has started on one of the most important projects ever for Queensland tourism employment: the Brisbane International Cruise Terminal. With the state development minister, the tourism minister, the Lord Mayor and the Port of Brisbane CEO, I turned the first sod for the \$158 million project at Pinkenba. From late next year cruise ship passengers will arrive at and depart Brisbane in the world's best, state-of-the-art facilities. With over 180 bookings already confirmed for the 2020-21 cruising season, local passengers setting out across the seas or international visitors coming our way from around the globe are set to enjoy the very best entry and departure and all that Queensland has to offer. The world's biggest megaliners—ships that are too long, too high and too deep to dock at Hamilton—will have a brand-new, dedicated place to berth in our capital city.

The terminal project is providing hundreds of construction jobs and, when operating, will add to the already thousands of employees who work in our cruise industry. The terminal will stimulate the cruise industry at ports up and down the Queensland coast as we aim to increase passenger numbers throughout the state to more than a million a year. It is already a billion dollar industry in Queensland, and this new facility has the potential to more than double that value to our economy.

Like all of our major tourism hubs along the Queensland coastline, Brisbane is both a destination in its own right and a gateway. The new terminal will bring more passengers to Brisbane, which in turn means more visitors to the south-east, the Whitsundays, the north, the far north and of course the Great Barrier Reef, and it means that more international visitors have another option for arriving in our state. Once again, it highlights the vibrant, diverse and world-class Queensland tourism sector.

### Screen Industry

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.39 am): I am passionate about Queensland's screen industry. You might say I have a 'burning love' for it, and today I do not have good news for Queensland; I have great news for Queensland. The screen industry lets our state reach out to the world in a way that few other places can match. It creates an ongoing stream of direct and indirect skilled jobs for thousands of Queenslanders and injects billions of dollars into our economy. On my recent trade mission to the United Kingdom I received an urgent message asking whether I could change my schedule to meet a legend of Hollywood and Australia who wanted to fly immediately from New York to meet me in London. I agreed, we met and now the deal has been done. That meeting was with Baz Luhrmann, producer of *Romeo + Juliet* and four of the 10 highest grossing Australian films of all time—*Australia*, *The Great Gatsby*, *Moulin Rouge* and *Strictly Ballroom*. Baz Luhrmann has chosen Queensland as the place to produce his next masterpiece, or, should I say, blockbuster. Today I can inform the House that the story of Elvis is coming to Queensland. Baz will make a biopic—

**Honourable members** interjected.

**Ms PALASZCZUK:** I have the member for Kawana's attention!

**Honourable members** interjected.

**Mr SPEAKER:** Thank you, members. I know there is 'a hunk, a hunk of burning love' in this place today, but let us just calm down.

**Ms PALASZCZUK:** Baz will make a biopic on the life of Elvis Presley right here in Queensland at Village Roadshow on the Gold Coast. He is bringing a bit of Memphis to Mudgeeraba, a bit of Graceland to Gaven. In summer we can certainly bring the sultry humidity of the Deep South. This production is expected to employ 900 Queenslanders in roles including set construction, catering and costume design. It is expected to inject more than \$105 million into the Queensland economy. It does not just offer work for Queensland; it offers opportunities for actors from other parts of the world to come and visit Queensland. I can also tell the House that the role of Colonel Tom Parker, Elvis's manager and a key part of this particular story, will be played by dual Oscar winner Tom Hanks. The role of Elvis will be filled after a worldwide search to be overseen by Baz himself. There are more than 340 film and video production, post-production and digital game businesses in Queensland. We are home to the

largest sound stage in the Southern Hemisphere. We have had 16 major international productions supported by Screen Queensland through the Production Attraction Strategy since 2015, creating more than 5,500 jobs.

**Ms Jones:** A Commonwealth Games legacy.

**Ms PALASZCZUK:** I take that interjection from the Minister for the Commonwealth Games. It is part of our Commonwealth Games legacy to have that super sound stage. Earlier this year we opened a new \$12 million film and television studio here in Brisbane. My government will always back Queensland's screen and stream industry and the thousands of skilled professionals who work in it. What a great day for Queensland!

### Energy Industry

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships) (9.42 am): Queensland's export mix has significantly changed over our history and, in response to global demand, the pace of this change is only picking up. It took 100 years for sugar to replace wool as Queensland's top export. It took just 10 years for coal exports to overtake sugar and 10 years ago Queensland had no LNG industry. Thanks to Labor governments, LNG is now a \$60 billion enterprise providing thousands of jobs throughout Queensland. Our LNG exports are nearly double the value of our thermal coal exports. Earlier this month the member for Gladstone and I had the chance to visit the LNG plant operated by Shell QGC on Curtis Island, which is a shining example of Labor's commitment to continuing Queensland's role as an energy powerhouse, especially in our regions.

Queensland's forward-looking energy mix is increasingly embracing renewable sources. Just five years ago under the LNP, Queensland had no investment in renewable energy. Now, one in three Queensland homes has a solar system installed. While visiting Gladstone I saw further evidence of the energy boom taking place under the Palaszczuk Labor government. Northern Oil is front and centre of the renewable energy horizon in Queensland. The Palaszczuk government attracted Northern Oil to Gladstone and provided a \$3.5 million grant to establish its advanced biofuels pilot plant in 2017. Two years later, Northern Oil now converts more than 300,000 litres of waste oil into useable biofuels every day. Any Australian business can now test renewable fuel sources in Gladstone free of charge, a service that was previously undertaken overseas at a considerable cost.

Besides its biofuel refinery, Northern Oil is also navigating the burgeoning hydrogen market in Australia. Thanks to another \$1 million grant from the Palaszczuk government, Northern Oil has successfully developed a biohydrogen generation unit which powers its refinery and has the potential to power a hydrogen fuel cell. The world is looking to hydrogen and Labor has a vision that international markets will source it from Queensland. Federal Labor under Bill Shorten has committed to investing \$1 billion in Australia's hydrogen industry which has the potential to create \$3.6 billion in exports and 6,000 jobs by 2030. The International Energy Agency forecasts that 40 per cent of global power will come from renewables by 2040. As global energy demand continues to increase and diversify, only Labor has a plan to ensure that every Queenslander has a place in the energy economy of tomorrow. As a global energy generation powerhouse, it is only Labor that has a plan to make sure that we seize every opportunity for growth and jobs as a proud and successful export economy.

### Superyacht Industry

 **Hon. CR DICK** (Woodridge—ALP) (Minister for State Development, Manufacturing, Infrastructure and Planning) (9.45 am): Since this government came to power in 2015, our No. 1 focus has been jobs. More than 192,000 jobs have been created since the election of the Palaszczuk Labor government. In our regions and our cities, from the bush to our beaches, the focus of our work—our commitment—is to put more Queenslanders into work. We are delivering for Queensland because we are a strong, stable government. In addition to supporting our state's traditional strengths like resources, agriculture, manufacturing and tourism, we are also looking to extend job creation in those sectors by growing new industries. That is why I am pleased to inform the House on progress that has been made locally within our superyacht industry.

By 2023, our plan is to increase Queensland's share of the global superyacht sector by 10 per cent. In the south-east, superyacht activity has the potential to contribute more than \$1.1 billion to our economy and support nearly 8,000 full-time-equivalent jobs by 2021, almost double 2016 figures. In Cairns and the Whitsundays, superyachts are anticipated to bring in \$580 million and create 4,500 full-time-equivalent jobs by 2021. This is up from \$324 million and 2,664 jobs. These are exciting growth prospects that our government is eager to maximise.

As part of our Superyacht Strategy released last year, we launched a Superyacht Industry Development Fund. This is to support small and medium sized businesses supplying to, or with the potential to supply, the superyacht industry. Today I am pleased to announce the first grants awarded through round 1 of this fund. The recipients are Gold Coast City Marina & Shipyard and Seaspec Marine Services, both in Coomera; Rivergate Marina & Shipyard in Murarrie; Abell Point Marina in Airlie Beach; and Trinity Fire Services and Carter Marine Agencies, both in Cairns. Our government support will help these businesses build valuable relationships in the global superyacht market at international trade shows in Singapore, Tahiti, Monaco and Fort Lauderdale in Florida. It will also promote Queensland as a world-class Pacific destination for superyacht cruising, construction, fit-out, repair, maintenance and overhaul. While the LNP cravenly seeks to do deals with One Nation and Clive Palmer, putting the economic progress of our state at risk, our government will continue to focus on creating new jobs in new industries for all Queenslanders.

### Jobs

 **Hon. KJ JONES** (Cooper—ALP) (Minister for Innovation and Tourism Industry Development and Minister for the Commonwealth Games) (9.48 am): We are investing in our best and brightest entrepreneurs to create the jobs of the future in Queensland. Through Advance Queensland, the Palaszczuk government has created more than 14,800 jobs by supporting innovative businesses. Today I am proud to announce that through our innovation agenda new data shows that we have leveraged more than half a billion dollars—\$570 million—in private sector investment for Queensland companies. Today we have also seen great praise for the Sunshine Coast based food technology company Naturo. It has developed milk that stays fresh for more than 60 days—a product that has huge export potential in Asia. I am very proud to say that our government saw the huge export potential and the potential to grow jobs in this business, and that is why we backed it last year with an Ignite Ideas grant.

Since partnering with the government, I can advise the House that Naturo has gone from strength to strength, creating more jobs and opening a new factory at Coolum. After receiving a grant from the Palaszczuk government they have also taken on *Shark Tank* star and renowned entrepreneur Glen Richards as an investor. I am also advised that they are expecting to create an extra nine jobs in the future as a result of support from the government.

This is what our innovation agenda is all about—creating jobs right across Queensland no matter where people live in our great state. Under the Newman government, the LNP cut millions of dollars from science and technology, but our government is investing in businesses, investing in growth and investing in jobs.

### Electricity Supply

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (9.49 am): Queensland's publicly owned electricity assets are investing billions of dollars in new and improved capital works, supporting thousands of jobs from the Far North to the southern Gold Coast. I am pleased to announce a \$28 million project to upgrade the substation that powers Mackay's central business district. This important project will improve the reliability of the electricity supply for more than 4,600 existing customers, including operators in the tourism, entertainment and business precinct.

The Mackay Regional Council has identified the city's riverfront as a priority development area and this project will support economic growth by delivering an affordable, secure, sustainable and safe electricity supply now and into the future. For new and existing businesses in Mackay, that means help to grow and create jobs into the future. The project itself will not only support the almost 200 Ergon jobs locally but will mean work for construction contractors locally.

This investment is just part of more than \$1.5 billion in the current budget allocated to Energy Queensland's capital works. This is for projects ranging from the recently upgraded Palm Beach substation to replacement generators in Aurukun. Together they will support the more than 7,300 jobs across Energy Queensland, including Energex and Ergon crew members, in construction and maintenance work. These crews are also the same people who are always there for our communities across the state during times of disaster. If I may, here is a big shout-out to all of the Ergon and Energex workers involved in the post-flood recovery in and around Townsville and the north-west.

Additionally, our publicly owned transmission company, Powerlink, has \$232.7 million allocated for capital works in 2018-19. This infrastructure investment will support more than 400 jobs. One of the latest of these projects to be completed is the \$12 million project to replace secondary systems at the Tully substation. The four-year project has supported up to 28 jobs. Secondary systems are the control,

protection and communications equipment that operate the transmission network and prevent damage to physical plant in the substation such as transformers. Replacing secondary systems is a cost-effective investment, because new secondary systems prolong the life of the substation and avoid or delay the need for new infrastructure.

A significant proportion of Powerlink's annual capital works is now in connecting new renewable energy projects to the grid, increasing supply and helping Queensland reach its target of 50 per cent renewables by 2030. Those important projects include new substations for the Coopers Gap wind farm near Kingaroy, the Mount Emerald wind farm near Cairns and the Whitsunday and Hamilton solar farms in North Queensland near Collinsville. This is our publicly owned electricity assets at work—assets that belong to the people of Queensland, reinvesting in jobs and economic growth for the people of Queensland.

### Hospitals, Demand

 **Hon. SJ MILES** (Murrumba—ALP) (Minister for Health and Minister for Ambulance Services) (9.52 am): Queensland hospitals are treating a record number of patients across the state and saving a record number of lives. Between July 2018 and March 2019, Queensland hospitals saw 1.5 million Queenslanders in their emergency departments. That is the equivalent of the populations of the Gold Coast, the Sunshine Coast, Cairns, Townsville, Mackay, Rockhampton, Gladstone, Hervey Bay and Maryborough combined. Just last month the state's emergency physicians saw a total of 178,573 patients, which is an extra 18,056 people seen compared to the same time last year. That is a demand increase of almost six per cent, or the equivalent of Mount Isa's population. Despite that huge increase, 99 per cent of the sickest patients were seen within two minutes of reaching hospital and the median wait time across all categories was just 17 minutes.

We have managed this surge in demand because the Palaszczuk government is investing in our hospitals. We have delivered 527 new beds in our hospitals—opened, available and treating patients now. There is plenty more to come. We have a record hospital building program that includes major redevelopments at the Logan, Caboolture and Ipswich hospitals, as well as delivering major health infrastructure projects right across Queensland, such as the Cairns Southern Corridor Health Precinct, the Cairns Hospital mental health unit, the Rockhampton alcohol and other drugs rehabilitation facility, the Blackall, Kingaroy, Roma, Thursday Island and Sarina hospital developments and the new adolescent extended treatment facility to replace the Barrett centre, which was cruelly closed by those opposite.

Since 2015, the Palaszczuk government has invested in emergency department projects in Townsville, Logan, Hervey Bay, Gladstone, Atherton, Maryborough, Caboolture and Redlands. Since coming to government we have hired 5,963 more nurses and midwives and 2,017 more doctors, including an extra 691 nurses and midwives and 337 doctors in just the last six months. This is reducing elective surgery wait times. Since 2015, the number of patients receiving their first specialist outpatient appointment increased by 14.7 per cent. That is almost an extra 80,000 patients who received their initial outpatient appointment in the last financial year compared to the number in 2015. The Palaszczuk government is delivering more and better health care for all Queenslanders every single day.

### Indigenous Communities, Housing

 **Hon. MC de BRENNI** (Springwood—ALP) (Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport) (9.55 am): For 50 years Australian governments have joined with us to provide homes in remote Aboriginal and Torres Strait Islander communities. That all ended last year under the federal LNP. Aboriginal and Torres Strait Islander leaders described it as profoundly disappointing to see the federal LNP walk away from a shared responsibility to closing the gap in Queensland's remote communities.

This government, in partnership with those community leaders, made repeated calls to the Commonwealth government to continue to fund housing for Queenslanders living in remote communities. I wrote repeatedly to the outgoing federal Minister for Indigenous Affairs over the past 12 months. I travelled to Canberra to make it clear to the Prime Minister that he will be the first—the first—prime minister in half a century to turn his back on those communities. I have stood in this House and repeatedly called on the opposition leader to reach out to her colleagues in Canberra and ask them not to walk away from Aboriginal and Torres Strait Islander communities.

The Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships has also made repeated public pleas on behalf of these communities, as has our Premier, who, in this House, has repeatedly called on the opposition leader to reach out to the Prime Minister.

In fact, our Premier has formally committed ongoing funding for remote communities—a concrete commitment to closing the gap and securing jobs in remote Aboriginal and Torres Strait Islander communities. The member for Cook has also repeatedly advocated for her communities. What have we heard from those opposite? In Queensland, the opposition members stood by and said nothing while their federal counterparts stripped \$1.6 billion from housing in remote communities in Queensland.

The federal LNP does not have a plan for all Queenslanders. In fact, its only plan is designed to wipe out those remote communities. It has remained determined to rip \$1.6 billion from the heart of remote Indigenous Queenslanders. In contrast, the Palaszczuk government has always been committed to providing housing pathways for all Indigenous Queenslanders—

**Mr Hart** interjected.

**Mr SPEAKER:** Member for Burleigh, you are warned under the standing orders.

**Mr de BRENNI:**—to secure better futures to help close the gap between Indigenous and non-Indigenous Queenslanders.

A wealth of evidence shows that housing is essential to closing the gap on Indigenous disadvantage. Based on 2016 census data, Indigenous people are more than three times more likely to experience overcrowding. Had Queensland remote communities been given their fair share of funding from the Morrison LNP government, they could have built 189 three-bedroom homes in remote communities in just one year. An investment of \$112 million on the 2019-20 Commonwealth budget coupled with the Palaszczuk government's existing spend is all that would have been needed to address overcrowding and save the 600 jobs in construction in these communities. All the Morrison budget had for first nations Queenslanders was blank after blank.

An ongoing effort in housing in Queensland's most remote communities would save jobs and save lives. A future Shorten Labor government understands this. I am pleased to inform the House that, today, Bill Shorten has announced that Labor will not turn its back on Australians living in remote communities. A Shorten Labor government will provide \$251 million in funding to Queensland, Western Australia and South Australia in 2019-20.

Following these interim arrangements, they will work with the states and territories to develop a genuine ongoing partnership to tackle the issue of overcrowding as part of the Closing the Gap Refresh. Labor gets it, Bill Shorten gets it. He knows that this funding will help to address overcrowding and it will protect 600 jobs, including 100 apprenticeships, while longer-term agreement is negotiated. Australians have suffered six long years of cuts and chaos, division and dysfunction under the federal Abbott, Turnbull and Morrison governments. Queensland's Aboriginal and Torres Strait Islander leaders are sick and tired of the lies from people like the coalition's Indigenous affairs minister.

**Mr SPEAKER:** Member, I think you will find that language is unparliamentary. I ask you to withdraw.

**Mr de BRENNI:** I withdraw. Queensland's Aboriginal and Torres Strait Islander leaders are sick and tired of the stunts from the coalition's Indigenous affairs minister, Nigel Scullion. The LNP is out of touch with first nations Queenslanders. It is out of touch with everyday Queenslanders in every corner of this state.

## Transport Infrastructure

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (10.00 am): Over the next two decades South-East Queensland's population is expected to grow by almost two million. And why not? We are the home of unprecedented job opportunities: 192,000 jobs created so far under the Palaszczuk government. That is why over the next four years we are delivering a record \$21.7 billion transport program that will support more than 19,000 jobs after a 10 per cent increase in state funding in last year's budget.

We are delivering a better M1: the \$197 million upgrade from Mudgeeraba to Varsity Lakes; the \$74 million exit 54 upgrade at Coomera; the \$195 million M1 merge upgrade; as well as the exit 57 upgrade. That is many jobs. It is the Palaszczuk state Labor government doing the heavy lifting compared to New South Wales because the federal LNP refused the Gold Coast its fair share of infrastructure funding. The \$512 million Logan Enhancement Project will soon be complete, with more than 1,300 jobs and which will unlock more than \$1.2 billion for our economy. On the Ipswich Motorway we see major progress on the \$400 million Oxley to Rocklea upgrade. This 470-job project will reduce congestion for 85,000 motorists. On the Centenary Motorway early works are well underway to upgrade

the Sumners Road interchange and we are planning a much needed Centenary Bridge duplication. In Brisbane we see the first signs of the transformative \$5.4 billion Cross River Rail project, where 7,700 jobs will unlock more frequent public transport for the entire South-East Queensland region.

On the Gateway Motorway through Nudgee, 1,000 workers recently upgraded a critical 11-kilometre stretch. On the Bruce Highway we are building the \$812 million, 600-job upgrade from Caloundra Road to the Sunshine Motorway. Six-laning between Caboolture and Steve Irwin Way will follow next year. Right near the Bruce Highway is the Sunshine Coast rail line, where our Beerburnum to Nambour upgrade will unlock frequent, reliable transport. Unfortunately, we have seen again the federal LNP refuse to fairly fund the project after giving Victoria 80 per cent for their rail project. This \$250 million shortfall for the Sunshine Coast means we may need to look at staging the upgrade.

The Palaszczuk Labor government is doing the heavy lifting on transport infrastructure while the federal LNP cuts cheap deals for Queensland aided and abetted by those opposite who roll over and take the first deal no matter how bad it is for Queensland. Last year the Abbott-Turnbull-Morrison government cut funding for Queensland transport infrastructure by six per cent and pushed crucial funding out to more than four years away.

**Mr Crandon** interjected.

**Mr SPEAKER:** Member for Coomera, you are warned under the standing orders.

**Mr BAILEY:** It is clear we cannot afford another three years of cuts and chaos under a Morrison-Palmer-Hanson government. From the M1 to the Bruce Highway, the Palaszczuk government is delivering a record investment to connect South-East Queensland and drive more than 19,000 jobs. Imagine the jobs and roads we could achieve in Queensland with our fair share of funding from Canberra.

While I am on my feet I wish to clarify two issues: I am advised by the Port of Townsville that, contrary to what has been reported today, Clive Palmer has not paid his \$1 million debt and has never offered to pay what he owes. He ought to pay his debts and tell the truth.

The second matter is that in my response to a question without notice yesterday I stated that Clive Palmer had fallen asleep in the Senate. He in fact fell asleep in the House of Representatives.

**Mr SPEAKER:** Thank you for that clarification, Minister.

### Container Refund Scheme

 **Hon. LM ENOCH** (Algester—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (10.05 am): Today marks the six-month anniversary of Queensland's container refund scheme. What a landmark anniversary for Containers for Change, with more than 440 million containers returned so far and over 630 jobs created. Those jobs, of course, form part of the more than 192,000 jobs that have been created since the Palaszczuk government was elected. The volume of returned containers is about a third higher than predicated, as April saw more than three million containers returned per day. At this rate Queensland is on track to reach one billion containers within 12 months. I would like to say well done, Queensland, and thank you for embracing the scheme like you have.

More than 165,000 individuals, charities and community organisations have registered for a scheme ID. Importantly, jobs are being created across the state, with many being filled by people who have been long-term unemployed. Around \$44 million in payments have been made to individuals, container refund point operators, community groups and charities. Around 270 container refund points are now operating in all corners of the state and new sites are still coming online. Last week while I was in Hervey Bay I visited a new depot that has just opened in Urangan. The community in Wide Bay is really getting behind the scheme. I talked to some young men who are working at the depot who had been unemployed for a long time but have now found jobs that they enjoy and are enthusiastic about.

Not only is the scheme a win for communities but also it is demonstrating real environmental benefits. The results from the first post-commencement litter surveys conducted in February 2019 are already showing a 35 per cent reduction in beverage container litter. This is an extraordinary reduction and goes to show the importance of allowing crushed, slightly dirty, sandy, muddy or damaged containers to be returned through the scheme. One only has to look around our streets, parks and nature reserves to see people walking their dogs or going for a bush walk carrying bags that they can use to collect littered containers. COEX is playing a responsive role in resolving issues as they are

raised with them and I am confident that the scheme will only get better in the next few months as more sites open. Containers for Change is a win for individuals and charities, a win for the environment, and a win for local jobs.

### Domestic and Family Violence Prevention Month

 **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): As the Premier spoke of this morning, today marks the start of Domestic and Family Violence Prevention Month. Domestic and family violence affects every community in this state. Far too many lives have been lost. With statistics as we know them, one in six women and one in 15 men have experienced at least one incident of physical violence by a partner since the age of 15. It means that all of us knows at least one person who has been affected by domestic and family violence. For too long it has been hidden away behind closed doors and that has to change. Through Domestic and Family Violence Prevention Month we want to send a message into every part of the state and into every home. We are calling on every Queenslander to share and amplify the message that we will not tolerate domestic and family violence in Queensland and that everyone can do something to help.

The Premier spoke earlier about some of the work government has been doing to address domestic and family violence through our implementation of the *121 Not now, not ever* recommendations for government and the valuable work of the Domestic and Family Violence Implementation Council. Ninety-eight of those recommendations have been implemented so far and the remainder are well underway.

Domestic and Family Violence Prevention Month is the ideal opportunity to remind everyone, whether an individual, a community, a business or a community organisation, of what we each can do to play our part in tackling domestic and family violence. We have provided \$150,000 in grants to 32 organisations across Queensland to do just that and it is fantastic to see so many communities taking up the challenge, with events such as a sunflower planting on the Gold Coast, a family fun day in Mackay, candlelight vigils in Brisbane and beyond, a pram push in the Whitsundays and a sailing program at Manly. I encourage every member to look at our website to see what is going on in their local areas and to take part.

We are asking everyone to do their bit. It could be as simple as putting a sticker on your car or holding a morning tea at your business to raise money for a local service, or workplaces committing to develop a domestic and family violence policy or become white ribbon accredited. The Queensland government has 19 departments that are accredited, with six well on their way to achieving that.

Tomorrow morning, with the generous support of Telstra, we are hosting a breakfast with community and business leaders and we are asking them to take the lead amongst their networks. A number of them have already signed on to doing so. We know that by working with them and with an increasing number of interested organisations, we can extend our reach enormously on the message of zero tolerance to domestic and family violence. We are absolutely committed to ending the scourge of domestic and family violence in Queensland. This month, I join with the Premier in encouraging every Queenslander to do the same.

### Works for Queensland Regional Infrastructure Program

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs) (10.10 am): On this International Workers Day, there is no better example of the Palaszczuk government's commitment to jobs than our \$600 million Works for Queensland Regional Infrastructure Program. Throughout regional Queensland, this exceptionally successful program is supporting thousands of jobs, boosting local economies and delivering important new infrastructure.

To date, outside of the south-east, 65 eligible councils have reported that more than 14,041 jobs have been created or supported across 1,361 projects thanks to Works for Queensland. That includes roadworks, town beautification projects, and park and playground upgrades throughout regional Queensland. My department is now finalising the list of successful projects for the next \$200 million funding round, and those will be announced in coming weeks.

I have seen firsthand the great results that Works for Queensland is already delivering in regional areas. You see the signs everywhere. There is a new world-class hockey facility being built in Rockhampton with \$2.5 million in Works for Queensland funding. Recently, I had a great chance to

inspect those works with the member for Rockhampton. That new centre of excellence at Kalka Shores will build on Rockhampton's rich hockey tradition. It is also great news for the local economy, with the project supporting 38 jobs.

Works for Queensland is delivering \$27.2 million to the Rockhampton Regional Council for infrastructure projects that have created or sustained more than 560 jobs. The program is also delivering great results in the Wide Bay-Burnett area, with almost \$2 million going towards the new Fraser Coast Sports and Recreation Precinct, helping to support more than 3,800 jobs across the whole region via a broad array of Works for Queensland projects.

There is \$2.75 million in Works for Queensland funding for the Goondiwindi region for an upgrade to the Goondiwindi cultural centre in Texas, a refurbishment of the town pool and improved parking facilities at the Texas State School. It was great to visit those projects. There is \$500,000 for major water infrastructure projects in Roma and lighting for the local netball courts, \$1.34 million for local road improvements in Cloncurry, \$50,000 for a children's swimming pool revamp in Richmond and the list literally goes on and on. More jobs, more economic activity, and great new infrastructure: that is what Works for Queensland is delivering.

## PERSONAL EXPLANATION

### Comments by Member for Kawana

 **Mr SAUNDERS** (Maryborough—ALP) (10.13 am): Yesterday in the House, the member for Kawana made outrageous allegations about me, my office staff and also the Labor candidate for Wide Bay. Those allegations have been thoroughly investigated by the police. Those allegations were escalated to Brisbane so that there could be absolutely no talk of bias by the local police. In each case, I was exonerated and so was my staff member. In each case, the complaints made against me and Paul Freyer—and now the candidate for Wide Bay has been dragged into this—were found to be vexatious. I asked the member for Kawana to repeat those allegations outside the privilege of this House. Mr Speaker, I will be writing to you today about this matter.

## HEALTH, COMMUNITIES, DISABILITY SERVICES AND DOMESTIC AND FAMILY VIOLENCE PREVENTION COMMITTEE

### Report

 **Mr HARPER** (Thuringowa—ALP) (10.14 am): I lay upon the table of the House report No. 21 of the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee titled *Subordinate legislation tabled between 3 December 2018 and 12 February 2019*.

*Tabled paper: Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee: Report No. 21, 56th Parliament—Subordinate legislation tabled between 3 December 2018 and 12 February 2019* [\[665\]](#).

This report examines subordinate legislation No. 168 Health Practitioner Regulation National Law Regulation 2018, No. 186 Proclamation made under the Termination of Pregnancy Act 2018, No. 187 Health and Other Legislation (Nursing and Midwifery) Amendment Regulation 2018 and No. 215 Health Legislation Amendment Regulation (No. 1) 2018. I commend our report to the House.

## NOTICE OF MOTION

### Queensland Health; No Confidence in Minister for Health

 **Ms BATES** (Mudgeeraba—LNP) (10.15 am): I give notice that I will move—

That this House:

1. condemns the Palaszczuk Labor government's health crisis for undermining confidence in Queensland's public health system;
2. notes:
  - (a) the recent unpreceded overcrowding crisis which has seen patients turned away and left untreated;
  - (b) that it has taken only four years for Queensland Health to be taken back to the bad old days of dysfunction;
  - (c) doctors have said that Queensland Health is in crisis;
  - (d) the Queensland Nurses and Midwives' Union has said Queensland Health is in crisis;

- (e) Nambour GP and AMA councillor Dr Wayne Herdy issued a public plea to save one of his patients who was at risk of death;
- (f) a young mum suffering from endometriosis was kicked out of her bed and discharged, still in excruciating pain;
- (g) the Australasian College of Emergency Medicine warned about unacceptable and intolerable delays, calling Queensland Health's emergency wait times 'inhumane';
- (h) the Australian Medical Association Queensland called on the Palaszczuk government to urgently stop the digital hospital IT rollout because patient safety was at risk;
- (i) the United Voice union has said Labor's rapid offload policy is putting lives at risk; and
- (j) the sensational sacking of the Labor appointed CEO of Metro South HHS;

3. calls on the Palaszczuk Labor government to implement real-time public reporting every time a 'code yellow' is declared so that sick Queenslanders can have confidence that when they turn up to a hospital there will be a bed; and
4. expresses no confidence in Labor's health minister.

## QUESTIONS WITHOUT NOTICE

**Mr SPEAKER:** Honourable members, today question time will conclude at 11.18 am.

### Adani Carmichael Mine, Black-Throated Finch

 **Mrs FRECKLINGTON** (10.18 am): My first question is to the Premier. I refer to the Palaszczuk Labor government not requiring an independent—

**Mr SPEAKER:** I am sorry, Leader of the Opposition. Member for Cairns and member for Whitsunday, you are both warned under the standing orders. I have asked for complete silence when questions are being asked. Leader of the Opposition, please restart the question.

**Mrs FRECKLINGTON:** My first question is to the Premier. I refer to the Palaszczuk Labor government not requiring an independent review for the black-throated finch to approve the Townsville Ring Road or the Byerwen Mine, but requiring an independent review for the Adani Carmichael mine. Will the Premier explain how many finches are required for an independent review or whether the real issue is the Indian ownership?

**Mr SPEAKER:** I am sorry, Premier. Member for Nicklin and others—I do not know who you are—I asked for silence. That includes those to my left.

**Mrs D'ATH:** Mr Speaker, I rise to a point of order. There were imputations in the question and I ask that it be reworded or withdrawn.

**Mr SPEAKER:** I listened carefully to the question. There were no imputations directly of an individual, as I heard, but potentially a process. Certainly I want to hear the Premier's answer. I will give the Premier latitude in answering this question, noting that the last part of the question may have included an imputation related to racism.

**Ms PALASZCZUK:** I thank the Leader of the Opposition for the question. Let me put on the public record that, in terms of resource jobs in this state, we make no apology for approving some \$20 billion worth of resource projects. Let me also make the very clear point that all of our resource projects go through a rigorous environmental assessment, and it is up to the miner to go through and get those processes done. The fact that \$20 billion worth of resource projects have been done clearly demonstrates my government's commitment to jobs in this state and to the mining workers who work in this industry.

**Opposition members** interjected.

**Ms PALASZCZUK:** I am happy to talk. We will get to that, because obviously the opposition has not done their own research so we will get to that.

Let me make a few comments in relation to the allegation that has been raised by the Leader of the Opposition. The Leader of the Opposition talked about the Byerwen mine and about the Carmichael mine. The reports on the environmental impact statements for both Carmichael and Byerwen were done initially in 2014. Both of these reports were released under the former government. In the report on the Byerwen mine, the Coordinator-General said in July 2014 that there were two individual birds, suspected to be black-throated finches, observed and there were no previous records of this species in the project area. Of the Carmichael mine, the Coordinator-General said in May 2014 under the government that you were a part of—

**Mr SPEAKER:** Premier, I ask you to put your comments through the chair.

**Ms PALASZCZUK:** The Leader of the Opposition was a CBRC member according to her statements in this House. The Coordinator-General said that the project area contains habitat for a significant population which will be impacted by the large-scale clearing for open-cut mining and related infrastructure and subsidence from the underground mining operations. That is very clearly the situation that existed under the watch of the previous Newman government. We back all mining projects that go through the approval processes, and we make no apologies for having strict standards. In fact, I think the people of this state would be shocked if there were not strict environmental standards. The fact that \$20 billion worth of resource projects have been approved clearly demonstrates that we are pro-resource jobs in this state. I make no apology for telling regional Queensland about that.

*(Time expired)*

### **Townsville Enterprise Galilee Basin Pledge**

**Mrs FRECKLINGTON:** My second question without notice is to the Premier. I table the front page—

**Mr SPEAKER:** Please table it and do not hold it up, member.

**Government members** interjected.

**Mr SPEAKER:** Thank you, members to my right.

**Ms Jones** interjected.

**Mr SPEAKER:** Member for Cooper, you are warned under the standing orders. Please resume your seat, Leader of the Opposition. The front page that you have attempted to table contains unparliamentary language. I have just issued a ruling related to the member for Kawana. I will afford you an opportunity to re-table that at another time through the Table Office but you will need either to redact that or choose not to table it. I ask you to continue your question.

**Mrs FRECKLINGTON:** I refer to the front page of the *Townsville Bulletin* that talks of the members of Thuringowa, Mundingburra and Townsville as lacking courage for not signing the Townsville Enterprise Galilee Basin pledge to support 15,000 direct jobs and \$40 billion in tax revenue. Will the Premier stand up for Queensland jobs and sign the pledge along with her three Townsville members?

*Tabled paper:* Article from the *Weekend Bulletin*, dated 27-28 April 2019, regarding the Galilee Basin [674].

**Ms PALASZCZUK:** We are well aware that that has been put out by Townsville Enterprise, and I do not expect any of my members to have to sign anything by Townsville Enterprise, because we are part of a government that signs up for the people of Queensland. We are part of a government that looks to the laws, implements the laws and has \$20 billion worth of approvals. I will sign up to the \$20 billion of approvals that have happened under this government, growing more than 7,000 jobs. When there was a Kingaroy coalmine planned, the Leader of the Opposition—

**Dr Rowan** interjected.

**Mr SPEAKER:** I am sorry, Premier. Which member was that? Member for Moggill, you are warned under the standing orders. I just brought the House to order and you continue to interject.

**Ms PALASZCZUK:** The Leader of the Opposition stood beside people with a 'No Kingaroy coalmine' sign. There it is, very clearly for everyone to see. There is the contradiction from the Leader of the Opposition. There is the double standard. If it is in her own backyard, no. We have standards in this state that miners follow and miners get approvals—\$20 billion worth of projects. There are no stronger advocates in this House than the members for Thuringowa, Mundingburra and Townsville when it comes to standing up for jobs in Townsville. Where were those opposite when Clive Palmer shut down the nickel plant? Where were those opposite? My members stood with me. We went with the workers; you are in bed with Clive Palmer. We know those opposite are in bed with Clive Palmer, the man who does not care about workers. We stand up for workers in this state, and we will continue to do so.

### **Regional and Rural Queensland**

**Mrs GILBERT:** My question without notice is of the Premier. Will the Premier please update the House about the government's united approach to supporting regional and rural Queensland and about any other approaches she is aware of?

**Ms PALASZCZUK:** I thank the member for Mackay for that very important question, because we on this side of the House govern for all of Queensland. We make sure that we deliver the infrastructure that is needed for our growing state—\$11 billion this year in capital infrastructure projects; the Vines Creek Bridge has been opened in Mackay; funding for the Mackay Ring Road; and we will continue to invest. We only have to look as we travel across the state and we go to outback Queensland and rural Queensland—money going into drought-affected areas and that we are building after the cattle crisis and the floods but also rebuilding the sheep industry through wild dog cluster fencing.

We do know that out in the bush, and especially in regional Queensland, the Nationals have lost their way. In fact, what happened to the great National Party that once used to reside in this House? Where is the great National Party that once sat here? They are nowhere to be found. The National Party has simply lost its identity, not only in this House but, in fact, right across Australia. We do know that Prime Minister Scott Morrison made some comments yesterday. In relation to the preference deal with One Nation he said that the Nationals are an independent party. But, no, not in Queensland. They are merged. They are one party—LNP. He forgot that little fact.

Across the nation the Nationals are doing deals with One Nation. That is shameful. The great leader of the National Party had something to say the other day. He said, 'You have to do whatever it takes to get votes.' He said, 'The fact is that the National Party policies probably closer align with One Nation's than they ever will with anyone else.' What are the One Nation policies that align so closely with the LNP? Perhaps it is going over to the US trying to get money from the NRA. Perhaps it is weakening the gun laws in our state. What we know is that there will be chaos at the federal level if we see the Liberal Party and the National Party doing deals with One Nation. It did not work at a state level and it definitely will not work at the national level.

**Mr SPEAKER:** Member for Caloundra and member for Maryborough, I have been watching the two of you again this morning. You really should go outside and have a chat, I think. You are both warned under the standing orders. I will wait for silence.

### India, Mining Companies

**Mr MANDER:** My question without notice is to the Deputy Premier. I refer to the comments made by the federal deputy Labor leader, Tanya Plibersek, 'We can't rely on an Indian mining company to bring jobs to Central and North Queensland.' Will the Deputy Premier reveal whether the Palaszczuk Labor government backs Indian mining companies?

**Ms TRAD:** I thank the member for Everton for the question. As I said in my ministerial statement this morning, we are a proud and successful exporting state. That is built off the back of significant foreign investment in our state. From the Japanese to the Chinese, the Indians, the English, the New Zealanders and the Americans, we are a proud state that seeks to do business with so many economies throughout the world, and we will continue to do that, particularly with China, the growing economy of India and our traditional partners like Japan, the United States and the UK.

Let me address a couple of imputations that have been made by those opposite this morning which I find incredibly disgraceful. It is incredibly disgraceful when the most senior person in the National Party in Australia, as the Premier has just outlined, has said that of course they would seek to do deals with One Nation because their policies so closely align with One Nation.

**Mr BLEIJIE:** Mr Speaker, I rise to a point of order in relation to standing order 118 on relevance. The question was about mining companies and Queensland jobs creation—nothing about preferences for federal elections.

**Mr SPEAKER:** Member, I am listening to the Deputy Premier's contribution. I am happy that she is being relevant at this stage. I will continue to listen to her response.

**Ms TRAD:** The most senior National Party member of this country says that their policies most closely align with One Nation. The former member for Buderim, the numbers man for the member for Everton when he had a tilt at the leadership in 2016—

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

**Mr SPEAKER:** Deputy Premier, please resume your seat.

**Ms TRAD:** He is being disruptive. He does not want to be reminded.

**Mr SPEAKER:** I do not want the contribution continuing once you have resumed your seat. What is your point of order?

**Mr BLEIJIE:** Again it is in relation to standing order 118 on relevance. The question was specifically about the Labor government backing Indian mining companies. The Deputy Premier is saying nothing about the question asked.

**Mrs D'Ath** interjected.

**Mr SPEAKER:** Thank you, Leader of the House. I do not need your assistance either. Deputy Premier, I wish you to come back to the core of the question. The member's point of order is relevant.

**Ms TRAD:** Mr Speaker, thank you for your guidance on this matter. There was an imputation about doing deals with specific countries. I do want to say that—

**Opposition members** interjected.

**Ms TRAD:** Mr Speaker, I know that they actually do not want me to answer the question.

**Mr SPEAKER:** Order, members! I would like to hear the member's contribution.

**Ms Palaszczuk** interjected.

**Ms TRAD:** That is right. I will take that interjection from the Premier. Exports to India are up by half a billion dollars and we are proud to do business with India. The former member for Buderim, the member for Everton's numbers man who speaks so disparagingly of Asians and women—

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

**Ms TRAD:** Denounce this.

**Mr SPEAKER:** Order!

**Ms TRAD:** Denounce this.

**Mr SPEAKER:** Order!

**Ms TRAD:** Denounce this now!

**Mr SPEAKER:** Deputy Premier, resume your seat.

**Ms TRAD:** Denounce it. You are doing deals with these people.

**Mr SPEAKER:** Deputy Premier, resume your seat. You are warned under the standing orders. I asked you three times to come to order and resume your seat. What is your point of order, Manager of Opposition Business?

**Mr BLEIJIE:** Again, Mr Speaker, the Deputy Premier repeated the comments where you guided her to get back to the question. Again, she repeated them in defiance of your earlier ruling.

**Mr SPEAKER:** I will rule on your point of order in this way, member for Kawana. I am listening to the member's contribution. Members are always entitled to add contextual elements to what they say in their response. If I believe the member is straying, I will call the member back to order. Deputy Premier, do you have anything further to add in relation to the question asked?

**Ms TRAD:** I do, Mr Speaker. I want to say that we are open to business from any country that seeks to abide by the standards of our laws. We will not do dirty deals with racist political parties like One Nation, unlike you.

**Mr SPEAKER:** Order! I remind all members to my right that your responses to questions will come through the chair. I will not tolerate direct interaction with members opposite. I also remind members who are on warnings that there will be no further quarter given. Members will not interject if they are under a warning.

### **Townsville, Jobs**

**Mr HARPER:** My question without notice is to the Premier. Can the Premier please update the House on what the government is doing to create jobs in Townsville?

**Ms PALASZCZUK:** I thank the member for Thuringowa for that question. As I have said in this House, there are no stronger supporters than the three members from Townsville who day in and day out are constantly talking to me, the Deputy Premier and other ministers about more job-creating projects in Townsville. In fact, over the past year more than a thousand jobs have been created. I will be in Townsville later this month to formally open Riverway Drive, which I know we may have heard the member speak about once or twice in the House. I know that is something he has personally been aligned with. We are fully funding the pipeline needed for water security for Townsville and, of course, we are building the stadium. It is great to see that stadium rising out of the ground and the jobs that it is creating. There will also be a manufacturing hub in Townsville.

I have had my differences with Ewen Jones over the years. There are not too many people who have not. He fought me for months and months about the Townsville stadium until finally just before the election, just before prepolling, they said would put money into it. Ewen Jones knows what you get when you vote for Clive Palmer. Last week Fairfax reported—and I want to remind all members of the House what he said—

**Mr Janetzki** interjected.

**Mr SPEAKER:** Member for Toowoomba South, you are warned under the standing orders.

**Ms PALASZCZUK:** When the city's nickel refinery collapsed, he warned the government could not trust the billionaire businessman and said the United Australia Party should be placed at the bottom of how-to-vote cards, below Pauline Hanson's One Nation.

**Mr Mickelberg** interjected.

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

**Ms PALASZCZUK:** Let us talk about the United Australia Party for a moment because it is going to have a big impact in the election. What we have seen is the federal LNP sign up to a deal with Clive Palmer. How can any member of Townsville forget what happened when the nickel refinery closed? All of the Townsville MPs sat down with me and they sat down with the workers who lost their jobs.

**A government member:** Eight hundred jobs.

**Ms PALASZCZUK:** Eight hundred jobs. We did everything we could to help transition people into alternative work. We put together an infrastructure package straightaway to try to combat that. Now the federal LNP and Scott Morrison are in bed with Clive—a recipe for complete and utter chaos. It may not be the Leader of the Opposition, but in the *Australian* today there is even a Frecklington warning about Clive Palmer, saying, 'Don't trust the bully.' That is his track record. Why won't the LNP wake up and smell the roses?

*(Time expired)*

### **Adani Carmichael Mine, Black-Throated Finch**

**Mr LAST:** My question without notice is to the Minister for Environment and the Great Barrier Reef. It has been 72 days since the independent review of Carmichael mine's black-throated finch management plan was finalised. Will the minister give the 162,000 jobseekers in Queensland some hope and commit to a date when the Carmichael mine's black-throated finch management plan will be approved?

**Ms ENOCH:** I thank the member for the question and I thank him for his interest in the environment. We have seen letters exchanged where he has shown great concern about the environment and that is good to see. However, can I ask that he extend his interest to the laws of this state? There is legislation in this place—

**Opposition members** interjected.

**Mr SPEAKER:** Order! The minister is being responsive. I would like to hear the minister's response.

**Ms ENOCH:** Since 1994 the responsibility of upholding environmental conditions has been with the regulator. The opposition knows that full well. Since 1994 no minister has been able to sign off on those approvals. That is in place to ensure that there is not political interference and that the best

science and expertise is used in making those decisions, unlike what we have seen at the federal level where we have seen incredible political pressure being put on the federal minister in making a decision. That cannot happen in Queensland and I will not allow that to happen. I will not be bullied nor will I allow the regulator to be bullied by the member for Burdekin, by those opposite or by anybody on either side of the argument with regard to this proponent.

**Opposition members** interjected.

**Mr SPEAKER:** Member for Broadwater, you are warned under the standing orders, as is the member for Glass House. Member for Mudgeeraba, you are coming very close.

**Ms ENOCH:** The political interference that we have seen at the federal level has been remarkable. When we consider the kinds of deals that are being done at the federal level with One Nation and Clive Palmer, we can imagine the political pressure that would be put on environmental laws at the federal level if that deal were to go ahead and they were to form government together. Consider One Nation in terms of gun laws. Consider Clive Palmer and his views about doing deals with China. All of this represents the kind of political pressure that we would see at the federal level.

At the state level the regulator has the role of approving environmental conditions and it does that with thousands of proponents across the state that it has a relationship with and that it is able to move forward with with regard to environmental authorities. That is why we have seen more than \$20 billion worth of resource projects approved in this state.

### **Federal-State Funding Agreements**

**Mr O'ROURKE:** My question without notice is to the Deputy Premier. Can the Deputy Premier advise the House on how fair and stable long-term funding agreements between the state and federal government are critical for the future of Queenslanders?

**Ms TRAD:** I thank the member for Rockhampton for that question. Because we are a federated nation-state it is critical that we have long-term, secure, confident agreements with the federal government that collects more than 80 per cent of the income taxation in our nation. We need to make sure that we have long-term agreements in place for the critical areas that Queenslanders and Australians come to depend on—health, education, early childhood, housing, training and skills, and a whole range of areas where we know that Queenslanders are expecting us to get the arrangements right with the federal government.

Unfortunately, after six years of cuts and chaos from the Abbott-Turnbull-Morrison LNP governments, we have seen significant stalling over a number of agreements and, quite frankly, the failure around the implementation of some significant social reform agendas, particularly the NDIS. The report of the resignation of the CEO is of concern to the disability sector today. This is a program that requires leadership and proper implementation, and we have seen nothing but cuts and chaos from the federal LNP.

The NDIS is not alone. In early childhood we have seen a yearly renewal of the funding agreement—no long-term agreement. We have seen cuts in training and skills to Queenslanders—more than halving the number of trainees and apprentices across our nation. That is outrageous. We have been diddled on education funding, with the state absorbing the full responsibility for funding Gonski 2.0 at over \$2 billion. I am so pleased that today we have from federal Labor a commitment to come back to the negotiating table around a long-term funding agreement for housing in remote Indigenous communities. When it comes to national energy policy, that is the worst example of how cuts and chaos at a federal level under the LNP is doing our country a disservice. We do not have one. I cannot find a party that is more divided—actually the Lannisters are more divided than the LNP is on national energy policy.

**Mr Ryan:** At least they pay their debts.

**Ms TRAD:** At least they pay their debts. I will take that interjection from the police minister. At least the Lannisters pay their debts. We know that the federal Morrison government does not pay Queensland what we are owed in terms of health—\$300 million that is due to our health providers, our health and hospital services. We need to vote out the cuts and chaos on 18 May. Vote out Scott Morrison—

*(Time expired)*

### Queensland Sentencing Advisory Council, Options Paper

**Mr JANETZKI:** My question is to the Premier. I refer to the options paper released yesterday by the Queensland Sentencing Advisory Council which proposes community based detention for serious violent offences such as assault. Will the Premier categorically rule out this get-out-of-jail-free policy and demand that if you do the crime you do the time?

**Ms PALASZCZUK:** It is good to see the opposition doing all their thorough research for question time today from the *Courier-Mail*. That is a surprise to me. It is no reflection on the good quality journalists that are there. It is just a reflection on where they get their questions from. Do not worry, ministers; just read the *Courier-Mail* and the questions will be there. It is a surprise that I got this question today because—

**Mr Mander** interjected.

**Mr SPEAKER:** Member for Everton, you have been consistently interjecting. You are warned under the standing orders.

**Ms PALASZCZUK:** The Attorney-General issued the Queensland Sentencing Advisory Council with the terms of reference in October 2017 in response to recommendations in the Sofronoff report. QSAC provides independent research and advice, seeks public views and promotes community understanding of sentencing matters. Its report will be finalised in August and it is up to everyone to have their say. That is why we have a Sentencing Advisory Council. In fact, the LNP abolished the Sentencing Advisory Council. The opposition and the community can put forward their views and opinions, it will come to government and then the government will make its decision. I do not want to mislead the parliament because I think the first question today came from the *Financial Review* so I stand corrected.

### North Queensland, Jobs

**Mr STEWART:** My question is to the Minister for State Development, Manufacturing, Infrastructure and Planning. Could the minister please update the House on new projects for jobs in North Queensland, and is the minister aware of any other approaches?

**Mr DICK:** I thank the member for Townsville for his question and for his strong and ongoing support to create more jobs in his community. On that note, more than 192,000 jobs have been created by the Palaszczuk Labor government since the election of the government in 2015.

Unlike the government of cuts and chaos that would come from Palmer, Morrison and Hanson, we are delivering because we are a strong, stable and united government. For the benefit of the member for Townsville and all members in the north of our state, we are looking to the future of North Queensland with new jobs and new projects. Recently, the Coordinator-General declared the North Queensland Country Club Resort and Equestrian Centre at Bluewater, 30 kilometres north-west of Townsville, which is a \$1 billion project, a coordinated project. The proponent of that project, Landmark Projects, estimates that upon delivery the project could support thousands of direct and indirect jobs and inject more than \$350 million into tourism in the north of our state each year. That is a very significant project that we will work through.

There is another approach to jobs and economic growth, and that of course is the Palmer approach to cuts and chaos. I was reminded of that when I picked up not the *Courier-Mail* but the *Australian* this morning and I read once again about the Coolum Resort victims of Clive Palmer. As was reported in today's paper, Maree Frecklington said—

.. the Prime Minister may have been "wet behind the ears" to enter into an agreement with the former member for Fairfax, who she said was "not to be trusted".

She also described him as a 'bully'. I pay tribute to Ms Frecklington. She is tenacious and she will not give up on making sure those time share owners—

**Ms Palaszczuk:** Which one are you talking about?

**Mr DICK:** I am talking about Ms Maree Frecklington. Thank you, Premier. She will stand up for what is right. The member for Nanango had nothing to say about the preference deal, but I will say this about the Leader of the Opposition: she had plenty to say about the deal with the Greens in South Brisbane. She did not stop talking about that preference deal, but she has nothing to say about the deal with Clive Palmer. She should take a page out of Ms Frecklington's book and stand up and do what is

right for once. They have cut a deal with One Nation, they have cut a deal with Clive Palmer, and now we read that a federal member of parliament, Ian Goodenough, met with an actual Neo-Nazi, Neil Erikson, the head of the so-called United Patriots Front.

What do you get from the LNP? You get a government that involves extreme right wingers, a coalition that will lead to cuts and chaos in Canberra. That is what you will get from the LNP. It is a recipe for disaster for our nation. Only Labor will stand up to Palmer. Only Labor will stand up for workers.

**Mr SPEAKER:** The minister's time has expired.

**Mr POWELL:** Mr Speaker—

**Mr DICK:** Only Labor will stand up for stability.

*(Time expired)*

**Mr SPEAKER:** Just a reminder to ministers to please resume your seat when your time has expired. The next questioner had risen to his feet.

### **Manufacturing, Jobs**

**Mr POWELL:** My question without notice is to the Premier. The latest jobs data has revealed Queensland now has the lowest number of manufacturing workers in three decades, with the Palaszczuk Labor government losing more than 18,000 jobs in the sector in only four years. With Queensland haemorrhaging nearly 400 manufacturing jobs a month, isn't this proof Labor is simply not working for Queensland?

**Ms PALASZCZUK:** I thank the member for the question. Let me say this from the outset: 192,000 jobs. Do those opposite want to talk about jobs? We are more than happy to talk about jobs because we know later tonight we will be debating the cuts that they made of over 14,000 jobs.

I want to say a couple of things to the member. First of all, the Queensland government statistician's most recent analysis of employment data for the March quarter said that there has been a 5.3 per cent increase in manufacturing jobs in Queensland year on year, compared to 3.2 per cent at the national level. We have a dedicated minister for manufacturing. It is part of his portfolio.

**Honourable members** interjected.

**Mr SPEAKER:** Order!

**Ms PALASZCZUK:** And manufacturing hubs are being set up across this state.

**Mr SPEAKER:** Members, the level of outburst sometimes is ridiculous and I cannot hear the person on their feet making the contribution.

**Ms PALASZCZUK:** As I said, manufacturing hubs are being set up across this state. We helped secure the Rheinmetall contract to produce Defence vehicles here. Whilst I am on my feet, I am happy to update the House about my recent trade mission when I had the opportunity to meet with the CEO of Rheinmetall in Berlin. They see a great future for Queensland and they are very keen to pursue that \$15 billion contract to get the next stage of the Army's contract to build even more military vehicles in this state. I said that Queensland was up to it and that Queensland is more than happy to help work with them to secure that contract. If we secure that contract, it will mean thousands of long-term, secure jobs. Defence is an industry that is going to continue to grow in this state.

If those opposite want to talk about manufacturing jobs, I can tell them that we are going to be building those trains in Maryborough. I know the member for Maryborough is very proud of that fact. Maryborough is a town that for over a century has built its reputation on building trains, and we will return that manufacturing base to Maryborough. Manufacturing has a bright future in this state. Under my government, we will continue to grow those jobs. I look forward to hearing the outcome later this year of the short-listed tender process. We wish Rheinmetall all the best of luck because that \$15 billion contract would be wonderful news for Queensland.

### **Major Events**

**Mr PEGG:** 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 government's strategy to grow Queensland's major events industry?

**Ms JONES:** As members have heard me talk about many times in this parliament, I am very proud that we have more than doubled the value of our events calendar here in Queensland. Next week kicks off the very first ever Magic Round of the NRL. I am sure you are very excited about that, Mr Speaker, although we will be going for different teams, and I will get to the teams bit in a second.

We know that this deal that we have done over three years will inject up to \$60 million into the Queensland economy. Already, we have seen really strong ticket sales and we expect around 125,000 people to attend each and every game of that NRL round this season. What is so magic about it is we have every single team competing in that round right here in Brisbane playing at Suncorp Stadium—every single team. It is a magic round; it is a dream run.

What is not a dream team, however, is the Morrison-Hanson-Palmer team. This is the one that the LNP in Queensland is very happy to cosy up to a deal with, on the same day that we are seeing members of the Liberal Party having to be sacked for their outright and blatant racist comments. We have heard about the *Courier-Mail* today, and we know that the Leader of the Opposition wants to quote from the front page of the *Townsville Bulletin*. She got to page 2 of the *Courier-Mail*, but what the Leader of the Opposition does not want to talk about is page 7 of the *Courier-Mail*. I will not hold it up because you will take offence, Mr Speaker, but we know—

**Opposition members** interjected.

**Ms JONES:** I will take your interjections. I will take every single interjection from those opposite. You cannot walk into this parliament and defend doing deals with racists and with men who go to strip clubs and pose with women. That is who the LNP in Queensland are doing deals with. How can you look young women in the eye in Queensland and say it is okay to do a deal with the calibre of the man who is the One Nation candidate in Leichhardt? It is indefensible. Rule No. 1 in politics is don't defend the indefensible. The member for Everton's best mate, 'Dicko', has just been expelled from One Nation. Why have One Nation not expelled their candidate in Leichhardt?

**Mr ANDREW:** Mr Speaker. I rise to a point of order on relevance.

**Mr SPEAKER:** What is your point of order?

**Mr ANDREW:** One Nation is not racist. I am not a racist person.

**Mr SPEAKER:** No. Member, resume your seat. If you do not have a point of order that is—

**Mr ANDREW:** And relevance, standing order 118.

**Mr SPEAKER:** Thank you, member. Please resume your seat. Minister, you have 35 seconds left on the clock. I would like to hear you come back to the core of this question if you can do so. Otherwise, I will ask you to resume your seat.

**Mrs Frecklington:** It's actually about the magic round.

**Mr SPEAKER:** Order! Thank you, Leader of the Opposition.

**Ms JONES:** I take that interjection. The magic round is about getting the very best teams coming together to deliver a magic round. The team that the Leader of the Opposition supports is a Morrison-Pauline Hanson-Clive Palmer team. It is not magic; it is tragic. In actual fact, it is selling Queensland down the river. If you want to come into this parliament and defend the behaviour on page 7 of the *Courier-Mail*—

**Mr SPEAKER:** Minister!

**Ms JONES:**—then the Leader of the Opposition can explain that to the women of Queensland.

**Mr SPEAKER:** The minister's time has expired.

*(Time expired)*

**Ms Jones** interjected.

**Mr SPEAKER:** Minister, I hope I did not hear you interjecting then. You were on a warning. Minister, I ask you under 253A to leave the chamber for the remainder of question time.

*Whereupon the honourable member for Cooper withdrew from the chamber at 11.00 am.*

**Mr SPEAKER:** I have given fair warning, members. If you are on a warning you will not interject at all.

### Australian Education Union, Campaigning

**Mrs WILSON:** My question without notice is to the Premier. I table numerous examples of the Australian Education Union's ongoing political campaign being waged throughout Queensland schools.

*Tabled paper:* Bundle of documents relating to the Australian Education Union Fair Funding Now campaign material [666].

Will the Premier finally act to stop the unions politicising our classrooms, school gates and Facebook sites?

**Ms PALASZCZUK:** I thank the member for the question. She raised these allegations, and I am trying to have a quick look at these things. Let me say that if teachers want to talk about fair funding, I do not have a problem with that. In fact, they are joining my call for a fair share for Queensland. We are fighting for a fair share; they want fair funding. I am sorry, but where is the problem?

The LNP now do not want to stand up for schools. They do not want to stand up for education. They do not want to stand up for hospitals or for our fair share of health funding. They do not want to stand up for our fair share of infrastructure funding. They do not want to stand up for our fair share of remote Indigenous housing or our fair share of skills funding. They do not want to stand up for any fair share. That is the LNP way, the chaos way, the tragic way. I have not heard one word from the Leader of the Opposition about standing up for Queensland.

**Mrs Frecklington:** My children's schools should not be politicised.

**Mr SPEAKER:** Leader of the Opposition, you have been interjecting consistently today. I ask you to cease your interjections.

**Ms PALASZCZUK:** It is good to see the Leader of the Opposition's mother-in-law standing up against Clive Palmer. At least there is someone who is prepared to stand up.

**Mrs D'Ath** interjected.

**Ms PALASZCZUK:** I take that interjection from the Attorney-General; there is one Frecklington who is prepared to stand up. Whilst I am on my feet—

**Mrs Frecklington:** You talk about my family?

**Mr SPEAKER:** The Premier has the call.

**Ms PALASZCZUK:** I am quoting from the *Australian*; you quote from the *Courier-Mail*. I—

**Mr SPEAKER:** Premier—

**Ms PALASZCZUK:** What is wrong—

**Mr SPEAKER:** Premier, you will put your comments through the chair.

**Ms PALASZCZUK:** If the Leader of the Opposition does not want her mother-in-law in the paper, perhaps she should not comment. That is how the media works. I would like to know what the Leader of the Opposition's view is on Clive Palmer. Do you agree that he—

**Mr SPEAKER:** Premier, I will give you no further warnings about putting your comments through the chair. There is a reason the standing order exists; it is to ensure that there are not personal and direct attacks in this chamber.

**Ms PALASZCZUK:** I go back to the state election. During the state election we saw those opposite do a deal with One Nation, and the people of Queensland made their choice. They made the choice for a stable, hardworking government as opposed to the cuts and the chaos. The people of Queensland and the people of Australia have that same choice coming up in a few weeks time. It is worse than it was during the state election because not only is the LNP with One Nation—

**Mr SPEAKER:** The Premier's time has expired.

**Ms PALASZCZUK:**—it is the LNP with One Nation—

**Mr SPEAKER:** Premier—

**Ms PALASZCZUK:**—and the United Australia Party.

**Mr SPEAKER:** Premier, you will resume your seat.

*(Time expired)*

### Remote Kindergartens

**Mr KELLY:** My question is to the Minister for Education and Minister for Industrial Relations. Can the minister update the House on the rollout of new remote kindies across Queensland schools and on any alternative approaches?

**Ms GRACE:** I thank the member for the question. There is some great work being done in remote kindergartens. I am very proud to say that we kicked this off: providing kindergarten for very remote, very vulnerable children right throughout this state. We started with 38 and by next year that will grow to 67. It is wonderful to see that it is occurring in many places right throughout Queensland: in the Cook electorate and many other electorates in some of the most vulnerable and remote areas of this state. It is certainly doing what we have prioritised as the Palaszczuk Labor government: giving every kid a great start. It is wonderful to see that this is being rolled out in connection with schools. We are doing a fantastic job in providing that and giving kids the very best start.

There cannot be a starker contrast than what we are seeing at the moment in relation to supporting kids to get a great start in this country. Federal Labor has been announcing some fantastic programs in relation to this space. It has announced a \$1.7 billion kindergarten program. We have only ever had a 12-month extension to that from the current government and now we have an extension for secure funding in the long term—something we have not been able to get from the current government for six years. We also now have the childcare rebates that are going to make child care so much more affordable for working families: at least a \$1,200 saving in their pockets for those earning up to \$175,000 and about \$2,100 for those earning less than around \$70,000. How stark a contrast can there be that workers in this industry who work so hard will now be looking at getting a pay rise over eight years to value the work that they do?

I often wonder why it is that the federal government will not do anything about child care. Why is it they will not do anything about kindergarten? I think the cat has now been let out of the bag by their No. 3 candidate on the Senate ticket. Obviously what they believe over there is that providing kindergarten and early childhood education to three-year-olds is a conspiracy; it is a Labor conspiracy. We are going to bring these little kids in and we are going to take parenting away, there are reds under the bed and we are going to have a conspiracy in relation to it! The saddest part about their Senate No. 3 candidate is that when we look at the detail, we see that \$40,000 buys someone moving from No. 8 on their ticket to No. 3. Cuts and chaos—they are a disgrace.

*(Time expired)*

### Coal, Royalties

**Mr DAMETTO:** My question is to the Deputy Premier. There is a stir amongst coalmining companies currently operating in Queensland regarding the risk of increased coal royalties. Will the Treasurer please inform the House whether she is currently considering raising coal royalty rates and confirm that any future rises will not be an attempt to undermine the coal industry in Queensland?

**Ms TRAD:** I thank the member for the question. Of course, as the Premier has stated in this House, as I have stated and as numerous other ministers have stated, we are very proud to be a resource state here in Queensland. We are very proud of our strong and successful export story here in Queensland and we are very proud of our local, national and international investment that comes to Queensland because of our rich resources both in the ground and in our people.

In relation to any royalties, can I say the only party that has raised royalties in this state of late was the Newman LNP. That was when the Leader of the Opposition proudly sat around the CBRC table with her mentor at the time, Campbell Newman, the former member for Ashgrove. As was the case at that time, that was part of the budget deliberation, and I will not be outlining any sort of budget deliberations in the House before 11 June.

### Agriculture Industry, Support

**Mr MADDEN:** My question without notice is of the Minister for Agricultural Industry Development and Fisheries. Will the minister update the House on how the Palaszczuk government is supporting Queensland farmers?

**Mr FURNER:** I thank the member for the question and his ongoing support for the agricultural sector. Queenslanders look after each other. That is what we do. We watch each other's backs. That is why we are backing our farmers with sensible fines for protestors who breach biosecurity concerns.

Last Friday I was on a farm with the president of the Queensland Farmers' Federation. He is a good friend of the Palaszczuk government. He is so pleased that the Palaszczuk government is introducing these fines. We have invested more than \$670 million into—

**Opposition members** interjected.

**Mr SPEAKER:** Order! Members, I am having difficulty hearing the member and I would like to hear his contribution. I do not believe he has been provocative in his statement thus far.

**Mr FURNER:** That is why the Palaszczuk government has invested more than \$670 million in terms of drought relief for our farmers and communities. Five new shires and parts of four more have now been drought declared, bringing drought declarations to 65.2 per cent of the state. This morning I was proud to be at the ABC with Craig Zonka and his team to promote National Banana Day, supporting jobs right across this state in Queensland's \$600 million banana industry. That is why the Palaszczuk government has invested \$27 million to combat the Panama TR4 disease.

**Opposition members** interjected.

**Mr FURNER:** I hear the cries of adulation from those opposite. That is why we launched the #eatqld campaign this year to support farmers by buying locally to support jobs in our regions.

**Ms Palaszczuk:** Well done, Minister!

**Mr FURNER:** Thank you, Premier; I will take that interjection. The Palaszczuk government will always stand up for farmers in drought or any other circumstance. In contrast, we know that the opposition can be a bit isolated, particularly while on junkets to the Margaret River in WA spending so much time agreeing with themselves rather than connecting with Queenslanders on issues that matter to them. Election time brings out the social butterfly in the LNP. You can imagine them sitting down with Clive Palmer over a #eatqld eye fillet—hold the chips—while they work out how much of their souls they need to sell to get preferences, or maybe One Nation over a bottle of #eatqld red to trade away Queensland's gun laws so that a few second and third preferences go to the member for Gympie. It may be more like a case than a bottle when you strip it down.

What about the LNP's plans to let black market fishers off the hook? On the amendments that the member for Gympie put up it would be five days before they could prosecute a case, letting criminals off the hook—

**Mr Perrett** interjected.

*(Time expired)*

**Mr SPEAKER:** Member for Gympie, you are warned under the standing orders. Member for Broadwater, I did not want to interrupt the minister, but you were continually interjecting. You were under warning. You can leave the chamber for one hour under standing order 253A.

*Whereupon the honourable member for Broadwater withdrew from the chamber at 11.13 am.*

### **Sale of Public Assets**

**Mr BLEIJIE:** My question without notice is to the Premier. In May 2012 the Premier publically stated, 'Selling off properties is essentially privatisation.' After recently selling off a premium parcel of inner-city real estate which neighbours the packed Brisbane Central State School, will the Premier now admit that Labor is selling public assets yet again?

**Opposition members** interjected.

**Mr SPEAKER:** Order, members to my left! Members, I have given an instruction previously that after questions are asked if the member has not risen to their feet there could be no possible reason for interjection.

**Ms PALASZCZUK:** Departments from time to time sell off small parcels of land in the normal course of business—

**Opposition members** interjected.

**Mr SPEAKER:** Members to my left, it is completely inappropriate to wave placards or some kind of document as a stunt in this House. Members, I will review the video footage from question time, and if I see members who are currently under warning I will retrospectively remove you from the chamber. All members are on notice.

**Honourable members** interjected.

**Mr SPEAKER:** Order, members! Members, it was not an invitation for the House to speak en masse. I was taking advice from the table. I will now warn all members to my left barring those from the crossbenches. I will review the footage.

**Ms PALASZCZUK:** I am more than happy to talk about the school. There was a school that operated in the seat of Brisbane, the Fortitude Valley State School, which those opposite closed. You put a 'for sale' sign up on that building. It was operating as a school. You were selling a school. It was leased off for sale. We will now build a new state-of-the-art school.

The stunt that we have just seen from members of parliament is disgraceful. Every member of this House knows the standing orders and they know the rules. It was a deliberate—

**Opposition members** interjected.

**Mr SPEAKER:** Members to my left, all members are under a warning. That means no interjections. I expect you to sit and listen to the contribution in silence. I call the Premier.

**Ms PALASZCZUK:** Every member knows the rules of this House and they should obey them.

### Skills Recognition

**Mr BUTCHER:** My question is to the Minister for Employment and Small Business and Minister for Training and Skills Development. Will the minister update the House about how the Queensland government is supporting workers to have their skills recognised and what are the benefits of having those skills recognised?

**Mr SPEAKER:** Minister, you have two minutes to respond.

**Ms FENTIMAN:** I thank the member for Gladstone for his question. I know what a huge advocate he is for ensuring that workers who have experience get the qualifications they need. Our free TAFE program for year 12 graduates is critical. Part of our investment in training and skills is also helping those workers who have lots of experience get the qualifications they need to build a successful career. That is what our \$5 million Trade Skills Assessment and Gap Training program provides.

I am very pleased to report to the House that this program has just supported its two-thousandth qualified tradesperson. This is excellent news for Queensland. We know that workers sometimes need to change jobs, and it is really important that they are supported to get a qualification that recognises their skills so they can go on to another successful career. Sadly, not all retraining comes at a time of a worker's choosing. One of the most recent examples in Queensland was the collapse of Queensland Nickel, where 800 jobs were lost. There is still \$70 million owed in unpaid debts due to the chaos caused by one Clive Palmer. Today we have seen Clive Palmer come out in a desperate attempt to get back to Canberra. He said that he will put \$7 million of the \$70 million owed into a trust account for workers. This is a disgrace.

We heard employees on the radio this morning like Jacob Fyshwick, who is owed more than \$10,000. He talked about how his life has essentially been ruined over the last three years. What do we see from those opposite? Their federal colleagues are rushing to hop into bed with Clive Palmer, who has left these workers in the lurch for three years. We have seen Ted O'Brien from the LNP, the member for Fairfax, stand up and say he is not going to do it because it would be an insult, but of course we have heard nothing from the member for Nanango—

*(Time expired)*

**Mr SPEAKER:** The time for question time has expired. I call the Minister for State Development. Members will leave the chamber quietly. I advise all members who are on a warning that there will be no interjections. That will remain in force until the lunch adjournment. If there are, the Deputy Speaker will take action.

## MINISTERIAL STATEMENT

### Manufacturing, Jobs

 **Hon. CR DICK** (Woodridge—ALP) (Minister for State Development, Manufacturing, Infrastructure and Planning) (11.19 am): In question time today the member for Glass House made claims about a reduction in employment in manufacturing in Queensland. I refer the honourable

member to the Queensland Government Statistician's most recent analysis of employment data, for the March quarter 2019. In that respect I table a note on employment by industry for the March quarter 2019 prepared by the Queensland Government Statistician's office.

*Tabled paper:* Queensland Treasury, Queensland Government Statistician's Office, document, undated, titled 'Employment by Industry, March quarter 2019' [667].

The Queensland Government Statistician notes that there has been a 5.3 per cent increase in manufacturing jobs in Queensland year on year, compared to 3.2 per cent at the national level. This means that Queensland's manufacturing sector employs 173,400 persons—an increase of 8,700 persons compared to the March quarter 2018.

I am aware of a recent report on manufacturing jobs in the *Courier-Mail* that claimed there had been a decline in manufacturing jobs. I am advised that the report in the *Courier-Mail* relied on a single raw data point that is not adjusted for seasonal variation, which can fluctuate from one quarter to the next. The ABS specifically recommends against using raw data points when reporting labour force data and instead recommends that best practice is to use seasonally adjusted and trend data. Notably, the ABS has advised that for the March quarter flooding in Townsville in February 2019 resulted in a major disruption to the operation of the labour force survey in Queensland and forced the ABS to impute the sample for Townsville.

The reality is that the Palaszczuk Labor government has created even more manufacturing jobs and has more manufacturing jobs in the pipeline. As the Premier advised the House this morning, we are working with Rheinmetall to construct the \$170 million Military Vehicle Centre of Excellence at Redbank to deliver the Australian Army's biggest ever defence contract. In 2017-18, \$9.55 billion in defence contracts were awarded to companies based in Queensland—more than double the value of the previous year, growing the sector even further. The government has also invested \$40 million into the Made in Queensland program, helping manufacturers across the state. We are also investing \$30 million to create three new manufacturing hubs—in Cairns, Townsville and Rockhampton—to support regional manufacturers with training and development.

I would caution members of the LNP against intentionally or unintentionally misleading the House by repeating in this House claims about a reduction in manufacturing jobs in this state.

## ELECTORAL AND OTHER LEGISLATION AMENDMENT BILL

### Introduction

 Hon. YM D'ATH (Redcliffe—ALP) (Attorney-General and Minister for Justice) (11.22 am): I present a bill for an act to amend the Acts Interpretation Act 1954, the Electoral Act 1992, the Parliament of Queensland Act 2001 and the Referendums Act 1997 for particular purposes. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

*Tabled paper:* Electoral and Other Legislation Amendment Bill 2019 [668].

*Tabled paper:* Electoral and Other Legislation Amendment Bill 2019, explanatory notes [669].

I am pleased to introduce the Electoral and Other Legislation Amendment Bill 2019. This bill implements important reforms to improve the integrity, transparency and public accountability of the state's electoral system. Building on the Palaszczuk government's strong record of enhancing electoral integrity, transparency and accountability in Queensland, the bill aims to further strengthen public confidence in our electoral system as a key democratic institution. The bill also supports operational improvements to the electoral system, not only to allow the Electoral Commission Queensland, ECQ, to achieve efficiencies but also to improve aspects of the voter experience.

The bill makes necessary consequential amendments to the electoral and related legislation consistent with the adoption of four-year fixed terms for the Legislative Assembly of Queensland following the referendum in 2016. The bill will provide for increased consistency of the laws governing state and local government elections and referendums—our state electoral laws.

Following the Queensland local government elections on 19 March 2016, the Crime and Corruption Commission, CCC, received numerous complaints about the conduct of the candidates for the Gold Coast City Council, Moreton Bay Regional Council and Ipswich City Council. In response to these allegations the CCC initiated Operation Belcarra, which included an examination of practices that may give rise to actual or perceived corruption or otherwise undermine public confidence in the integrity

of local government with a view to identifying strategies or reforms to help prevent or decrease corruption risks and increase public confidence. The inquiry was later expanded to include the Logan City Council.

The government supported, or supported in principle, all 31 recommendations contained in the resulting CCC report titled *Operation Belcarra: a blueprint for integrity and addressing corruption risk in local government*, known as the Belcarra report. The government implemented a first stage of reforms through the Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Act 2018, which banned donations from property developers to key political actors including candidates, political parties and regulated third parties at both the local and state levels of government. I was pleased to see this legislation withstand the High Court challenge made by the former LNP president, Mr Spence, recently. This bill builds on this first stage of reforms by making further legislative amendments to implement the government's response to recommendations 6, 30 and 31 of the Belcarra report for state elections.

Pursuant to recommendation 31 of the Belcarra report, the ECQ will have its statutory functions expanded to include administering and promoting compliance with the election funding and financial disclosure provisions of the Electoral Act 1992 and corresponding provisions of the Local Government Electoral Act 2011. This recognises the critical role of the ECQ in monitoring and enforcing compliance with the election funding and financial disclosure requirements which are key to the integrity, transparency and accountability of the electoral system.

This measure will be complemented by the amendment of existing, and the introduction of new, offence and penalty provisions. These changes will improve consistency among our state electoral laws and will promote compliance. In particular, this bill creates an offence where a person knowingly publishes false information about gifts made to a candidate in an election, a registered political party or a third party, with a maximum penalty of 20 units, as well as increases the penalty applicable to third parties who knowingly lodge a false return about donations given to candidates from 50 penalty units to 100 penalty units. Further, the period over which funding and disclosure prosecutions can be brought will be increased from three years to four years from the commission of the offence, which is a further measure supporting compliance.

In accordance with recommendation 6 of the Belcarra report, a new obligation will be placed on an entity that makes a gift or loan to a registered political party or candidate of \$1,000 or more to notify a recipient of the true source of a gift or loan. This requirement also applies to an entity making a gift to third parties who incur expenditure for political purposes. This will prevent intermediaries being used to circumvent existing disclosure requirements, which play an important role in ensuring the transparency and accountability of Queensland's electoral system.

Recommendation 16(a) of the Belcarra report suggested an outright ban on political donations and loans in the seven days preceding an election day. This bill does not adopt that recommendation because of the operational implications it may have on entities participating in election activity. Instead, this bill would require all donations and loans made within seven days of polling day to be disclosed within 24 hours of them being made. This maintains a culture of accountability and transparency without prejudicing the legitimate activities of political parties and other stakeholders.

The Palaszczuk government strongly believes that sound electoral processes and maximising the participation of voters are vital to our democracy. The bill promotes these outcomes by facilitating procedures that allow the ECQ to conduct elections more efficiently and effectively, including by making the voting experience faster and easier for those who do participate.

A number of concerns were raised by voters following the referendum on four-year fixed parliamentary terms and local government elections jointly conducted on 19 March 2016. As a result, the government decided that it was desirable for an independent review to be undertaken into the conduct of the elections and referendum, as well as the Toowoomba South by-election held on 16 July 2016. An independent review panel, chaired by former Brisbane Lord Mayor Jim Soorley, undertook a review which resulted in its *Inquiry report: a review of the conduct of the 2016 local government elections, the referendum and the Toowoomba South by-election*, the Soorley report, which was tabled on 15 June 2017.

The Soorley report identified potential opportunities for operational improvements in the conduct of both elections and referendums, including improvements relating to technology, communication, the postal voting system and the roles and management of returning officers. The Soorley report included

74 recommendations. Many of these recommendations were operational matters for the ECQ to implement. Others require legislation to implement the government's response. Accordingly, the bill makes amendments to address recommendations 4, 41, 43 and 61 and a number of components of recommendation 74 of the report as they apply to state elections.

In particular, by implementing recommendation 4 of the Soorley report, the bill enables the ECQ rather than the Governor in Council to appoint returning officers and assistant returning officers for state elections. This is already permitted for returning officers for local government elections and is in line with other Australian jurisdictions. It is also compatible with the ECQ conducting transparent processes for the recruitment of returning officers and will avoid duplication.

As part of the Palaszczuk government's commitment to increasing transparency and accountability, this bill extends the time frame over which financial records are to be kept by the ECQ, candidates, parties and third parties in relation to electoral funding and expenditure from three years to five years. The bill makes changes to postal voting by requiring postal vote applications to be submitted to the ECQ by 7 pm on the Monday two weeks prior to polling day rather than the Wednesday before polling day. This is aimed at limiting the risk that postal ballot papers will not be received or being delayed in the postal system and thereby disenfranchising electors.

The bill will allow preliminary processing of declaration envelopes for postal votes received by the ECQ to commence before polling day. This will facilitate workloads for ECQ staff being better dispersed over the election period. Significantly, the bill will also enable absent voters who are not voting in their own electoral district to be marked off the electoral roll and cast an ordinary vote rather than a declaration vote. This will make absent voting faster and easier and provide efficiencies and saving costs for the ECQ.

Implementation of a number of other measures recommended by the independent panel in its report are facilitated by the bill. These include improved legislated procedures for replacement, lost or spoilt ballot papers and allowing polling locations to be notified on the ECQ website rather than the Gazette. In addition, candidates will be able to make nominations deposits by cash, cheque or electronic payment methods to minimise transaction costs and risks of fraud and achieve procedural efficiencies. The time frames for retention of election papers and financial records will also be adjusted and the requirement for ballot papers to be attached to a numbered butt will be removed because it increases costs for no security advantage.

After receiving approval of a majority of voters at the referendum on 19 March 2016, the Constitution (Fixed Term Parliament) Act 2015 introduced four-year fixed terms for the Legislative Assembly of Queensland. In order to align the Electoral Act 1992 and other relevant legislation with those legislative amendments which give effect to four-year fixed terms, a number of consequential amendments need to be made. A bill was previously introduced for this purpose but lapsed when the state election was called. To ensure that elections can be called in a manner consistent with the Constitution of Queensland 2001, the bill includes these consequential amendments. It also contains amendments so that the redistribution provisions and the disclosure periods that apply to candidates in an election reflect four-year terms.

In a related amendment, the bill provides for a discretion in the Speaker and the Governor to not fill a vacancy in the Legislative Assembly in the last three months before dissolution day for a four-year term. The inclusion of this amendment in the bill means that, under section 4A of the Constitution of Queensland 2001, the bill will need to be passed by an absolute majority in order to be presented to the Governor for assent.

The bill also allows prisoners who are serving a sentence of less than three years imprisonment to vote, consistent with the position in the Commonwealth Electoral Act 1918 following the High Court decision of *Roach v Electoral Commissioner*. Queensland is currently the only jurisdiction to not allow prisoners to vote and is not consistent with that High Court decision.

The bill provides for the online publication of returns consistent with ECQ practice. It will require the ECQ to publish and provide, upon request, particular information requested by political parties and independent members, complemented by appropriate safeguards to prevent misuse. It also makes a number of other minor amendments including to clarify that prescribed entities authorised to receive electoral roll information for prescribed purposes are empowered to use that information for that purpose and to ensure the safety of Queensland voters at polling booths by enabling suspension or adjournment of polling in particular circumstances.

I thank the CCC and the independent panel for their comprehensive reports and resulting recommendations. I also want to thank the hardworking members of the Department of Justice and Attorney-General for their efforts in putting this bill together. In conclusion, the bill will provide for important improvements to Queensland's electoral system which will provide a better voting experience for Queensland voters and promote increased confidence in the integrity, transparency and effectiveness of our electoral system. I commend the bill to the House.

### First Reading

**Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice) (11.33 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 Legal Affairs and Community Safety Committee

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

## LOCAL GOVERNMENT ELECTORAL (IMPLEMENTING STAGE 2 OF BELCARRA) AND OTHER LEGISLATION AMENDMENT BILL

### Introduction

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs) (11.34 am): I present a bill for an act to amend the City of Brisbane Act 2010, the Local Government Act 2009, the Local Government Electoral Act 2011, the Referendums Act 1997 and the Right to Information Act 2009 for particular purposes. I table the bill and the explanatory notes. I nominate the Economics and Governance Committee to consider the bill.

*Tabled paper:* Local Government Electoral (Implementing Stage 2 of Belcarra) and Other Legislation Amendment Bill 2019 [\[670\]](#).

*Tabled paper:* Local Government Electoral (Implementing Stage 2 of Belcarra) and Other Legislation Amendment Bill 2019, explanatory notes [\[671\]](#).

As the Minister for Local Government, I am pleased to introduce the Local Government Electoral (Implementing Stage 2 of Belcarra) and Other Legislation Amendment Bill 2019 into the House. This bill continues the government's rolling reform agenda in the local government sector and delivers on the government's commitment to improving transparency, integrity and accountability for the benefit of each and every community across Queensland. Recent developments at Logan City Council and previous issues with Ipswich City Council have reconfirmed the Palaszczuk government's commitment to the rolling reform agenda right across the state.

This bill represents 12 months of significant consultation with the community and stakeholders. Personally, I have spoken to the majority of Queensland's mayors and many of the 564 councillors across our state about the local government reform process. Since April last year, officers of the Department of Local Government, Racing and Multicultural Affairs have conducted in excess of 60 stakeholder engagements to discuss proposed reforms. These stakeholders have included the Local Government Association of Queensland, the Local Government Managers association, the Electoral Commission of Queensland, mayors, councillors, chief executive officers and various community and ratepayer groups.

The bill builds on the reforms already implemented by the Palaszczuk government. Last year the House passed the Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Act. The Belcarra stage 1 act implemented the government's response to five of the 31 recommendations of the Crime and Corruption Commission's Belcarra report, including the prohibition of election donations from property developers and measures to improve the way a councillor must deal with a real or perceived conflict of interest or a material personal interest. The

Belcarra stage 1 act also provided for the automatic suspension of a councillor charged with a disqualifying offence and provided for the dissolution of a local government or the suspension or dismissal of a councillor where the Minister for Local Government reasonably believes it is in the public interest.

The government supports, or supports in principle, each of the recommendations of the CCC's Operation Belcarra report. The bill I introduce today implements the Palaszczuk government's policy and commitment to improve transparency, integrity and accountability in Queensland local government elections and decision-making by continuing to implement further recommendations of Operation Belcarra. Further, this bill will implement the government's response to a number of recommendations of the independent panel's *Inquiry report: a review of the conduct of the 2016 local government elections, the referendum and the Toowoomba South by-election*. As members know, this is widely known as the Soorley report. This bill will also see other significant reforms guided by the four key principles of integrity, transparency, recognition of diversity and consistency.

This bill is the second stage of the Operation Belcarra reforms. However, it is not the last. It is my intention to bring forward a further bill prior to the March 2020 local government election to address key issues such as expenditure caps for candidates, councillors, mayors and third parties at local government elections and public funding of candidates. The intent is to have these measures in place prior to the March 2020 local government election so that they will be in effect the day after the election, enabling councillors and candidates to plan for an entire term.

Stage 3 of the Belcarra reforms will also address the introduction of partial proportional representation voting methodology for undivided councils to be effective for the 2024 local government election. Partial proportional representation in undivided councils means voters can vote the same way that they do now, only having to number the boxes for the number of councillors to be elected. However, the way the voting is counted is more democratic than the current first-past-the-post system.

In relation to this bill, in response to recommendation 2 of the Belcarra report, this bill amends the Local Government Electoral Act to implement real-time electoral expenditure disclosure requirements. Real-time expenditure disclosure enhances transparency, not only in relation to the resources applied by candidates and third parties to election campaigns but also in relation to election donations, including gifts in kind to candidates, parties and groups as well as electoral expenditure.

In response to recommendations 3 and 4 of the Belcarra report, this bill amends the Local Government Electoral Act to require candidates to disclose particular interests as part of their nomination as a candidate. These interests include if a candidate is currently or has previously been a member of a political party or a trade or professional organisation. Again, this increased transparency allows voters to be better informed about candidates when they go to the polls.

In response to the Belcarra report recommendation 5, this bill amends the Local Government Electoral Act to further define a group of candidates by the behaviours of the group or its members rather than the purpose for which it was formed. This will provide greater transparency to the public as to which councillors are operating in a group noting that, if elected, they may operate as a collective.

To implement the government's support of recommendations 6, 18 and 19 of the Belcarra report, this bill amends the Local Government Electoral Act to require additional information about donors of gifts, loans and third-party expenditure and whether expenditure is used to support particular candidates, groups, parties and issues for greater transparency about the relationship between donors and candidates and other recipients of a donation. In response to the Belcarra report recommendations 7 and 21, this bill amends the Local Government Electoral Act and the Local Government Act to deem that candidates and councillors have knowledge of the original source of a gift or loan.

In response to the Belcarra report recommendation 8, this bill amends the Local Government Electoral Act to place the onus on candidates, groups of candidates and third parties after receiving a gift to notify a donor of their disclosure obligations. Similarly, in response to the Belcarra report recommendation 10, this bill amends the Local Government Electoral Act to place the onus on candidates, groups of candidates and third parties to notify prospective donors and loan providers that their donation will be publicly disclosed should a return be required. The government's response to recommendation 10 will require a candidate, an agent for a group of candidates, and a third party to take reasonable steps to notify the public about a requirement for the candidate, agent and third party to state in a return the relevant details for a gift or loan.

In response to the Belcarra report recommendation 12, this bill amends the Local Government Electoral Act to require all candidates, including sitting councillors, to undertake mandatory training prior to, and as a condition of, nomination as a candidate at a local government election. This was brought about because the CCC stated in the report, 'Even some experienced councillors in the 2016 elections were unaware of or uncertain about their obligations.' Further, the CCC stated that mandatory training as a requirement for nomination would 'help to place a greater onus on candidates to understand their obligations, and prevent ignorance from being used as an explanation for noncompliance'.

In response to the Belcarra report recommendations 14 and 15, this bill amends the Local Government Electoral Act to prohibit candidates and groups of candidates from using credit cards to pay for campaign expenses as well as a requirement for candidates and groups of candidates to give details of their dedicated campaign account when nominating. In response to the Belcarra report recommendations 29 and 30, this bill amends the Local Government Electoral Act, the Local Government Act and the City of Brisbane Act to align prosecutions for offences relating to dedicated accounts with the current limitation period for offences about disclosure returns as well as increasing the penalties for funding and disclosure offences in order to provide a greater deterrent to noncompliance.

This bill also implements the government's response to five of the Soorley report recommendations; namely, recommendations 41, 43, 44, 61 and 74. To implement the government's response to recommendation 41 of the Soorley report, the bill amends the Local Government Electoral Act to provide that a request for a postal vote must be received by the returning officer no later than 12 days before the polling day for the election. In relation to recommendation 43, the requirements that the returning officer give the ballot paper and declaration envelope to the elector 'as soon as practicable' after receiving the application applies. To implement the government's response to recommendation 44 of the Soorley report, the bill amends the Local Government Electoral Act to provide that, if a local government applies to the minister for a postal ballot, the minister must refer the application to the Electoral Commissioner for recommendation. In deciding the application, the minister must have regard to the commissioner's recommendation.

To implement the government's response to recommendation 61 of the Soorley report, the bill amends the Local Government Electoral Act to provide for preliminary processing of declaration votes to commence before polling day. No changes are proposed to the time for commencing preliminary counting or official counting. To implement the government's response to recommendation 74 of the Soorley report, the bill amends the Local Government Electoral Act to address proposals by the Electoral Commission Queensland to increase consistency between state and local government elections and assist the ECQ to streamline the operations and overall conduct of elections.

As I said earlier, this bill is more than just a response to the recommendations put forward in the Belcarra report and the Soorley report. This bill is about a continuation of the government's rolling local government reform agenda to further improve accountability, transparency, integrity and consistency in the local government system, decision-making and local government elections.

We have listened to councils and the LGAQ and a key part of this bill is to further clarify and strengthen how councillors' conflicts of interest are managed. This bill will amend the Local Government Act and the City of Brisbane Act to provide more certainty and clarity to councillors by refining the processes to manage a conflict of interest. Importantly, the bill introduces the concept of a prescribed conflict of interest. If a councillor has a prescribed conflict of interest, they must not participate in making a decision on such a matter. I have listened to the feedback from councillors and the bill proposes a number of clarifying amendments to address the questions that have been received from councillors by particularly my department and a range of other integrity agencies over the past 12 months. Further, in relation to the local government system and decision-making, this bill will strengthen the existing state intervention powers under the Local Government Act and apply the full suite of those powers to the Brisbane City Council.

During the debate of the Belcarra stage 1 legislation, I made a commitment to review the urgent amendments that gave me the power to dismiss or suspend councillors or councils in consultation with the Local Government Association of Queensland. That commitment stands and the measures contained in this bill reflect that.

This bill will make amendments to the Local Government Act councillor complaints framework, including to streamline investigations where alleged corrupt conduct of a local government employee is linked to alleged corrupt conduct of a councillor or where alleged inappropriate conduct and misconduct

of a councillor are linked. This bill will apply the Local Government Act councillor complaints framework to the Brisbane City Council. This is a significant change and reflects the need for consistency, where appropriate, amongst our councils. This amendment will mean that the independent assessor will assess all complaints made in relation to Brisbane City Council councillors.

This bill will amend the powers of mayors, other than in the Brisbane City Council, in relation to budgets, the appointment of senior executive employees and directions to the chief executive officer and senior executive employees and provide for a record of directions from the mayor to the chief executive officer. This bill will improve access to information for all Brisbane City Council councillors and provide greater transparency regarding Brisbane City Council decision-making. Currently, the Brisbane City Council's Establishment and Coordination Committee documentation is exempt information under the Right to Information Act and does not need to be released. No more. The time has come to ensure that, like all other local governments, committee documents will be subject to the RTI Act. In the same vein, the bill will require councils to keep committee minutes. This bill will prescribe additional decisions that councils are prohibited from making without the minister's approval during a caretaker period, clarify the existing local government prohibitions on publishing or distributing election material during a caretaker period, and extend these prohibitions to local government controlled entities.

This bill will introduce new requirements relating to councillors' registers of interests to align with the requirements applying to state MPs for statements of interests. The bill also mandates compulsory preferential voting—or CPV—for mayoral and single councillor elections and will be effective for the March 2020 local government elections. CPV will align local government voting methodology with state and federal elections and will help avoid voter confusion. CPV also ensures that every vote counts. It elects the candidate preferred by a majority of voters and is thus an inherently more democratic method.

The deadline for submitting how-to-vote cards to the ECQ will also be adjusted under this bill to reflect the availability of prepolling and other means of voting and will also enable the ECQ to defer a nomination day, or a polling day, in exceptional circumstances and the returning officer to adjourn the poll at a polling booth in the case of a serious threat, or a riot, or open violence, or risk to health and safety. This bill will prohibit entry to a polling place for electoral purposes prior to polling day.

Finally, this bill will also amend the Local Government Electoral Act definition of 'candidate' for an election, to include sitting councillors. In effect, this will mean that a sitting councillor will be required to disclose gifts and loans regardless of when the gift or loan is received during the disclosure period, including the period prior to their nomination for the next election being certified. Other amendments to the definition of 'candidate' will mean that a person who has announced or publicly indicated an intention to be a candidate will be included. Similarly, a person who has otherwise indicated their intention to be a candidate by, for example, accepting a gift, will also be included.

I again acknowledge the critical work of Alan MacSporran and the CCC whose recommendations underpin key features of this bill and whose continual work and investigation in this space resulted in the recent developments at Logan and formerly at Ipswich. These developments highlight the importance of these reforms and have hardened the Palaszczuk government's commitment to delivering them.

As I have made clear in the past, it saddens me that the reputation of local government has suffered in recent times. Suspicion, loss of trust and loss of confidence have impacted the entire sector. I want to make it very clear that the recent allegations in the public spotlight relate to a very tiny minority. The vast majority of councillors and council staff are hardworking, honest individuals who are dedicated to the wellbeing of their communities.

Transparency and accountability are the foundation stones on which we build governments, whether state or local, and with this bill the Palaszczuk government is building on the important reforms we have already initiated to restore the faith in and the good name of local government, continue the excellent relationship we have with councils across the state and return certainty, confidence and trust to the sector. I know that these measures in that context are welcomed across the sector.

As I said earlier, the bill is the result of significant consultation over the past 12 months. I wish to thank those who took the time to talk to me or officers from the department. We have listened closely to this feedback and it has strongly shaped the bill being introduced today. I commend the bill to the House.

## First Reading

**Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs) (11.50 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 Economics and Governance Committee

**Mr DEPUTY SPEAKER** (Mr Kelly): In accordance with standing order 131, the bill is now referred to the Economics and Governance Committee.

## CRIMINAL CODE AND OTHER LEGISLATION AMENDMENT BILL

### CRIMINAL CODE AND OTHER LEGISLATION (MASON JETT LEE) AMENDMENT BILL

## Second Reading (Cognate Debate)

Criminal Code and Other Legislation Amendment Bill resumed from 30 April (see p. 1277), on motion of Mrs D'Ath, and Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill resumed from 30 April (see p. 1277), on motion of Mr Janetzki—

That the bills be now read a second time.

**Mr DEPUTY SPEAKER** (Mr Kelly): I remind members that there are a significant number of members on a warning. The Speaker has made it very clear that this will remain in place until the lunchtime adjournment. Members who interject who are on a warning will be asked to leave for one hour.

 **Mrs FRECKLINGTON** (Nanango—LNP) (Leader of the Opposition) (11.51 am): I rise to support the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill 2019. Everyone sitting in this House will remember the story of little Mason Jett Lee. The abuse this poor boy suffered in his short life—21 months—was absolutely shocking. He was savagely beaten by his stepfather and died in agony over several days. Many in this chamber are parents. As a mum of three beautiful baby girls what happened to this little boy broke my heart. When I heard Mason's killer could be free in just six years, like many Queenslanders I was livid. The tragedy exposed the serious flaws in both the child safety system and the judicial system. Those on this side of the House say enough is enough. The Mason Jett Lee laws that the LNP propose are Australia's toughest punishments for offenders who kill children. The laws honour Mason's memory and will protect other Queensland kids from harm. They would finally bring sentencing of child killers into line with what our community expects.

The LNP proposes to increase the minimum non-parole period for the murder of a child from 20 to 25 years. We will also introduce a new separate offence of child manslaughter. This will ensure that violent offenders who cause the death of a child will face a mandatory minimum 15 years jail. We will punish those who take the life of an innocent child. We will not allow them back on the streets with a slap on the wrist. The LNP's laws guarantee no more soft sentences for child killers. Our justice system has failed poor Mason and the LNP's laws fix up that system.

I thank Act for Mason and its founder Katherine Christensen. The group has worked tirelessly to fix Queensland's child safety system. They are fighting for Mason and kids just like him because Mason's story is all too familiar. We have seen way too many horror stories of evil cowards torturing and killing our precious children. We know that the laws as they stand in Queensland are letting down our poor kids like Mason. We are elected into this chamber to fix the problems as they arise and there is a problem with the laws currently in Queensland.

The LNP's laws will punish those who inflict violence or show extreme neglect. The average length for manslaughter that involves a child is 6.8 years. Our new laws mean a person convicted of child manslaughter will receive mandatory life imprisonment. This means they will spend a mandatory

15 years in jail. We will guarantee that offenders guilty of child manslaughter will spend double the time that they are currently spending in prison. We relied upon a number of sources to guide our proposals, including reports from the Queensland Sentencing Advisory Council and laws currently operating in other Australian states and jurisdictions. Put simply, the Mason Jett Lee laws are what Queensland needs. The LNP supports stronger penalties to send a message that these types of crimes against children will not be tolerated.

I did not want to believe that the Labor Party would play politics with child killer laws, but that is exactly what we are seeing. The LNP offered to work with those opposite to support their bill if they supported ours, but a parliamentary committee, stacked with Labor MPs, voted against supporting the Mason Jett Lee laws. The LNP's tough laws must be given the support of this House. There is no place for arrogant politics when it comes to child killer laws.

The committee recommended Labor's bill be passed and we will support it, but the bill put forward by those opposite should only be passed in conjunction with the LNP's private member's bill. The LNP's Mason Jett Lee laws plug the holes in the bill put forward by the Labor Party. I take this opportunity to thank the shadow Attorney-General for his hard work on behalf of children in Queensland.

The Labor government is proposing to expand the definition of murder to include reckless indifference to human life. What we have seen in New South Wales is that it will not always result in a murder conviction. Abhorrent child killer crimes in New South Wales have led to manslaughter convictions. All too often offenders enter into plea bargains for the lesser charge of manslaughter. Labor's tricky legal change has not worked in New South Wales so therefore it will not work in Queensland. Labor are borrowing a flawed idea from New South Wales and it just does not cut it.

A new aggravating factor for child homicide also does not guarantee higher sentencing for manslaughter. Currently, sentencing guidelines are made up of dozens of aggravating and mitigating factors. Labor's new aggravating factor is just another issue to add into the mix. The simple truth is that without the LNP's proposed new laws Queensland will continue to see weak sentencing for child killers. While the LNP laws guarantee child killers face a mandatory minimum 15 years jail, the only thing Labor can guarantee to the families of victims is false hope.

The LNP supports the government's bill and the aim to strengthen sentencing practices around child homicide. We ask the Attorney-General to consider and support the LNP's bill in return. We must strengthen the child homicide framework and the Mason Jett Lee laws are an appropriate way to do so. The LNP's laws are strong and the Labor laws as they stand are weak. Unlike Labor, the LNP can guarantee that a person convicted of child murder will spend a minimum 25 years in prison. Unlike Labor, the LNP can guarantee that a person convicted of child manslaughter will spend a minimum of 15 years in prison. The LNP's child homicide offence will act as a safeguard in the event that reckless indifference does not result in a murder conviction. I will repeat that: the LNP's child homicide offence will act as a safeguard in the event that reckless indifference does not result in a murder conviction.

The objective of the Mason Jett Lee laws is to guarantee justice. They guarantee no more soft sentences for child killers. The LNP's amendments will protect our kids and they will punish the mongrels who harm them. In this House we have an opportunity granted to us by the people of Queensland to stand up for our communities, to stand up for children across this state and to introduce Australia's toughest punishments for those who kill our children. In honour of Mason Jett Lee, I urge all in this House to support the LNP's amendments. May Mason Jett Lee and all other children who have lost their lives rest in peace.

 **Mr BATT** (Bundaberg—LNP) (12.00 pm): The killing of a child should never be tolerated. It is a despicable and unspeakable crime, to say the least. As a former detective and police officer with over two decades experience, I have seen the impacts of these disgraceful crimes firsthand. The laws in Queensland desperately require an overhaul in order to provide child victims and their families with the justice that they deserve. Today I will address Labor's amendments to these laws and voice my support for the LNP's laws, which would change our state's judicial system for the better.

The crime of killing a child is appalling. Despite this, court data shows that those convicted of the appalling crime are sentenced to less time in prison than those convicted of the manslaughter of an adult. On average, adult manslaughter offenders receive 8.5 years while those convicted for manslaughter were slapped with sentences of just 6.8 years. That discrepancy is too significant to be ignored.

The killing of an innocent child should be well above politics. Those opposite claim to be supportive of strengthening sentencing practices around child homicide, yet the Legal Affairs and Community Safety Committee, which has a majority of Labor members of parliament, rejected the LNP bill that would see Queensland have the toughest sentences in Australia for those who kill a child through violence and neglect. Instead, the committee recommended Labor's own weaker legislation, which is a start but simply does not go far enough to protect kids or punish killers.

In my previous role as a police officer, I have seen what happens when these disgraceful crimes occur. I have seen the flaws in our system. I have seen families experiencing raw and real heartbreak.

**Madam DEPUTY SPEAKER** (Ms Pugh): Order! I am sorry; one moment, member for Bundaberg. There is far too much audible chatter in the chamber. I ask that the member's contribution be heard in silence.

**Mr BATT:** I know just how incredibly important it is for our state to be tougher on crime. I know that the LNP is the only party that is capable of doing that.

The differences between these two bills could not be any clearer. Labor's laws make it too easy for offenders to seek plea bargains and reduce their prison time. Labor's legislation tinkers at the edges of a system that is tipped too heavily in favour of the offenders. I want to mention Labor's proposed amendment to section 302 of the Criminal Code to expand the definition of murder to include 'if death is caused by an act done, or omission made, with reckless indifference to human life'. This amendment was not recommended by the Queensland Sentencing Advisory Committee. The change to the definition of murder is consistent with New South Wales, which includes reckless indifference to human life as a separate basis for establishing the offence of murder. The new definition of murder to include reckless indifference as an element will not be specific to child victims and will extend to the murder of adults. Submitters raised significant concerns that the proposed expanded definition of murder will not always result in a murder conviction, even when the killing was violent or grossly negligent. New South Wales child homicide cases highlight that point. In many cases, the offender is charged with murder but later enters a guilty plea to the lesser charge of manslaughter.

The LNP's laws are named after toddler Mason Jett Lee, who died after being savagely beaten by his stepfather. We owe it to Mason and all other child victims to improve our laws and punish those who took their lives far too soon.

Our laws are what is best. Our laws would enforce stronger penalties for unlawful homicide offences involving the death of a child. Our laws would ensure that sentencing for homicide offences involving children reflects broader community expectations. Our laws would introduce a mandatory minimum non-parole period of 25 years imprisonment for the murder of a person under the age of 18 years. Our laws would introduce a new offence of child homicide that would include a mandatory minimum non-parole period of 15 years imprisonment. Our laws recognise and protect vulnerable and defenceless children, whether it is their age or capacity that increases their vulnerability. Our laws would be the toughest in the country.

Yesterday the Attorney-General said that more cases would go to court as offenders would not want to plead guilty to an offence of manslaughter and do 15 years. I disagree: offenders would still have the option of pleading guilty to murder and doing 25 years or to manslaughter and doing 15 years. Unlike Labor, the LNP can guarantee that a person convicted of child murder will spend a minimum of 25 years in prison. Unlike Labor, the LNP can guarantee that a person convicted of child manslaughter will spend a minimum of 15 years in prison, which is double the time the average offender is currently doing. Unlike Labor, the LNP has a track record of introducing a number of criminal law reforms aimed at protecting children and we are committed to ensuring that the length of sentence imposed on child killers reflects the severe gravity of the crime.

The intent of the bill is to recognise and protect vulnerable and defenceless children, whether it is their age or capacity that increases their vulnerability. The bill also provides defences including diminished responsibility, killing on provocation and killing for preservation in an abusive domestic relationship. These defences, such as the defence of diminished responsibility, will offer protection to women who are of unsound mind by reason of not having fully recovered from childbirth. This will ensure that judicial discretion in sentencing is maintained in cases such as where a person is of unsound mind. The child homicide offence will not apply to accidental deaths such as where a child drowns in a dam or is accidentally run over. Yesterday the member for Morayfield, the Minister for Police, said that people could be charged. The minister needs to read this bill; the bill does provide for those defences.

The LNP believes that mandatory sentencing is necessary because courts are currently bound by light sentences that are not relevant to community expectations. Queensland does not have decades to wait for precedents to change. I call on those opposite to adopt both bills and put Queensland children above their politics. Child victims and their devastated families deserve that.

**Madam DEPUTY SPEAKER** (Ms Pugh): Before I call the member for Lytton, for the benefit of the House, in case there is any doubt as to who is on the warnings list, I have the entire left-hand side. I also have the member for Cairns, the member for Whitsunday, the member for Cooper, the member for Maryborough, the member South Brisbane, and that is all. Those warnings are relevant until lunchtime. A few people asked me whether or not they were on the list, and they all were.

 **Ms PEASE** (Lytton—ALP) (12.07 pm): I stand to speak in support of the Criminal Code and Other Legislation Amendment Bill 2019. Like my colleagues before me, I acknowledge Hemi Goodwin-Burke's parents and grandparents who are in the gallery today. I too offer my sympathy and condolences for the heartache that they have experienced. I am truly sorry that you and others have experienced such tragedy in your lives.

Keeping communities safe is a key objective of the Palaszczuk government. We have a demonstrated track record through the investment of significant funding to reform child and family support services that assists parents and families. We have also strengthened the child protection and foster care system to keep young vulnerable Queenslanders safe from abuse and neglect. We are making wideranging reforms to improve the blue card system and implement the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

The Palaszczuk government has also acted to strengthen the laws applying to child sex offenders. Great progress is being made in our fight to protect children, but there is more work to be done and everyone in our community has an important role to play in protecting our most vulnerable asset, our children. The Palaszczuk government wants justice to be done, justice for the victims and justice for those left behind, their families and friends. We want to see strong sentences imposed when people take the lives of our most vulnerable—our children, our elderly and the disabled. The community must have confidence that this state has a criminal justice system that is robust in its protection of the most vulnerable members of our community. Some of the most vulnerable members of our community are of course our children. Every child has the right to be safe and to live in a home free from violence. Every adult needs to remember that being a parent and a carer is not a right: it is a responsibility and indeed a privilege.

The Palaszczuk government recognises that there is significant public concern over whether sentencing for criminal offences involving the death of a child meets community expectations. These deaths result in a deep sense of sadness for the death of a vulnerable child and a desire to ensure those responsible are held to account. As a result, the Attorney-General requested the Queensland Sentencing Advisory Council to review the adequacy of penalties imposed on sentence for criminal offences arising from the death of a child. QSAC plays an important role in ensuring our sentencing laws are up to date and meet community expectations. The year-long review undertaken involved extensive consultation and research which culminated in a thorough evidence based report. It was called *Sentencing for criminal offences arising from the death of a child: final report*.

This report made eight recommendations and presents four areas of advice to improve sentencing practices and community understanding in relation to sentencing for child homicide. These reforms will mean that should someone abuse a position of trust they have in relation to a vulnerable person, demonstrate a callous disregard through the refusal to obtain medical treatment, inflict prolonged mental and physical suffering through persistent violence and that vulnerable person dies as a result of reckless indifference to human life, the offender can expect to be charged with murder and, if convicted, will be sentenced to life imprisonment.

I know that many people have contributed to the development of this bill. I acknowledge QSAC for its extensive and informative body of work and indeed thank and acknowledge all stakeholders for their input and commitment. To the committee that worked on this, I know that it was a great body of work that they undertook, so I thank them for that. I particularly thank the family members who advocated so long and hard for changes to our law to ensure that sentencing adequately reflects community expectations and to work harder to provide support to victims' families when they go through some of the most difficult times, particularly when they are in the justice system. I commend the Criminal Code and Other Legislation Amendment Bill 2019 to the House.

 **Ms BOLTON** (Noosa—Ind) (12.13 pm): I rise to speak both on the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill 2019 and the Criminal Code and Other Legislation Amendment Bill 2019. The death of a child is deeply tragic at any time and the killing of our innocent and vulnerable, be it by deliberate means, reckless indifference or negligence, is one of the most shameful crimes any person can commit and for our society not to address. Undeniably, ensuring that these acts are met with the appropriate severity of punishment is crucial. The tragic murders of our children has come under significant and understandable scrutiny from our communities for receiving grossly insufficient punishments. On these grounds, both proposed bills aim to ensure that such offenders receive the tougher sentences which our communities have called for and which are essential in seeking justice.

As noted by submitters, unintended implications may emerge from these proposed amendments. The member for Toowoomba South's bill to enforce a mandatory minimum sentence of 15 years on the proposed new offence of a 'child homicide' may see, as exemplified in submissions, someone far less culpable being sentenced than those which were the impetus for these bills. In the government's bill, the proposal to include reckless indifference in the definition of murder which was a recommendation of the QSAC report has been raised by various stakeholders as having potentially unintended high culpability as in the tragic case of a parent inadvertently reversing over their child or leaving a pool gate open resulting in death. Additionally, submitters had concerns with mandatory sentencing due to its impairing of judicial discretion. As the submission by Protect All Children Today notes, child homicide cases can vary significantly in culpability—from unintentional negligence through to severe abuse. Hence, it is seen as critical from these submitters that judicial proceedings retain the discretion to judge child homicide on a case-by-case basis without the precedent of a mandatory minimum sentence as high as 15 years imprisonment.

In summary, it is imperative that those who show reckless and lethal indifference to a child's welfare or wilfully murder receive tougher and longer prison sentences that meet community expectations and keep Queenslanders safer. I thank the member for Toowoomba South and the government for bringing these bills before the House. Our children, elderly and vulnerable deserve our love, protection and care—nothing less—and for us to support both of these bills, which I do.

In response to submitters' concerns on the implications that could come with mandatory minimum sentencing on less incriminating cases as exemplified and what appears at this time as not having provision for the judiciary to accommodate these, the member for Toowoomba South's bill in its present form has as yet answered these concerns. I trust that during this debate these are further addressed. Surrounding the government's bill and its unintended consequences, it has been noted that this bill leaves our courts with the appropriate powers of judicial discretion when it comes to convicting a person of murder, which is crucial in considering the intricacies of establishing reckless indifference and is in line with other jurisdictions.

Both bills are a commendable start in providing an increased deterrent to the callous murder of our most vulnerable who rely on us to keep them safe as well as keeping these offenders from harming others. Thank you to the government, the member for Toowoomba South, the committee, departmental staff, agencies and all involved in their work on these bills, as well as all the submitters for whom I realise this has been very difficult. To all impacted so tragically forever by the murder or killing of a child, these bills may not be anywhere near enough to what you would see as essential to alleviate your pain, nor put an end to these horrors; however, it is a start, and my heart goes out to you.

In conclusion, the taking of a life of our most trusting, vulnerable and beautiful is a stain on our society as a whole. Every day, we all must continue to work on mitigating, preventing and ultimately punishing these offenders with the full strength of the law. 'Not now, not ever' must be much more than a hashtag for an end to violence. It must become our mantra and our commitment and provide guidance to our judicial system in ensuring that perpetrators of death and violence are sent and kept where they belong—away from our families, our loved ones and our communities. I commend both bills to the House.

 **Mrs WILSON** (Pumicestone—LNP) (12.18 pm): I rise to speak on the Criminal Code and Other Legislation Amendment Bill 2019, debated in cognate with the LNP's Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill 2019. The killing of a child is the most unfathomable of crimes. A parent killing their own child is even more incomprehensible. While mercifully there is only a small number of children killed in this state, there is no escaping that child homicides are beginning to happen with depressing regularity here in Queensland. As lawmakers in this state, it is our duty to ensure the toughest sentencing measures are available to the courts to punish those who take an innocent life of a child and potentially signal a deterrent to others from committing the most evil of acts.

On 12 February 2019, the Attorney-General and Minister for Justice introduced the Criminal Code and Other Legislation Amendment Bill 2019. The very next day my colleague the shadow Attorney-General and member for Toowoomba South introduced a private member's bill titled the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill 2019. Like the government's bill, this was also referred to the Legal Affairs and Community Safety Committee for detailed consideration, but it was recommended that it not be passed.

The LNP's bill went further than the government's amendments. It sought to strengthen the mandatory minimum non-parole period of 25 years imprisonment to those found guilty of murder of a child under the age of 18. It also sought to add a new offence of child homicide, applying a mandatory minimum non-parole period of 15 years imprisonment on those found guilty.

The public expectation is that child killers need harsher sentences than what they are currently receiving at present—a 'slap on the wrist' sentence. The person responsible for the death of Hemi Goodwin-Burke, an 18-month-old baby who was a beaten and killed—who suffered mass bruising, a broken rib, ruptured organs and severed brain stem—was sentenced to 8½ years, with a parole period of only four years served. North Queenslanders John and Sue Sandeman's most loved grandson Mason Parker was brutally murdered in 2011 by his mother's boyfriend. Mason suffered horrific injuries including a 17-centimetre fracture to his skull, more than 50 bruises and a ruptured bowel. His killer received a life sentence, with a non-parole period of 15 years—15 years for the life of this defenceless little boy who had not even reached his second birthday.

It should alarm everybody that in Queensland the average custodial sentence for the manslaughter of a child is 6.8 years, whereby for the manslaughter of an adult it is 8.5 years. I ask: what is the value of a child's life?

On 28 November 2011, shortly after her eighth birthday, a little girl from Far North Queensland named Faith was beaten to death by her mother. Faith's injuries were so extensive that the coroner noted in his report how she would have been in significant pain prior to her death. The injuries which caused Faith's death were caused over a period of several days. She ultimately died from her injuries from multiple blunt force trauma contacts. In this instance Faith was beaten to death by her mother with the metal pole of a vacuum cleaner. In her police interview the mother said that the vacuum pole bent resulting in sharp points along its length. The sharp points cut Faith when she hit her but she continued. The mother said that she had hit Faith harder on one day than she had on the day before. Faith died a lonely and painful death in her bedroom at home.

Mason Jett Lee was a defenceless 21-month-old child—just a toddler, non-verbal and completely dependent on adults to ensure his safety and wellbeing. He was defenceless and at the mercy of those who were meant to love and care for him the most. On 11 June 2016, Mason was dead. His injuries covered his entire body from his head to his toes. His intestines were ruptured and he sustained bruising to his head, chest and abdomen, as well as a broken tailbone. Mason was left alone to die in a room in his home. All the signs of a child at imminent risk of dying were there, but they were all ignored by authorities and those who could have protected him. The pain and suffering of this child in the lead-up to his death, along with the other cases I have mentioned, are the most tragic and shameful stories of vulnerable defenceless children in our state of Queensland.

In returning to the committee's report, I note that it was recommended that the Criminal Code and Other Legislation Amendment Bill 2019 be passed. LNP members are of the view that, whilst the government bill would strengthen the existing legal framework and potentially lead to increased sentences for child killers, expanding the definition of murder to include reckless indifference to human life will not always result in a murder conviction, even when the killing includes acts of violence or gross negligence.

New South Wales case law establishes the precedent here, where numerous offenders committed for the most evil acts of violence and/or gross negligence against a child have pleaded guilty to a lesser charge of manslaughter. The same will occur here in Queensland unless the government's bill is passed in conjunction with the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill 2019. We want to guarantee—and I add that the community expects nothing less—that sentencing for child killers convicted of murder or manslaughter increase.

The amendments in either of these bills will not help Mason Jett Lee, nor will they help Hemi or Mason Parker or Faith. Their lives were taken and they will never know what it is like to have the full force of the law applied in sentencing their perpetrators nor laws written that potentially could safeguard

and protect them. There are other children just like these little souls in highly vulnerable, defenceless situations who may be saved from the same fate should Queensland have stronger laws in place to potentially deter the hands of evil.

While the government's bill is heading in the right direction, we believe that it can go further. The reality is that the government's amendments are really just other factors to add into the mix of what already exists. They just do not go far enough. Children like the two Masons, Hemi and Faith need more than false hope that the state's laws are the strongest they can possibly be to safeguard and deter acts of violence that may result in their death. What value is a child's life? When will we have laws in this state that apply a punishment that fits the crime? This is what the public wants to know. It is the obligation of this parliament to ensure that Queensland has the strongest laws against those who disregard the life of a child. We must value the life of a child beyond all else.

 **Mr CRANDON** (Coomera—LNP) (12.26 pm): I rise to make a short contribution to the cognate debate on the Criminal Code and Other Legislation Amendment Bill 2019, the government bill, and the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill 2019, the private member's bill tabled by the member for Toowoomba South. Both bills are worthy of consideration by the House. Indeed, it could be argued that the bills complement each other. The basic intent of both bills is to provide greater penalties for causing the death of a child.

The policy objectives of the government bill are achieved by expanding the definition of murder in section 302 of the Criminal Code to include reckless indifference to human life; inserting a new aggravating factor into the sentencing principles to provide that, in sentencing an adult offender convicted of the manslaughter of a child under 12 years, the court must treat the child's defencelessness and vulnerability, having regard to the child's age, as an aggravating factor; and increasing the maximum penalty for failure to supply necessities from three years imprisonment to seven years imprisonment and reclassifying the offence as a crime.

The policy objectives of the private member's bill include enforcing stronger penalties for unlawful homicide offences involving the death of a child and ensuring sentencing for homicide offences involving children reflects broader community expectations. Those policy objectives are achieved by introducing a mandatory minimum non-parole period of 25 years imprisonment for the murder of a child under 18 years and introducing a new offence of child homicide which will include a mandatory minimum non-parole period of 15 years imprisonment.

The bill strengthens the punishment imposed for the murder of a child under the age of 18 years by requiring the court sentencing the person to make an order that the person must not be released from imprisonment until the person has served a minimum of 25 years or more specified years of imprisonment. The bill creates a new child homicide offence intended to apply to a person who unlawfully kills a child in circumstances where the person killed was a child at the time the act or omission that caused the person's death was done or made, and the act or omission that caused the person's death involved violence or was an offence of a sexual nature or a breach of duty stated in sections 285 and 286 of the Criminal Code.

In conclusion, whilst the LNP supports the government bill, it should only be passed in conjunction with the LNP private member's bill, the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill. The LNP's child homicide offence will act as a safeguard and enforce strong penalties in the event reckless indifference does not result in a murder conviction. As observed by the non-government members of the committee in their statement of reservation, without the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill there is no guarantee that sentences for child killers convicted of murder or manslaughter will increase.

Debate, on motion of Mr Crandon, adjourned.

## CRIMINAL CODE (TRESPASS OFFENCES) AMENDMENT BILL

### Introduction

 **Mr LAST** (Burdakin—LNP) (12.30 pm): I present a bill for an act to amend the Criminal Code for particular purposes. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

*Tabled paper: Criminal Code (Trespass Offences) Amendment Bill 2019* [\[672\]](#).

*Tabled paper: Criminal Code (Trespass Offences) Amendment Bill 2019, explanatory notes* [\[673\]](#).

This amendment bill was born out of necessity after it became apparent that the laws designed to protect Queenslanders from unlawful and aggressive protests in the form of trespass were not meeting community standards. While this bill seeks to protect all legitimate and legal businesses and Queenslanders from unlawful trespass activities, it was brought about as a response to, firstly, the wave of invasions conducted by animal extremists directed at farmers and those within the agricultural supply chain and, secondly, the actions by activists in disrupting train services in the resource industry.

Images this year of protesters trespassing at a feedlot at Millmerran, as well as abattoirs at Yangan, and images last year from a chicken-processing facility at Mount Cotton are proof of the growing trend of activism in Queensland. To make matters worse, we continue to see Queensland's trespass laws failing to deter protesters who are willing to cop small fines for trespass and are treating current laws with disdain. A classic example of this was the woman who was charged and convicted for the trespass of a Sunshine Coast piggery and egg farm only to receive a \$400 fine and no conviction recorded after her third such action in the same year.

This rise of unlawful protesting has pulled upon the very fabric of the fair go policy that Australia, and especially Queensland, was built on. While as Queenslanders we all have the right to protest and to freedom of speech, what we are seeing is far from that. What we are seeing is the fundamental rights of farming families and lawful businesses being attacked. We are seeing the rights of Queenslanders to develop and economically prosper from our natural resources being attacked.

While our farmers and their communities are under attack, the LNP will not sit by and let this happen. That is why the LNP's amendments being moved today to the Criminal Code will deliver the most comprehensive trespass laws in the country. This bill gets the balance right in providing citizens the right to lawful and reasonable protest while providing law enforcement with the tools they need to protect legitimate and lawful activities from unlawful interruption and intimidation. In short, the amendments moved today fix the current shortfall and failings of Queensland's trespass laws by providing penalties that more appropriately reflect and respond to the actions being taken.

The LNP has been publicly calling on this government to beef up Queensland's trespass laws since last year. With this bill the Labor government will get the opportunity to support laws that do exactly that. This has gone too far. The Liberal National Party is giving the Palaszczuk Labor government the opportunity to draw a line in the sand and put an end to this disgraceful extremism.

Currently in Queensland the offence of trespass is a summary offence with a maximum penalty of 2,611 or one year's imprisonment. Contrast that with what I am proposing here today in our bill which introduces three new criminal offences to bolster Queensland's trespass laws. These include aggravated trespass, serious criminal trespass and organised trespass offences. The new offences have been developed after feedback the LNP has received from industry and concerned members of the public.

The new aggravated trespass offence will be utilised when a person unlawfully enters or is in premises, private land or transport infrastructure with intent to cause economic loss to another person or the state. It adds a new section to the Criminal Code, section 422, designed to deal with the serious nature and intended consequences of these often coordinated and wilful trespass activities. The offence will attract a maximum of three years imprisonment or a maximum fine of 100 penalty units, or \$13,055.

Aggravated trespass could be used to charge those individuals where there is a deliberate intention to cause economic and financial losses due to that trespass, just like we saw with those animal activists who entered an abattoir with the intention to block, slow down or affect business activities by chaining themselves to production machinery, or in the case last year where trespassers halted the loading of a ship at the Abbot Point coal loading facility.

The new offence of serious criminal trespass occurs if a person who enters or is in premises, private land or transport infrastructure used for business purposes and therein commits an offence punishable by three years imprisonment or more in a new section 423. A serious criminal trespass offence would only apply to a trespass action in a non-residential premises—for example, commercial premises. It is proposed that this offence carry a maximum penalty of 10 years imprisonment or a maximum fine of 3,000 penalty units, or \$391,650. This hefty penalty aligns with the toughest penalties under the Biosecurity Act 2014. This offence is designed to act as a deterrent for anyone seeking to commit a crime or serious offence—for example, arson assault or wilful damage while trespassing. The significant penalty associated with this offence targets those individuals who seek to trespass and commit further crimes. Those found guilty of this offence will face significant time behind bars as this flippant disregard for the rule of law cannot be accepted or tolerated.

The final amendment the bill proposes is an organised trespass offence designed to counter the rise of coordinated trespass actions and to penalise individuals involved in new section 424. This particular offence targets those people who participate in the organisation of trespass by counselling, procuring or arranging for another person to commit an aggravated or serious trespass offence as outlined in section 422 and section 423 and the other person is a participant in the same organisation.

If a director, member or volunteer of an organisation has been found to have organised a deliberate and premeditated campaign against a project or business that involves individuals from that organisation being found guilty of committing offences of aggravated trespass or serious criminal trespass, that organisation can be liable for a maximum penalty of 10 years imprisonment or a \$391,650 fine. We know militant extremist groups are well organised and financed, and recent actions by extreme groups across the country confirm the need to hold these organisations to account. That is why we need an offence that ropes in and holds to account those within their organisational structures involved in encouraging and organising unlawful trespass.

The Palaszczuk Labor government has failed to read the pulse of the community and industry when it comes to action against those who choose to unlawfully terrorise our farmers. The only additional laws or deterrent the Labor government was able to scrounge together was an on-the-spot, 'slap on the wrist' fine of \$652.75, or as the *Queensland Country Life* described it 'farm invasions done dirt cheap'. These proposed fines are laughable and will do nothing to deter these militant minorities. These 'slap on the wrist' fines fail the pub test and do nothing to respond to the community outrage against these extremists terrorising our hardworking family farmers. These extremists have shown time and time again that they are more than happy to pay these pathetic fines.

Make no mistake: these militant acts will continue as long as there remains no threat of any real punishment. AgForce described the Labor government's response as 'manifestly inadequate' while simultaneously calling out the agricultural minister for acting mischievously in claiming that industry including AgForce and the Queensland Farmers' Federation endorsed the government solution. QFF said that the new fines would not be a sufficient deterrent to stop future invasions. How embarrassing for Minister Farner. Did he really think he would be able to get away with misleading Queenslanders by claiming his laws did not fail and fall over at their first test?

Importantly, QFF has stated that laws changed to properly respond to these crimes should not be used to protect agriculture as some sacred cow—something that the LNP has listened to, with its bolstered trespass laws that protect all lawful businesses and persons from unlawful actions across Queensland. The state LNP opposition stands strong with farmers because we come from and represent those communities that rely on agriculture.

Trespass actions too have been spilling over into Queensland's resource sector. In particular, there has been a rise in activists deliberately impeding and obstructing rail lines transporting coal. The activities of these groups are often collectively referred to as the anti-coal movement or the anti-fossil fuel movement and are largely guided by the anti-fossil fuel strategy developed in 2011 entitled Stopping the Australian Coal Export Boom. These disruptions to coal transport are dangerous to the protesters and to the operators of trains, and they cost tens of millions of dollars to industry and to the state that could be invested into our hospitals, our schools and our local police.

We cannot allow Queensland to be held to ransom by militant extremists. This law turns the tables back towards common sense and restores the balance. It is time to throw these un-Australian, repeat-offending extremists behind bars where they belong. This bill is proof that only the LNP will do what it takes to protect our farmers and the resource sector as well as the rest of Queensland. It is time for this Labor government to get on board and support these common-sense and comprehensive trespass laws for the sake of all law-abiding Queenslanders.

### First Reading

**Mr LAST** (Burdekin—LNP) (12.41 pm): 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 Legal Affairs and Community Safety Committee**

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

Before I call the member for Toowoomba North, I will take this opportunity to reiterate to all members of the House the warnings list which is valid until lunchtime. That list includes all members sitting to my left as well as the member for Whitsunday. Those members from the government side on the list include the members for Cooper, Maryborough, South Brisbane and Cairns. That list is valid until lunch. 'Hear, hear' will be tolerated but all other interjections will not.

**WEAPONS AND OTHER LEGISLATION (FIREARMS OFFENCES) AMENDMENT  
BILL****Introduction**

 **Mr WATTS** (Toowoomba North—LNP) (12.42 pm): I present a bill for an act to amend the Criminal Code, the Police Powers and Responsibilities Act 2000 and the Weapons Act 1990 for particular purposes. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

*Tabled paper:* Weapons and Other Legislation (Firearms Offences) Amendment Bill 2019 [\[675\]](#).

*Tabled paper:* Weapons and Other Legislation (Firearms Offences) Amendment Bill 2019, explanatory notes [\[676\]](#).

Crime and criminal use of firearms is out of control in Queensland. Let me say that again. Firearm crime in Queensland is out of control. There is no doubt that outlaw motorcycle gangs and organised criminal gangs are a significant contributor to violent firearm crime and unlawful manufacturing of weapons. Labor's soft approach to organised crime has encouraged outlaw motorcycle gangs and organised criminals back into our state. The recent events are proof that outlaw motorcycle gangs are back with a vengeance.

On 4 February, a group of armed Rebels bashed and shot a Bandido outside the Logan Hyperdome. Following this, on 26 February a Rebels gang member was shot eight times in his Upper Coomera home. After these events occurred, Superintendent Charysse Pond from Queensland's State Crime Command conceded there had been an 'absolute escalation of violence in relation to organised criminal gangs'.

While outlaw motorcycle gangs pose a significant threat to the community, so do other high-risk individuals, including terrorists and persons with a history of violence. The terrorist threat in Australia remains elevated and more needs to be done to respond to this risk. The latest 2017-18 crime report reveals Weapons Act offences in Queensland have risen 63 per cent since 2008. Illicit firearms are used to aid criminal activity and strengthen an organised crime group's power and ability to threaten, intimidate and control.

The rise of organised criminal gangs is largely to blame for the escalation of firearm crime—a claim which has been backed by the Australian Criminal Intelligence Commission. According to the Australian Criminal Intelligence Commission, an increasing number of organised crime groups, including outlaw motorcycle gangs, are trafficking illicit firearms. In the same report, the Australian Criminal Intelligence Commission conservatively estimated that the illicit firearms market includes more than 250,000 long arms and 10,000 handguns.

Queensland is falling behind the majority of Australian jurisdictions when it comes to firearm legislation designed to protect our community. The community cannot continue to live in fear and suffer at the hands of violent offenders. It is the primary objective of any competent government to keep its citizens safe. No member of the Queensland community should be living in fear and suffering at the hands of violent offenders. In other states, there are strong and workable laws that have been in place for many years. That is why the LNP is introducing these strong laws to ensure we have a framework that offers the strongest protection for the Queensland community.

The overarching policy objective of the bill is to strengthen the legislative framework in relation to weapon and firearm crime. This is achieved by introducing a new legislative framework known as a firearm prohibition order, which serves to prohibit high-risk individuals from acquiring, possessing or using a firearm; and increasing current penalties and introducing new offences for weapon and firearm offences.

This bill contains the following new offences which impose strong penalties to deter gun crime and to punish offenders who break the law. The bill inserts a new framework known as the firearm prohibition order into the Weapons Act. The intention of the firearm prohibition order is to provide a legislative framework to prevent a high-risk person from acquiring, possessing or using a firearm. Under the framework, the commissioner may make an order against a person if, in the opinion of the commissioner (a) the person is not fit, in the public interest, to have possession of a firearm; or (b) the person is a participant in a criminal organisation within the meaning of the Penalties and Sentences Act 1992 or is subject to a control order under that act. A firearm prohibition order takes effect when a police officer serves a copy of the order personally on the person against whom it is made, and the commissioner may revoke a firearm prohibition order at any time for any or no stated reason.

The firearm prohibition order framework contains a range of new offences. The new offences are as follows. One, a person who is subject to a firearm prohibition order must not acquire, possess or use a firearm. The maximum penalty is 15 years imprisonment. Two, a person who is subject to a firearm prohibition order must not acquire or possess a prohibited thing or ammunition for any firearm. The maximum penalty is seven years imprisonment.

Three, if a firearm prohibition order comes into effect against a person, the person must immediately surrender to a police officer all firearms, prohibited things and ammunition for any firearm in the possession of the person. The maximum penalty is 500 penalty units or 10 years imprisonment for a firearm or 200 penalty units and four years imprisonment for a prohibited thing or ammunition for any firearm.

Four, a person must not supply or give possession of a firearm to another person knowing that the other person is subject to a firearm prohibition order. The maximum penalty is 15 years imprisonment. Five, a person must not supply or give possession of a prohibited thing or ammunition for any firearm to another person knowing that the other person is subject to a firearm prohibition order. The maximum penalty is seven years imprisonment.

Six, a person who is subject to a firearm prohibition order commits an offence if a firearm, prohibited thing or ammunition for a firearm is kept or found on the premises at which the person is residing. The maximum penalty is 500 penalty units, or 10 years imprisonment. Seven, a person who is subject to a firearm protection order must not, without reasonable excuse, attend:

- a) a place at which a licensed dealer carries on business under the licence;
- b) a place at which the licence armourer carries on business under the licence;
- c) a range for weapons target shooting;
- d) the premises of a shooting club; or
- e) the premises of an approved historic society;
- f) an arms fair;
- g) any other premises of the type prescribed by regulation for this paragraph. The maximum penalty is 500 penalty units, or 10 years imprisonment.

Eight, a person subject to a firearm protection order must:

- a) inform each other person who is 18 years or more and who resides or proposes to reside at the same premises as the person of the fact that a firearm prohibition order is in effect against the person; and
- b) ask each of the persons mentioned in (a) whether or not they have or propose to have a firearm, prohibited thing or ammunition for any firearm on the premises. Maximum penalty is 200 penalty units, or four years imprisonment.

Nine, a person who has physical possession of a firearm must not, without reasonable excuse, be in the company of a person subject to a firearm protection order. The maximum penalty is 200 penalty units or four years imprisonment.

There are some new offences that are proposed in this bill. The bill provides for a new offence of firing at a dwelling house, building or vehicles in the Weapons Act. Drive-by shootings in Queensland are becoming increasingly prevalent. Too often innocent bystanders become the victims of these violent attacks, which is why the LNP has acted to introduce a new offence. This offence imposes a maximum penalty of 14 years imprisonment for any person who fires a firearm at a dwelling house or other building or a vehicle with reckless disregard for the safety of any person. This is increased to 16 years imprisonment if the offence is committed during a public disorder incident.

The bill inserts a new offence of possession of digital blueprints for manufacture of firearms in the Weapons Act. The manufacture of 3D printed guns poses a threat to our community. Under our current laws, we have already seen arrests made in relation to the unlawful manufacture of 3D printed guns. However, this new offence goes one step further by holding offenders to account for merely having possession of a digital blueprint and possession of a device capable of manufacturing those 3D guns. Under this new offence, a person who possesses a digital blueprint for the manufacture of a firearm and a 3D printer, electronic milling machine or other device capable of manufacturing the firearm commits an offence. A maximum penalty of 14 years imprisonment applies. This offence is derived from New South Wales. However, unlike New South Wales, the offence in Queensland will also require that the person has possession of the equipment to manufacture the firearms to offer safeguards to those who download digital blueprints out of genuine interest.

The bill also inserts new offences in the Criminal Code relating to the intent to resist arrest. Under the bill, a person who discharges a firearm or other loaded arms with intent to resist arrest will face a maximum penalty of 25 years imprisonment. A person who uses or possesses an offensive weapon or instrument to resist arrest will be subject to a maximum penalty of 15 years imprisonment. The penalty is increased to 18 years imprisonment if the person commits an offence in the company of one or more persons.

There are some penalty increases. The penalty for punishment of stealing a firearm or ammunition is increased. Theft from licensed individuals and firearm dealers is one of the most commonly used contemporary methods to move firearms and firearm components from the legal domestic market on to the illicit firearm market. As reported by ACIC, it is likely that stolen firearms come into the possession of organised crime groups. However, the total number is unknown. The bill increases the penalty for the existing offence of section 398 of the Criminal Code, 'Punishment of stealing'. Under the bill, the maximum penalty for stealing of firearm or ammunition is increased from 10 years imprisonment to 14 years imprisonment. The intent of increasing the maximum penalty is to deter firearm theft from legitimate owners and, ultimately, hamper the number of legally owned firearms entering the illicit firearms market.

The bill increases the penalties for the existing offences of carrying and/or discharging a weapon or firearm in a public place. Under the bill, any person who, without reasonable excuse, carries in a public place a loaded firearm or a weapon capable of being discharged or discharges a weapon in, into, towards, over or through a public place will face a maximum penalty of 10 years imprisonment. The existing provisions will increase from two years to 10 years to bring Queensland in line with other states.

This bill sends a strong message to criminals and organised crime groups that we will not tolerate threatening and intimidating behaviour in Queensland. This bill stands up for community safety and deters individuals from committing weapons offences and other associated crimes. The proposed provisions in this bill will not only recognise the challenges of modern policing but assist police officers in tackling criminals and organised crime groups. Unlike Labor, the LNP will always put the safety of the community before offenders.

I might just go back to the offences relating to resisting arrest. One of the most important functions in our society is for the police to be able to maintain law and order. They do a fantastic job and a dangerous job every day. They have to potentially face people who receive very minor penalties if they own illicit firearms, even if they have used them in violent acts. We want to make sure that when the police turn up to arrest someone it is abundantly clear to that person that if they use their firearm or if they are in possession of a loaded firearm they need to put it down immediately. If they do not, they will have the full force of the Queensland law thrown at them to ensure this does not happen on a repeated basis. Since I have been sitting in this parliament we have lost too many police officers. The tie I wear today commemorates one of their deaths; he was shot whilst trying to make an arrest. This legislation will mean that, if that person had missed, they would still have faced a severe penalty.

## First Reading

**Mr WATTS** (Toowoomba North—LNP) (12.58 pm): 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 Legal Affairs and Community Safety Committee

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

Before I move on to the next order of business, I would like to acknowledge the presence in the gallery today from the Islamic College of Brisbane: Assistant Principal Ian Martineau and the school captains, Ma-azah Shah, Uzair Fikreth Shuaib, Zainab Ali and Aban Shaffie—and I do apologise to the member for Stretton. It is good to have you with us.

### CRIMINAL CODE AND OTHER LEGISLATION AMENDMENT BILL

#### CRIMINAL CODE AND OTHER LEGISLATION (MASON JETT LEE) AMENDMENT BILL

##### Second Reading (Cognate Debate)

Criminal Code and Other Legislation Amendment Bill resumed from p. 1335, on motion of Mrs D'Ath, and Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill resumed from p. 1335, on motion of Mr Janetzki—

That the bills be now read a second time.

 **Ms HOWARD** (Ipswich—ALP) (12.59 pm): I rise to support the Criminal Code and Other Legislation Amendment Bill 2019. This is a bill that stands up for child homicide victims and delivers tougher penalties to offenders who, with callous disregard, recklessly take away the life of a child. I want to thank the Attorney-General for introducing this bill to parliament. I also want to thank the committee and all the people who worked to get this bill here today. It would not be here today if not for the Attorney-General's referral to the Queensland Sentencing Advisory Council to set up an inquiry to review whether sentencing for criminal offences involving the death of a child meets community expectations.

While the number of child homicide deaths in Queensland is small, the community feels deep shock and sadness at the injustice of having an innocent life taken away at such a young age. The Palaszczuk government recognises that the general public and the families of victims want to see strong sentences imposed on killers who take away the lives of children.

Sitting suspended from 1.00 pm to 2.00 pm.

Debate, on motion of Mr Hinchcliffe, adjourned.

### MOTIONS

#### Suspension of Standing and Sessional Orders

 **Hon. YM D'ATH** (Redcliffe—ALP) (Leader of the House) (2.01 pm), by leave, without notice: I move—

That, notwithstanding anything contained in standing and sessional orders, the Minister for Education and Minister for Industrial Relations be permitted to immediately move the motion for which the minister gave notice this morning with the following time limits to apply—

- five minutes for all members; and
- total debate time before question put—60 minutes.

#### Labour Movement

 **Hon. G GRACE** (McConnel—ALP) (Minister for Education and Minister for Industrial Relations) (2.02 pm): I move—

That this House joins together on 1 May to recognise and celebrate the historic achievements of the labour movement in improving the lives of workers in Australia and notes and supports the initiatives of the Palaszczuk government in improving the working lives of Queenslanders, including providing safer workplaces and secure jobs for Queenslanders by:

1. taking urgent action on silicosis in the manufactured benchtop industry;
2. reforming workers compensation arrangements and processes to support victims of black lung and other dust lung diseases;

3. introducing industrial manslaughter laws;
4. establishing nation-leading labour hire licensing laws;
5. initiating a parliamentary inquiry into wage theft;
6. legislating 10 days paid domestic and family violence leave;
7. appointing a stand-alone workplace health and safety prosecutor;
8. calling for the Fair Work Commission to provide real wage rises for our lowest paid and oppose cuts to penalty rates;
9. returning Labour Day to where it rightly should be in May; as well as—
10. repealing the attacks on working Queenslanders by the Newman government including by:
  - (a) reversing the cuts to front-line services and the sacking of 14,000 public sector workers;
  - (b) reinstating the rights of injured workers to take common law action by removing the LNP's unfair, arbitrary threshold;
  - (c) restoring the bargaining and workplace rights for our nurses, teachers, police, doctors, firefighters, ambulance officers, teacher aides, school cleaners and thousands of other public servants; and
  - (d) returning workplace entry rights to help protect worker safety in dangerous work sites.

I am very proud that today marks May Day. Since the 1890s, 1 May has been celebrated as International Workers' Day in recognition of the struggles and achievements of workers and their unions in improving working conditions. Next Monday once again after many, many years I will proudly join the annual Queensland Labour Day march. I will be there with the Premier, other members on this side of the House and thousands and thousands of union members. It will be one of the biggest Labour Day marches around Australia.

**Mr Bleijie:** Sorry, I can't make it.

**Ms GRACE:** Member for Kawana, I will take that interjection. We are more than happy to receive your apology. Thousands of rank and file union members will celebrate the achievements of the Labor movement here in Queensland, Australia and internationally. How proud are we in this state? The Labor movement has achieved the eight-hour working day; annual holiday leave, sick leave and other leave; a decent minimum wage; penalty rates; and the wonderful occupational superannuation that we brought into this country. Workers are benefitting from this in their retirement. None of the achievements enjoyed by workers came easily and they were not handed to them by benevolent employers: they were achieved through the hard work and persistence of the labour movement banding together, acting collectively through their unions and in the workplace and through the election of representatives to public office.

One of the best things that we can do for workers is give them a job, and in this state we have given them 192,000 since we were elected. These are not just any jobs: these are jobs in secure and well-paid positions. We have a very proud history when it comes to industrial relations in this state. At the next federal election, which is coming soon, a choice will have to be made about stagnant wages growth under the current federal LNP government. The Abbott-Turnbull-Morrison government has failed to act on anything to do with workers. They have failed to act on rampant wage theft, which has been reported and is out of control. They have failed to address entrenched low wages growth. Wages have flatlined to the point where the inflation rate was zero per cent in the last quarter. That is a disgrace.

There has been no action on national labour hire licensing laws. 'No, that's all right. We've heard about the dudding that's going on there, but we'll let them continue.' They have refused to help families who face domestic violence and refused to legislate 10 days paid family leave like we did here in this state. They have even failed to provide inspectors in the workplace. There are fewer inspectors now than when we had industrial relations in this state in 2005. That is an absolute disgrace. They have appointed employer after employer to the Fair Work Commission to the point that it now has one-third worker representation and two-thirds employer representation, so they are stacking it. This is the other one I love: when the ideological royal commission into unions came up they found nothing, but they voted 26 times against the banking royal commission, which saw CEOs dropping like flies. They found nothing as a result of the union inquiry, but they voted 26 times against the banking royal commission.

We know that when it comes to supporting workers the Palaszczuk Labor government has delivered in spades. We also know that those opposite have stood by and done nothing to lobby their federal counterparts to step in and support Queensland workers. Their strange ideological bent against unions and workers is atrocious. Federal Labor has already committed to support working people, including a commitment to establish a national labour hire licensing scheme. We were the first state to

do it; they are going to follow us. A Shorten Labor government will restore penalty rates for low-paid workers. We said no to that; they are going to bring them back. They will ensure that labour hire workers receive the same pay as those they work beside—and that is the way it should be—and support a real wage increase for workers in this country. Wages have flatlined. The rules are stacked against workers.

If you want to change these things, if you want to bring in what the Palaszczuk government has brought in, if you want to address decent workers compensation, vote Labor. Under the stewardship of the member for Kawana, all those workers with coal workers' pneumoconiosis and silicosis would not have received common law rights because of their five per cent threshold. That is a disgrace. We got rid of it. Vote Labor: that is what workers need.

*(Time expired)*

**Mr DEPUTY SPEAKER** (Mr Stevens): Before calling the member for Kawana, I would like the House to acknowledge the principal and students from Seville Road State School in the electorate of Greenslopes.

 **Mr BLEIJIE** (Kawana—LNP) (2.07 pm): Let's call this what it is. This is nothing more than a motion during a federal election campaign to ensure that donations from the union movement flow to the federal election for the next 2½ weeks. That is all this is. This motion is nothing more than paying their union masters and the Queensland parliament doing the unions' bidding. No doubt former AWU official Bill Shorten—who ripped \$100,000 off workers in the cleaning industry—would have rung up his mates in this Labor government and said, 'We need more donations in Queensland. The funds have stopped flowing.'

Why have funds stopped flowing in Queensland for the Labor Party? Because of the Carmichael mine that Labor will not back. The CFMMEU are on a different course to the Labor government in Queensland. Funding from the CFMMEU—who would usually be rolling out the red carpet and throwing money to the Labor government—has stopped because the North Queensland members of parliament of the Labor Party will not sign the pledge to support the Carmichael mine. So Billy gets on the phone to the union paymasters and says, 'In 2½ weeks time there's a federal election. We need money to roll in.' Today's motion will be debated and then the phone calls will start to the union movement which all preselected the members opposite. 'We made the speech. This is what we did.' Copies of the speech will be in gold-plated frames for union heavyweights.

If the minister wants to talk about black lung, it was the LNP who first called for a royal commission into black lung disease. Then the government set up the committee and the member for Bundamba did a stellar job on that committee, as did the former member for Southern Downs, Lawrence Springborg. One of the committee's recommendations was to table a piece of legislation. Where is that piece of legislation now? Where are the legislative reforms? Where are all of the recommendations? Where is the mine safety authority based in Mackay that it recommended? It was rejected by the Labor Party.

At the time the CFMMEU asked that the member for Stafford resign or be sacked by the Premier after his insensitive and inadequate response to the Queensland government inquiry into black lung disease. This is nothing more than a motion moved by the minister who is a former QCU general secretary—

**Ms Grace:** And proud of it.

**Mr BLEIJIE:** I take the interjection—and always doing union bidding in the parliament. The minister talks about the royal commission into union corruption. Elements of corruption were found and recommendations were made to the state government. Has this state government introduced any of them? No. There were specific recommendations for the Queensland state Labor government to introduce after the royal commission, but the answer was no.

I say to the minister that the next royal commission Queensland should have is into her own department and into Workplace Health and Safety—people like Helen Burgess and other Workplace Health and Safety directors who are deliberately targeting organisations such as Enco Precast. Information has been provided to us that police officers have been told, or suggested, to attend various practices and turn a blind eye to CFMMEU thuggery and behaviour. If that is what is happening—

**Ms Grace** interjected.

**Mr DEPUTY SPEAKER** (Mr Stevens): Order! Member for McConnel, you have had your turn to speak. You have repeatedly interjected. You will cease your interjections or a warning will be forthcoming.

**Mr BLEIJIE:** If there has been external influence on the Queensland Police Service to do or not do certain jobs on construction sites or not act against the CFMMEU, that is alarming and it should be fully investigated.

I am not satisfied that the Crime and Corruption Commission in Queensland is not investigating the minister's own industrial relations department. Serious accusations of corruption have been levelled against the like of Helen Burgess. The CCC has outsourced to a Sydney HR company to investigate them. The minister's department is under investigation by an external stakeholder in Sydney. The CCC wrote to me about that. I wrote to that agency and asked them what powers of compulsion they have—whether they can get the telephone records of Helen Burgess or text messages Helen Burgess may or may not have sent to the CFMMEU. They have not responded because, of course, they do not have those powers. The only way to fully investigate what is happening in the department of industrial relations and the cosy relationship the CFMMEU has with that department and certain officials is perhaps a full royal commission—into the CFMMEU and its relationship with the Palaszczuk Labor government and into the deals that are done with the union to get legislation through. If you look at the real-time disclosure results for the last two weeks, you will see that all of the money is coming from the union movement to the Labor Party.

*(Time expired)*

 **Mr KING** (Kurwongbah—ALP) (2.12 pm): That was a good audition from the member for Kawana, but I think Elvis singing *Solidarity Forever* might have got him a role in the movie. What a great day to be talking about the labour movement. The date 1 May, or May Day, is the day we celebrate the great labour movement. Thanks to our Palaszczuk Labor government, our Labour Day holiday is back in May, where it always should be.

The history of May Day, or Labour Day, in Australia spans 150 years. It is an important annual event that commemorates the granting of the eight-hour working day for Australians and remembers those who struggled and succeeded to ensure decent and fair working conditions in Australia. May Day celebrates the achievement of work-life balance—eight hours work, eight hours rest and eight hours recreation.

I will provide a bit of history for those who do not get it. On 21 April 1856 stonemasons at the University of Melbourne marched on Parliament House to push for an eight-hour working day. An agreement with employers for a 48-hour week was eventually reached, and Australian workers welcomed the new eight-hour day. In Queensland, the first Labour Day celebration took place in Brisbane on 16 March 1861. The LNP when in government shifted the holiday celebrating this great and historic event out of sheer spite. Those opposite do not understand the labour movement. They revile unions, or at least unions that are representative bodies for workers. They have no problem with other non-labour representative bodies—I would call them unions too—like the chamber of commerce and AgForce.

Who is a worker in this state? They are police, firemen, nurses, teachers and of course electricians.

**Mr Harper:** And ambulance paramedics.

**Mr KING:** And ambulance workers. I take that interjection. We on this side of the House work for everyone in this great state. We understand workers and we will always do everything in our power to make sure every worker returns home safely, in the same physical and mental state they left home in.

Our government has a lot of runs on the board when it comes to looking after our workers. We have reinstated the rights of injured workers to take common law action by removing the LNP's unfair arbitrary threshold, as mentioned by the minister. The former LNP government in 2013 stripped away the rights and entitlements of Queensland's injured workers by introducing an unfair common law threshold. This threshold prevented workers with a degree of permanent impairment of five per cent or less seeking damages from a negligent employer. That affected 9,000 of Queensland's most vulnerable workers. In 2015 this government restored the rights of Queensland's injured workers to seek common law damages for injuries on or after 31 January 2015 to those 9,000 workers who were injured between 15 October 2013 and 30 January 2015 and were denied access to common law damages. We also introduced an additional lump sum compensation entitlement to ensure these workers were not disadvantaged. As at 31 March 2019, approximately 760 injured workers had benefited from that statutory adjustment scheme and had received compensation totalling \$15.7 million.

We have also boosted electrical safety in the solar farm industry. The Palaszczuk government has acted to ensure we have the highest electrical safety standards for the rapidly growing solar farm industry. Our government's solar farm code of practice and new electrical safety regulation clarify

existing legislative requirements for the industry and improve electrical safety by ensuring the mounting, locating, fixing and removal of solar panels is only performed by licensed workers under the act. It applies from 13 May 2019 to all solar farms with a total rated capacity of at least 100 kilowatts. You would think that electrical safety in the electrical supply industry was a no-brainer. The safety required when working with voltage levels in the hundreds of thousands is tight, and the consequences of failure to adhere to safety measures are catastrophic to both human life and our state's economy.

These are just a few things we have done to help workers in this state, and I look forward to the election of a Shorten Labor government that will bring the same level of commitment to supporting working people. Labor has already, as mentioned, committed to establishing a national labour hire licensing system, ensuring that labour hire workers will receive the same pay as direct employees they work alongside, and to restoring the penalty rates for low-paid workers—penalty rates cruelly cut under the watch of the LNP government.

This is the first year I can remember that I have not been able to attend Workers' Memorial Day, which was held on Monday, as I was at parliament. I did, however, find out the number of fatalities there have been. As at 21 March this year, 30 Australians have been killed—

**Mr Molhoek** interjected.

**Mr KING:** If the member listens, he might learn something. Already this year 30 Australian workers have been killed. We need to do everything we can to stop that occurring. I am proud to be part of this government that sticks up for workers. I proudly support this motion.

 **Mr MANDER** (Everton—LNP) (Deputy Leader of the Opposition) (2.17 pm): I rise to speak against this motion. I was brought up in believing in unionism and I still believe in the principle of trade unionism, but I do not believe in the militant trade unionism we have seen grow over the past 30, 40 or 50 years. My father, who was a union member, would be rolling in his grave if he could see the way the trade union movement works today. There is no greater example of that sentiment than union membership levels now compared to 30, 40 or 50 years ago. People have voted with their feet. That is why union membership now hovers between 13 per cent and 15 per cent, depending on whether you include the public sector, where most are in the union because they have to be—for example, teachers and nurses worried about insurance. If you took those people out, union membership would be at five, six or seven per cent because it has lost relevance. Not only has it lost relevance; it is also costing Queensland taxpayers money through the undue influence of unions. To understand that, you only need to look at the activities of the unions and the influence they have on this government and the detrimental effect that has on Queensland taxpayers and Queensland's economy. Heaven help us if Bill Shorten is elected, because Queensland and Victoria will be a model for the Shorten government and then we will see how destructive these unions are.

Let us look at some examples of the influence that the unions have had in recent times under this government that have cost Queensland taxpayers. Just recently private prisons have come back under public control supposedly to address the overcrowding issue, but there will be an increased cost of \$110 million for taxpayers over the next four years simply to bring the prisons back under union control. That is how much extra it costs to have unionised staff rather than the private sector do it more efficiently. Let us look at the 'rail fail' and the influence that the unions have had on that with a closed shop. There has been a deliberate attempt to ensure that they maintain heavy loads of overtime week in, week out where we have train drivers earning \$190,000 per year and 470 fewer services. Who loses out? It is the Queensland public who loses out.

Across the road at the Queen's Wharf development there are carpenters earning \$230,000 a year because of the ridiculous claims that the unions put on the private sector, and it is estimated that up to 30 per cent extra is put on building and construction costs because of the undue influence and the unreasonable demands of the trade union movement. If we want to look at the worst, let us look at the CFMMEU and the impact that it has. Time and time again it has been found to be lawless and fined millions of dollars. What is the first thing Bill Shorten is going to do? He is going to abolish the ABCC. He is going to abolish the watchdog—the one that keeps these people under check.

If we look at the influence of the trade union movement and the damage that it does to the economy, when it comes to industrial action in 2018, 24 per cent of days lost through strike action in this country happened right here in Queensland. Going back over the term of the Palaszczuk government, 33 per cent of all days lost to industrial action since the Palaszczuk government has been in power have happened here in Queensland. There are Labor luminaries left, right and centre coming out and urging the Labor government to sever its ties with the union movement and the influence that

it has. Peter Beattie himself, whom many of those opposite served with, has said that it must get rid of the union. The great Kevin Rudd says that it must get rid of the trade union movement. Not only that, the member for Woodridge himself says that unions have an undue influence on preselection and should stop.

*(Time expired)*

 **Mr WHITING** (Bancroft—ALP) (2.22 pm): It is an honour to stand here today to speak in support of this motion because this motion marks the achievements that have been accumulated in Queensland for over 160 years. These are struggles and achievements that were happening before we even became Queensland, and there have been many achievements and we have heard them already: the eight-hour day, four weeks annual leave, a decent minimum wage, penalty rates for those working family-unfriendly hours and superannuation.

The list of achievements achieved on behalf of working Queenslanders under the Palaszczuk government is impressive. There are the industrial manslaughter laws to hold negligent employers to account, the first in Australia; the labour hire licensing laws to protect vulnerable workers from exploitation, once again the first state in Australia to do so; legislating an entitlement to 10 days paid domestic and family violence leave, the first state in Australia to do so; and introducing a code of practice and new electrical safety regulations to ensure that the solar industry is safe, and I acknowledge the good work done by my friend the member for Kurwongbah on this. There are also workers compensation reforms to ensure that workers with CWP receive their full and just entitlements.

We have been building these achievements in Queensland since 1857. In 1857 the Brisbane Labour Alliance formed with just 10 workers, and that is why we march on Labour Day. It agitated for an eight-hour day and by January 1858 the stonemasons in Queensland formed the first union. Many of them worked for John Petrie. They probably worked on this very building. Part of this building would have been built by Queensland's first unionised labour force. Why did they do that? Stonemasons in the 1850s—and this might sound familiar—said that their occupation was the most laborious kind and their 10 hours of labour each day would soon wear out the strongest of men. It was their duty and justice to themselves and their families to try, by every means in their power, to obtain shorter hours of labour. That is what those workers faced, and it is the same issue that they face today. Workers in the construction and building industry are still fighting to protect their health and their lives, and they have been doing that since 1857. It is remarkable that the latest issue to face workers in the building and construction industry would be recognised by the same stonemasons who worked on this very building—that is, problems in terms of working with stone such as silicosis.

Queensland is leading the way nationally in responding to addressing silicosis in the engineered stone industry. Since that first urgent safety warning in September 2018, we have undertaken audits of all 138 known engineered stone benchtop fabricators in Queensland. We have arranged for health screening for approximately 850 workers in the engineered stone benchtop industry which has cost an estimated \$2 million and we are developing explicit regulations which reinforce the prohibition of dry cutting of stone along with a code of practice, and that is well advanced. We have a lot to remember about what we have achieved, but we still have a lot more to do. That is why we march on Labour Day. That is why we remember Labour Day and that is why we have a Labour Day holiday as well.

The construction and building industry, which started from all of this in 1857, is still inherently dangerous. In 2018, 157 workers were killed across Australia, with many of those in construction. From March 2018 to February 2019, there were 39 confirmed workplace fatalities in Queensland. As the member for Kurwongbah said, 30 Australian workers have been killed this year. Today we have heard a bit about what the CFMMEU has done, but I point out to members opposite that this is why the building workers of the building workers' union, the CFMMEU, are constantly vigilant. They will constantly be a thorn in the side of companies that do not do the right thing. The member for Everton asked whether they were being unreasonable. Are they being unreasonable in protecting their health and protecting their lives? I think not. Every time those opposite disparage the CFMMEU, remember this: think about the men and women in construction who live their lives constantly worrying about whether they come home or if they get an injury at work or worried if their partner is going to come home. I commend this motion to the House in memory of all of those construction and building workers who have been injured or killed in the last 160 years in Queensland.

 **Ms LINARD** (Nudgee—ALP) (2.27 pm): It is a pleasure to rise to speak in support of the motion moved by the Minister for Education and Minister for Industrial Relations to recognise the ongoing importance of the labour movement in Queensland and beyond. To recognise and celebrate how far we have come while acknowledging the work of the labour movement is far from done in this country.

When I started my first job as a 14-year-old working nine or so hours a week after school and on weekends, I did so with a decent minimum wage and penalty rates, with a meal allowance and with minimum training and safety requirements—all of which were hard fought for and won for the benefit of people in this country by the labour movement. These entitlements and protections did not come easy. They were achieved by workers banding together, acting collectively through their union in the workplace, to achieve real change for workers in this country, and I thank them sincerely for their struggle. I am proud to be a member of the Australian Labor Party and this Labor government, which will always hold at our very core the values so aptly stated by Gough Whitlam to—

Promote equality, to involve the people of Australia in the decision-making processes of our land, and to liberate the talents and uplift the horizons of the Australian people.

These are values that equally drive the labour movement and unions in this state and country.

Over the past five years, we have dedicated ourselves to undoing the damage done by the previous LNP Newman government to the cooperative relationship between employers and unions and the workers they represent in this state. Although the opposition has remained openly hostile to unions and workers—as we are hearing again today—across the state, we worked alongside them.

We worked to restore employment security for Queensland public sector workers after the LNP shamefully sacked so many, introduced labour hire licensing laws to protect vulnerable workers from exploitation, restored the right for injured workers to take common law action by removing the LNP's unfair arbitrary threshold that disadvantaged over 9,000 of Queensland's most vulnerable and we have legislated an entitlement to 10 days paid domestic and family violence leave. We have supported decent real wage increases for the low paid in annual wage reviews before the Fair Work Commission. We stood up to support penalty rates for those workers who miss out on time with their families as they try to make ends meet. There have been so many more meaningful protections.

Although much has been achieved, there is still so much to do. I turn my comments particularly now to wage theft in this country. A fair day's pay for a fair day's work is an ideal that is deeply rooted in Australia's labour history and egalitarian values. To most, it is an indisputable right that a worker is fairly and duly remunerated in accordance with their effort and the law. It is not a right that everyone respects and it is not a right that everyone enjoys. Thanks to the Premier and industrial relations Minister Grace Grace, who had the courage to launch a parliamentary inquiry—and I thank the minister—into the cost of wage theft to workers in this state, we know that, with all the protections that I outlined earlier, wage theft continues to cost Queensland workers up to \$1.22 billion in lost wages and \$1.12 billion in lost superannuation every year. Combined with an estimated \$100 million reduction in consumer spending and \$60 million in lost federal tax revenue, the overall economic loss could amount to almost \$2.5 billion stripped from the Queensland economy every year. Those are not just numbers. Real Queenslanders and Queensland families are going without what they are duly entitled to, with vulnerable young and low-income workers bearing the cruellest cost.

During the inquiry into wage theft, the committee heard over and over again that, while the state government is doing the heavy lifting, affected workers in the federal industrial relations system feel powerless to reclaim their lost wages and entitlements and have largely been left alone to do so by an under-resourced federal regulatory system. I know that Bill Shorten will work alongside us to fix that for workers in this country. The fight for fairness for workers in this country is far from over. The job of our labour movement is far from over. That is why I will be marching with my union, the Services Union, next Monday, that is why I thank the collective labour movement and that is why I will be marching with my two young boys so that they can thank the labour movement for the protections that will be afforded to them when they enter the labour market. We will work with them every step of the way.

 **Mr HEALY** (Cairns—ALP) (2.32 pm): I rise to speak in strong support of the motion moved by the Minister for Education and Minister for Industrial Relations. I am very proud to do so. After participating in the wage theft inquiry, I can say that there are few greater examples that reinforce the fact that unions have and continue to provide strong support to ensure safe and fair working conditions throughout Queensland—in fact, across Australia. As a proud member of a great union, I know that as a fact.

So many things that we take for granted and which are now enshrined in law were secured for working Australians by workers and their unions. Unions work to defend and improve conditions for all working Australians. I will refer to some of the contributions that unions have made. Paid annual leave was first won in 1936 after campaigning by the printing workers. That has been helpful. Annual leave loading of 17.5 per cent was first won by workers in the metal industry in 1973. Penalty rates is another thing that has been quite helpful.

**An opposition member** interjected.

**Mr HEALY:** I cannot hear the member; I am speaking. Penalty rates were established in 1947 when unions argued at the arbitration commission that people needed extra money for working outside of usual hours. Intensive campaigning by Australian unions for paid maternity leave ended in victory with the introduction of a paid paternal leave scheme by the Gillard Labor government. Under the scheme, working parents of children born or adopted on or after 1 January 2011 were entitled to a maximum of 18 weeks pay. That is building a fairer country.

Superannuation is an amazing thing. In an attempt to reduce the welfare state, we saw the introduction of compulsory superannuation. Prior to 1986, only a select group of workers were entitled to superannuation. Superannuation became a universal entitlement after the ACTU's national wage case. I say to the members opposite to listen and they will learn a few things. Employers had to put three per cent of workers' earnings into superannuation. That percentage later increased to nine per cent. On 2 November 2011, the ACTU and the unions' Stand Up For Super campaign celebrated another win for working Australians when the Labor government moved to increase compulsory superannuation to 12 per cent over six years from 1 July 2013 to 1 July 2019.

What about something like equal pay for women? Although there were attempts to introduce equal pay going way back as far as 1949, the principle of equal pay for women was finally adopted by the Australian Conciliation and Arbitration Commission in 1969. When members talk to people in their electorates, they hear that health and safety for workers and compensation is pretty important. That has certainly been the case for me. Workers compensation laws first came into existence in Western Australia in 1902. For many years, unions agitated and campaigned for health and safety laws that compelled employers to provide a safe working environment. In 1985 in Victoria, legislation was introduced that saw the active role of workers in maintaining safety on the job. For many years, building unions agitated to ban the use of asbestos, finally succeeding in the 1980s.

I struggle to see that some members of this chamber cannot see the effectiveness and the importance of unions. What about something like sick leave? Even though some members in this chamber are sitting here, they should be on sick leave. Before sick leave was an entitlement, people turned up for work if they were sick. If they did not turn up for work, they went without pay. Sick leave provisions began to appear in the 1920s. Over the years, unions have campaigned hard for better sick leave conditions across all industries.

I am sure that things like long service leave have been quite helpful. In 1949, coal workers went on strike over a 35-hour week and long service leave. Long service leave was finally introduced in New South Wales in 1951. Unions in other states followed. Redundancy pay, shift allowances, uniform allowances, meal breaks, rest breaks, collective bargaining, enterprise agreements, unfair dismissal—all of those entitlements have not only been fundamental in enabling workers to participate and contribute in the ever-important economic cycle but also improved the working conditions of so many Australians.

More importantly, unions have been essential to ensuring a better quality of life not just for Queenslanders but for all workers in this country. I know for some in this chamber talking about unions is a little like that scene out of Monty Python when the People's Front of Judea are having their meeting and they ask, 'What have the Romans ever done for us?' I say to the members opposite to look around.

 **Hon. ML FURNER** (Ferny Grove—ALP) (Minister for Agricultural Industry Development and Fisheries) (2.37 pm): It gives me great pleasure to speak to this motion moved by the Minister for Industrial Relations. As members would probably remember, before I entered the Senate I was a union official for three unions: the Transport Workers Union as an organiser, an industrial officer for the Queensland Police Union of Employees—a union that has not been mentioned today, but I am very proud that I spent a number of years supporting the men and women who protect our citizens on a daily basis—and as secretary of the National Union of Workers.

We must accept and support this motion, and I encourage those opposite also to do that. I see the member for Gregory having a giggle. No doubt, on many occasions he would drive past the Tree of Knowledge and recognise its importance and the solidarity of people who fought for better conditions in the wool industry. Shearers got together and organised themselves to fight for better conditions right across the west of Queensland as we are doing now. On a daily basis the Palaszczuk government is supporting those shearers and the sheep industry with cluster fencing. The opposition and the opposition leader condemned that cluster fencing and referred to it as 'shiny gates'. What a shame when the Labor government, as it has done traditionally since that time—

**Mr DEPUTY SPEAKER** (Mr Stevens): Order! There is far too much conversation between different members across the House. Please, if you want to put your hand up to speak, speak, but otherwise we will hear the member.

**Mr FURNER:** Once again, as a Labor government has always done, we have backed in the bush, we have supported farmers. Supporting the shearing industry is one example of what we proudly do as a Labor government.

**Opposition members** interjected.

**Mr FURNER:** Once again I hear the cries and the adulation of those opposite supporting my comments in regard to this motion. Those opposite will have the opportunity to support the motion when it comes time to vote. I refer to workers compensation, one of the points on this motion in front of me. On many occasions when I was with the Police Union I represented men and women at a medical assessment tribunal, mostly in relation to stress cases. Over successive governments, workers compensation has been watered down. Those opposite watered down the common law capacity for workers to claim workers compensation in those cases where they were injured in their workplaces. Once again it demonstrates the reason why those opposite should be backing this motion here today.

The men and women of the Police Service who day in, day out represent citizens across all Queensland should be commended. Those opposite should be supporting those men and women of the Queensland Police Union on every occasion as opposed to coming in here and condemning them.

In relation to 10 days of paid domestic and family violence leave, what an honourable opportunity to have that as a provision put forward by the Palaszczuk Labor government. As a white ribbon ambassador I am always standing up for the cause to make sure we eliminate abuse and domestic violence in this state. The *Not now, not ever* recommendations have bipartisan support and both sides should support this motion on the very basis that we need to support women in cases of domestic violence.

In regard to providing real wage rises for our lowest paid and opposing cuts to penalty rates, I can recall an occasion in Hervey Bay, leading into the 2013 election, where we put up a street stall in front of a florist to campaign. We went in out of courtesy to speak to the florist and she indicated that her business was doing poorly. She indicated to me strongly that the reason why the business was doing poorly was as a result of the cuts the Newman government had brought in and the 14,000 workers it had dismissed. When workers' conditions and penalty rates are cut and 14,000 workers are sacked, it has a flow-on effect in the economy. We need to support fair wages, penalty rates and conditions for workers so the end result flows on into the economy. Those opposite would not understand that. They have no idea when it comes to the economy. Obviously they have no idea when it comes to unions and the importance of having them viable and playing a supportive role in the community to make sure workers are paid correctly so that they, in turn, can spend money into the economy.

 **Dr ROWAN** (Moggill—LNP) (2.42 pm): I rise to oppose the motion as moved by the Minister for Education, the member for McConnel. This government is desperate. Each and every sitting week when those opposite come into this place there is always a distraction. The reason they are doing this today is that they know the people of Australia, the people of Queensland, are working out who Bill Shorten really is and the fact that Bill Shorten poses a real and present danger to our economy and to industrial relations. Bill Shorten will lead to higher debt, more taxes and higher unemployment not only here in Queensland but right across Australia.

**Mr FURNER** interjected.

**Dr ROWAN:** That is why the member for Ferny Grove is interjecting because he knows, like members on the other side of the House, that Labor poses a real risk to the economy and to Australia as well. We only have to look at the conclusions of the former High Court Justice Dyson Haydon when he was the commissioner of the royal commission looking into trade union governance and corruption and the dubious practices that were implemented and undertaken by militant unions: destroying documents, harassment, bullying and intimidation. There is declining union membership not only here in Queensland but also across Australia. Why are people abandoning unions? They are abandoning unions because they are not delivering what they used to deliver and people are seeing some of the dubious practices, the harassment, the bullying and the intimidation that is occurring not only here in Queensland but also right across Australia. We only have to look at the Oaky North Mine. Do members remember the vile language that was taking place there, how workers were harassed and bullied and intimidated on social media?

**Mr Watts** interjected.

**Dr ROWAN:** Children were threatened. I take the interjection from the member for Toowoomba North. It was terrible to see that disgraceful language and behaviour by militant unions and militant members of those unions. We have also seen disruptive action on many building and construction sites and even delayed construction in relation to the Queensland Children's Hospital. We know that Bill Shorten will abolish the Australian Building and Construction Commission, which was doing a great job in relation to oversight in this sector. Queensland has been the strike capital of Australia. Think about all the lost productivity that has happened in Queensland as a result of that.

I heard the member for Ferny Grove talk about the Tree of Knowledge. We know it is dead. As I have told this House before, it was not poisoned, it died of shame simply because the modern union movement is not what it used to be. All of this disgraceful conduct that we have seen by unionists, all the disgraceful conduct we have seen by many people—

**Honourable members** interjected.

**Mr DEPUTY SPEAKER:** Order! We will hear the member's contribution.

**Dr ROWAN:** That is why it has actually died. This motion is allocated time here today as a distraction from the real agenda that we should be pursuing. We know each and every sitting week that we get gagged on debates. There is an attack on democracy by the Labor party. Members do not get to speak on relevant bills. Those opposite put up this motion today in the middle of a federal election campaign as a distraction. The people of Queensland will not be conned. They will not be fooled by this Labor government which has more taxes, higher debt and higher unemployment. They know that if Bill Shorten is elected to be Prime Minister he poses a real and significant risk to industrial relations and our economy in Queensland.

Unfortunately for the unions, they are let down by Labor each and every time a Labor government is elected in Queensland. They are let down because there are more taxes, there is higher debt, higher unemployment and failed management in various departments, whether it be the health department with ambulance ramping, whether it be access block, whether it be longer surgical wait times, whether it be failures in the child safety system or whether it be not getting the infrastructure we need in our schools to ensure that our children get classrooms and facilities such as libraries. There is failed management across the tapeboard. That is why this motion should be condemned today. It should be seen for what it is. It is a political distraction. It is not appropriate that it should be debated here today. We should be talking about other issues that are important to Queenslanders, such as the failed management of this government, and we should be ensuring that members on this side of the House get to talk to important legislation on behalf of their local constituents.

 **Hon. CR DICK** (Woodridge—ALP) (Minister for State Development, Manufacturing, Infrastructure and Planning) (2.47 pm): I am very pleased to rise on International Workers Day to support this important motion moved by the Minister for Industrial Relations. I associate myself with the comments made by all speakers of the government, including the Minister for Industrial Relations who is doing an outstanding job representing, protecting and supporting the workers of this state. I am pleased to follow the member for Moggill who had his own experience representing workers. So appalling was he that his own membership sacked him as president of the AMA. That was his experience of representing workers: failing to represent effectively salaried medical officers and they removed him from office. The LNP rewarded him by giving him a seat in parliament.

It is worth reflecting, on this important day for the Labor movement, on those historic moments and how those things that we often take for granted have not been granted.

**Mr Molhoek** interjected.

**Mr DICK:** I take the interjection from the member for Southport. Only three members of the opposition out of 16 have the guts to stand up and put their money where their mouth is.

**Mr DEPUTY SPEAKER:** Member for Woodridge, that is unparliamentary language.

**Mr DICK:** I withdraw. Only three of them have spoken. They are happy to interject from the cheap seats, but they are not willing to stand up and put their views on the parliamentary record, led principally by the interjections of the member for Southport.

In campaign after campaign, battling on the shop floor, marching in the streets, arguing in the courts, the union movement has taken up the hammer of social justice and pounded the metal of the nation's identity into the form of modern Australia. The 38-hour week, workers compensation, sick leave, long service leave, penalty rates, pay equity for similar work, equal pay for women—a difficult concept for those members opposite—maternity and paternity leave, protection from sexual harassment and racial discrimination, protection from unfair dismissal and exploitative work practices, the award based wage system itself and the right for workers to collectively bargain have all been delivered by the Australian labour movement with the strong support and in partnership with the mighty Australian Labor Party. We have worked together, urging the nation forward towards the light on the hill; a nation where everyone gets a chance and the opportunity to be the best they can be; a society and a nation for everyone, not just the privileged few. As Paul Keating said, ours is a party of conviction, our movement is a party of conviction, while the Liberal National Party is a party of convenience. That is the difference between both of us.

What did we see today in the parliament? What is the one thing that the LNP promised? We heard it from the member for Kawana. The one thing they promised was another royal commission. That is the promise from the members opposite today. I say this to the members of the LNP: there has been a series of royal commissions into the trade union movement in this nation and in three hours the banking and financial services royal commission found more egregious behaviour, more criminality and more fraudulent behaviour in banks and financial institutions in this nation than any royal commission into the trade union movement has ever found. We say to the member for Kawana: bring it on again. If they want another royal commission, we are ready to appear. We are ready to represent and defend workers and so are our trade unions, because that is all those opposite have to offer.

Today we have not heard one word from any opposition member respecting the contribution that the workers have made to the building of this state and country—not one word. All we have heard about is their manic obsession, dribbling forth, on and on, attacking workers and attacking their representatives in their ideological obsession with trade unions. That is the divide. It is a short path between the members of the government and the members of the opposition, but it is an ideological gulf because we will always stand up to preserve, protect and defend workers and their representatives.

They will stop at nothing. There is no power they will not exercise. There is no criminal power they will not exercise. There is no prosecution they will not seek to pursue. There is nothing they will not do to undermine trade unions in this state and nation. However, the trade unions of this nation and state know that the Australian Labor Party will always stand with them. We will keep fighting. Workers of this state and nation have never needed unions more. They have never needed the Australian Labor Party more. We will stand with them. We will continue to stand with them, as we have since those workers first gathered under a tree 128 years ago in Barcaldine. I urge all members of this House to support this motion.

*(Time expired)*

 **Mr BROWN** (Capalaba—ALP) (2.52 pm): I rise in support of the motion. I congratulate the Minister for Industrial Relations for doing fine work in this area. She did fine work as a union leader in her previous career and she has continued to do that. For her it was a great apprenticeship and she has brought forward all that experience and skills to this task. In the 55th Parliament, I gave the shortest contribution in a second reading debate. It was on the bill to bring back Labour Day. I simply said, 'Labour Day is in May and that is where it should stay'. That was all I could say on the matter, because it is our day. It is the day for workers to celebrate all that they have achieved for us, their workplaces and society as a whole.

Many of our social constructs and the benefits that have come from them were hard fought for through strike action, based on the principle of collectivism, by our workers and the union movement. Meetings held 127 years under the Tree of Knowledge resulted in the formation of the Labor Party, the political wing of the union movement. There is no difference. Those opposite say, 'You are too close to the union movement; the Labor Party is too close'. We are one and the same. We are the political wing of the union movement. That is not a surprise; it is been that way for 127 years. There is nothing to hide.

**Opposition members** interjected.

**Mr BROWN:** They are interjecting. It is news to them. Obviously they do not know the history of the Labor Party. It has been 102 years since the formation of my union, United Voice. It is the cleaners' union. It is the union for contract security workers. It is the union for hospitality workers and health professionals—

**Honourable members** interjected.

**Mr DEPUTY SPEAKER** (Mr Stevens): Order, member for Capalaba. Pause the clock. There is far too much noisy conversation across the House, particularly from members on my left. Please do not make me go to the next step of warning members.

**Mr BROWN:** United Voice was a union for workers who did not have a union, combining their collective strength to make sure that they get the wages and conditions that industry unions have fought long and hard for. This year I again will be marching up the front with my union, United Voice. I cannot wait for that on Monday.

I have to congratulate the government. I heard the member for Gregory interjecting during the debate. It is fantastic that we are investing in Barcaldine and in the workers' centre, because I know that will be of great benefit to the area. I have gone out there and paid my respects at the Tree of Knowledge and the workers' centre—

**Mr Millar** interjected.

**Mr BROWN:** I take the interjection from the member: it will be a great investment for his local area, ensuring that tourism is enhanced and jobs are created in his seat of Gregory. I found it quite hilarious to listen to the member for Moggill talk about modern-day unionism. His definition of modern-day unionism is to not represent workers. His definition is to sell them out. He says, 'Here's your individual contracts; they'll be better'. When people got those contracts they said, 'Hang on, what are you trying to sell us here?', and booted him out. His definition of modern-day unionism is selling out workers.

It is very telling that only three LNP speakers were willing to stand and speak in this debate. That is because they do not represent workers. They do not care about workers. In this debate they could have at least tried to come up with something to say in defence of workers, but, no, they chose not to. It was too hard.

We cannot wait until we have a Shorten Labor government, because it will build on the tremendous track record of this Labor government in delivering for workers. Hospitality workers had their penalty rates cut and \$2 billion in workers' wages were lost from our economy as a result. One of their own came out and said that not one single job was created. Surprise, surprise: taking money out of the economy did not create any jobs! The trickle-down economics that those opposite believe in is a fallacy.

Labor will win the federal election. Within the first 100 days in government Labor will restore penalty rates and make sure that we bring in a nationalised labour hire scheme. We need to crack down on dodgy labour hire operators who are ripping off workers, undercutting the EBAs in their workplaces and undercutting the award system. We need to ensure that we have a Shorten Labor government that will do what we do best, which is to deliver for the workers of Australia.

 **Mr MOLHOEK** (Southport—LNP) (2.58 pm): Today in the House we have heard some great fairy stories. We have heard tales of the good old days of Labor and the great achievements of the past 150 years, but, sadly, the Labor Party that sits in this House today is not the Labor Party of 50 years ago or 100 years ago. They are not the people who went out and fought for the rights of workers. The Labor Party of old was all about a job for everyone. I remember it well when I lived and worked in Broken Hill for five years. It was about a job for everyone. However, the Labor Party of today is all about jobs for their mates. They are all about better benefits for their mates and their members.

This morning there were some issues around a flier being held up in the House. The truth is that Labor governments of the past sold Queensland assets, and who did they sell them to? In principle they sold them to their own Labor controlled union funds which then turned those business opportunities around and sacked workers to optimise the profits of those funds so they would have better benefits for their members.

Today we heard the Minister for Local Government introduce the Belcarra stage 2 legislation, which talks about councils not being able to accept political donations from the development industry, but there was not one word in that piece of legislation about councillors like former candidate Penny Toland taking money from the CFMMEU. There were no restrictions on council candidates or Labor candidates getting money from the unions. The double standards demonstrated by this lacklustre group of Labor members across the other side of the House when it comes to defending workers' rights is absolutely appalling. To stand there and try to take credit for the achievements of 100 years ago and of some of the old Labor stalwarts of 50 years ago is an absolute disgrace. We heard some great accounts from some Labor members trying to take credit for things that occurred before they were even

born. In fact, I think it was the member for Cairns who was standing up there. We are getting a history lesson. We are not getting anything from those on the other side of the House about what they will do to improve the lot of workers today. We are not hearing any ideas about—

**An honourable member** interjected.

**Mr DEPUTY SPEAKER** (Mr Stevens): Order!

**Mr MOLHOEK:** We are not hearing any great, fresh ideas from those opposite about how to reduce the worst unemployment figures in our nation or to get Queenslanders back to work. No, we are not hearing that. All we are hearing from them is history lessons—basking in their reflected glory from the past. It is interesting that nobody wants to remember the glory days of Annastacia Palaszczuk when she was selling off Queensland assets.

**Mr STEWART:** Mr Deputy Speaker, I rise to a point of order. The member on his feet referred to the Premier and is using the incorrect terms. I ask him to use the correct title.

**Mr DEPUTY SPEAKER:** Sorry, I missed the terminology. I ask that the member withdraw the terminology.

**Mr MOLHOEK:** Sorry, I should have referred to the 'Premier' and not 'Annastacia Palaszczuk'.

**Mr DEPUTY SPEAKER:** Please use the correct terminology, member for Southport.

**Mr MOLHOEK:** From the other side of the House we also hear some fairly disingenuous proposals. Last year, the member for Springwood mounted this great fight for fairer pay for the subcontractors of Queensland, and what did we end up with? Legislation that just looks after people who work on government contracts worth over \$10 million. We have seen nothing actually to help the subcontractors of Queensland even though that is what the whole pitch was about.

It is an absolute sham for those on that side of the House to stand today and give us a history lesson about the great achievements of Labor and how fair Labor was. Many years ago, my parents were members of the Labor Party but changed sides because they were so disappointed in how Labor had let them down. The Labor Party of today is not about a job for everyone: it is about a better job and better benefits for their mates, about advancing the cause of Labor and about fleecing the labour unions to support their campaigns.

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

**AYES, 50:**

**ALP, 46**—Bailey, 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.

**KAP, 2**—Dametto, Knuth.

**PHON, 1**—Andrew.

**NOES, 37:**

**LNP, 37**—Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Frecklington, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McArdle, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Sorensen, Stevens, Stuckey, Watts, Weir, Wilson.

Pair: Boyd, McDonald.

Resolved in the affirmative.

## CRIMINAL CODE AND OTHER LEGISLATION AMENDMENT BILL

### CRIMINAL CODE AND OTHER LEGISLATION (MASON JETT LEE) AMENDMENT BILL

#### Second Reading (Cognate Debate)

Criminal Code and Other Legislation Amendment Bill resumed from p. 1340, on motion of Mrs D'Ath, and Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill resumed from p. 1340, on motion of Mr Janetzki—

That the bills be now read a second time.

**Ms HOWARD** (Ipswich—ALP) (3.09 pm), continuing: This bill delivers on building a criminal justice system in Queensland that is just and that protects vulnerable and defenceless children. Every child has a right to feel safe in their home and not be subjected to violence by people who are responsible for caring for them. It is not justice if a child's killer escapes a murder conviction because their intention is too difficult to prove in court. Under this legislation the definition of murder will be expanded to include reckless indifference to human life. This means that killers whose callous disregard for the victims leads to their death will face life in jail if convicted.

The Queensland Sentencing Advisory Council's review found that sentencing for manslaughter was not adequate for children. Cases where children are killed by people in their care can be complex to investigate and prosecute as they mainly occur in the privacy of homes and involve very few witnesses. There can also be difficulty in establishing which injuries were the substantial cause of the child's death or when these injuries occurred and who caused them.

Furthermore, the Queensland Sentencing Advisory Council found that the average sentence for child manslaughter in Queensland was only 6.8 years compared to 8.5 years for manslaughter of an adult. This does not adequately take into account the unique vulnerabilities of children under 12 years of age. This bill will ensure that the defencelessness and vulnerability of a child under 12 must be treated by the court as an aggravating factor when it comes to sentencing an offender convicted for manslaughter.

This factor will serve the purpose of supporting the court's treatment of these offences as more serious and therefore more deserving of severe punishment, and it sends a strong, clear message to the community that violence against children is wrong and will not be tolerated. Including reckless indifference to human life as an element of murder in the Criminal Code will capture a wider range of offending as murder in Queensland. It will also extend to other vulnerable and dependent members of our community such as the elderly and the disabled.

One of the issues highlighted in the Queensland Sentencing Advisory Council's review was that 'intent' was difficult to establish in court, which led to lower sentences or the prospect of killers escaping murder convictions. This was found particularly in the case for child homicide involving long-term physical abuse. However, in other Australian jurisdictions, reckless murder exists as an aggravating factor in sentencing thus reflecting the moral equivalency between 'intention' and 'foresight of probable consequences'.

Implementing reckless murder as an element in sentencing will ensure that offenders who foresee the probability of the death of a child will be considered just as blameworthy as someone who intends to kill a child. I believe that this reflects the wishes of families who want to see justice served for the children they have lost and it reflects the community's expectations and changed attitudes towards violence and abuse of children.

A significant number of people in the community no longer view corporal punishment as an acceptable method of disciplining children, and the use of overt physical violence against children is condemned by a large part of the community as unacceptable and morally wrong. We also now have an improved understanding of the insidious long-term impacts of child abuse and neglect, and we all sense that the ongoing callous disregard of human life through systematic and ongoing abuse and neglect can lead to horrific child deaths.

As a community we are repulsed by these acts and incensed when we see killers walking away with just a manslaughter conviction. The bill's amendments to expand the definition of murder in the Criminal Code to include reckless indifference to human life provides police and prosecutors broad scope to charge killers with murder and, if convicted, issue an indefinite sentence that ensures the offender is not eligible to apply for parole for at least 20 years. This approach also retains sentencing flexibility to take into account diverse circumstances in which child homicide offences occur.

The Palaszczuk government, in line with the Queensland Sentencing Advisory Council, does not support the mandatory minimum penalties that the LNP have proposed. Their proposal to sentence all offenders convicted of child homicide to a mandatory non-parole period of 15 years would result in injustice because it would not capture tragic accidents such as parents being charged for leaving pool gates open or reversing over their own children on the driveway.

Under the LNP, a parent who forgot to secure the child fence resulting in the unfortunate drowning of their child would be sentenced to a mandatory 15 years. This is the exact same sentence that would be handed down to the parent who caused the death of their child due to long-term physical

abuse and neglect. The bill's approach of sentencing flexibility ensures that judicial discretion is retained in the process of sentencing so that the diversity of circumstances in child homicide cases can be appropriately taken into account.

I am very proud to be part of a Labor government that is committed to taking a strong stance on the reckless killing of children by issuing tougher penalties that reflect community expectations. It shows that we are a government that values and protects our children and is committed to strengthening justice for its victims. I am grateful to the Attorney-General and the Premier for the work they have done in ensuring that these legislative amendments are delivered for Queensland. I wish to thank the Queensland Sentencing Advisory Council for their year-long review and consultation with the community.

I also wish to acknowledge again the contributions made to the review by members of the public including families bereaved by child homicide. Their involvement must have been very difficult and traumatic at times—in fact, I think few of us here could even comprehend how it would have been for them—but it was critical in ensuring that we never lose sight of the fact that every loss of a child is not just a number or a statistic but a valued and loved family member whose life has been cut too short. I fully support this bill for strengthening Queensland's criminal justice system. I commend the bill to the House.

 **Ms BATES** (Mudgeeraba—LNP) (3.15 pm): I rise to make a contribution to the cognate debate on the Criminal Code and Other Legislation Amendment Bill 2019 and the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill 2019. Our policy commitment to impose tough penalties for child killers was featured on the front page of the *Sunday Mail* on 4 November 2018. We also had intentions of bringing it to parliament in the form of a private member's bill and would have done so if the Premier had not suspended parliament a week early last year.

This new law by Labor is a cheap imitation. This new law fails to guarantee harsher penalties for child killers in Queensland. This soft approach by Labor leaves open the possibility for offenders to enter plea bargains with prosecutors to receive the lesser charge of manslaughter, which is still occurring in New South Wales. This approach fails to meet community expectations and address public outcry for tougher penalties.

The unlawful killing of a child is considered by the community as a despicable crime, particularly where the offence has involved violence, neglect or abuse. In response to a number of high-profile child killings, the Queensland Sentencing Advisory Council, QSAC, was directed to, among other things, review the penalties for criminal offences associated with the death of a child by the Attorney-General in October 2017.

The highest profile child killing has been the tragic case of Mason Jett Lee. 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 little Mason suffered at the end of his short, sad life.

Madam Deputy Speaker McMillan, I am the proud patron of Act for Mason and, as you know, a passionate advocate for child safety and protecting the most vulnerable members of our community—children. There is nothing more evil than killing a child. The safety of our kids should be the priority for every government.

In August 2018, Mason Jett Lee's killer, William O'Sullivan, was sentenced to nine years jail, with a non-parole period of six years. In February this year, Anne Maree Lee was sentenced to nine years in jail but is eligible for parole from July this year, given the two years and seven months already served. This weak sentence highlighted major issues with sentences handed down by judges.

I tabled a petition on behalf of Act for Mason. It was on behalf of 38,030 people who wanted tougher penalties for child killers after what happened to Mason. Penalties need to meet community expectation and the kinds of sentences we have seen lately certainly do not meet that threshold. If the laws are not working, it is the parliament's role to change them. That is our role in this place.

QSAC handed down its report in November 2018. It found that manslaughter by violent or unlawful act—54 per cent—and manslaughter by criminal negligence, and that is neglect—32 per cent—are the two highest types of child manslaughter. Sadly, the majority of manslaughter offences are committed against the most vulnerable children under one year of age.

Offenders sentenced for adult manslaughter received significantly longer average sentences of 8.5 years than offenders sentenced for child manslaughter of 6.8 years. This is where the focus of this new law should be—ensuring offenders of such heinous crimes are punished accordingly. A loophole

exists in our law as it stands that allows monsters convicted of killing children to receive more lenient sentences than adult manslaughter offenders. Should we now be addressing this as a priority? The LNP's policy certainly does.

Our Mason Jett Lee laws set out to raise the minimum non-parole period for the murder of a child under 18 from 20 to 25 years and to introduce a separate child manslaughter offence that will see any convicted person serve at least 15 years behind bars rather than the current 6.8 years as is currently the case. Our Mason Jett Lee law would see the child manslaughter offence inserted in the Criminal Code between murder and manslaughter to reflect that that offence does not amount to murder but is harsher than 'standard' manslaughter.

The LNP does have a track record on child safety that puts children first. I served as shadow minister for child safety from 2015 to 2017. I have seen firsthand how broken this system is under Labor. I have seen firsthand the lengths this government will go to hide the truth from Queenslanders. Time and time again I saw the Minister for Child Safety try to throw the crisis in child safety through the spin cycle and wash the data until it was barely recognisable. Under Labor we have seen a record number of carers walking away from the system, and that is a sad indictment when more and more carers of our most vulnerable are walking away. Despite all the money being thrown at the system, we still see abused children at further risk of harm. During my time as shadow minister for child safety we extended mandatory reporting obligations to include workers in early childhood education and care. This was in response to the tragic death of Mason Parker, a 16-month-old toddler from Townsville who was murdered by his mother's then boyfriend in 2011.

Only the LNP has a proven track record on child safety. Between 2013 and 2015 the LNP began to turn the child safety system around. Response times were improving and things were on the mend. Sadly, when Labor won government child safety began to languish. We saw investigation backlogs return, abuse cases go uninvestigated and a record number of children in out-of-home care. We have seen backlogs increasing, case loads expanding, resources remaining stagnant and child safety officers struggling to cope. We have seen excuses made, reports hidden, solutions ignored and careers terminated but, most frighteningly, we see children suffering and children dying because the department is not getting to them on time. We see children at risk of abuse today waiting hopelessly and helplessly for Child Safety to knock on their door, but in many cases help does not come. This is happening right here in our backyards in Queensland. Under this Labor government, child safety standards and figures went backwards, back to the days well before the Carmody inquiry.

While I am elated that Labor is finally paying the necessary attentions to the issues of child safety with these laws, it is too little too late. Since 2015 when Labor took power we have seen systemic failings occur and continue to occur under its watch. We cannot forget that these are the people who at the time hid the reports into the handling of Mason Jett Lee. Instead of a full, open, transparent release of the internal findings into Mason Jett Lee given the extraordinary level of public interest in this case, the then minister shamelessly refused to release them. This is the same government that is now standing before us with a law that does not go far enough to bring sentencing for child killers in line with community expectations.

We need to send a message that killing a child will involve lengthy jail sentences so that we set a tougher deterrent. Labor need to go further and adopt our policy. Under the LNP's plan the new offence of child manslaughter will ensure similar crimes are punished with a mandatory minimum 15 years jail penalty. We need more than what Labor is offering and we need it now. Government members should hang their heads in shame if they vote against our Mason Jett Lee laws. Hemi Burke's parents have travelled overnight—they slept in a car on the way down from Mackay—to be here to hopefully witness history with this government and the opposition working together to strengthen our laws. If this government had done its job in child safety, Mason Jett Lee would have been saved. Rest in peace, little Mason. You will never be forgotten.

 **Mr MADDEN** (Ipswich West—ALP) (3.24 pm): I rise to speak in support of the Criminal Code and Other Legislation Amendment Bill as a former lawyer with almost 30 years experience in criminal law. The death of a child is a tragedy. It is a highly emotional circumstance when parents and family have lost part of their future and the community has lost one of its most vulnerable.

On 25 October 2017 the Attorney-General and Minister for Justice referred an inquiry to the Queensland Sentencing Advisory Council to review the adequacy of penalties imposed on sentence for criminal offences arising from the death of a child. The council subsequently released its report tilted *Sentencing for criminal offences arising from the death of a child: final report* on 21 November 2018.

As detailed in the report the council found that our legal system was not working when it came to child manslaughter sentences. Because it is difficult to establish intent, even when a vulnerable child or a vulnerable adult suffers a violent death, many killers are convicted of manslaughter rather than murder. The council concluded that penalties imposed on sentence for manslaughter offences committed against a child under 12 years, in particular those offences involving direct use of violence, do not adequately reflect the unique and significant vulnerability of child victims and that additional legislative guidance for our judiciary to respond to this issue was required.

After considering a range of possible options to address this problem, the council recommended the introduction of a requirement that, in sentencing an offender for an offence resulting from the death of a child under 12 years, courts must treat the defencelessness of the victim and their vulnerability as an aggravating factor. This approach will retain sentencing flexibility, taking into account the diverse circumstances in which child homicide offences occur while emphasising the factors that make these offences so serious. As a Queensland Law Society said in its submission—

It is understandable that we all want to know the cause of the tragedy and assign blame as part of making sense of what may appear senseless and wanton ... The justified emotion of the community surrounding sentencing in cases of child homicide can even test the rule of law and our commitment to it. The rule of law means that a just society has laws which apply to everybody, equally ... Sometimes we can lose sight of the proper role of the court in our grief and our need to deal with the terrible thing that has happened. While the court has a power to apply the law, no verdict or sentence can change the past, no matter how much we might wish it.

Pursuant to the current laws, the definition of murder requires proof of intent to kill or cause grievous bodily harm must be proven. This bill will redefine murder so that murder includes the unlawful killing of another if the death is caused by an act or omission with reckless indifference to human life. In doing so, the bill will bring Queensland law in line with New South Wales, the ACT and Tasmania. The bill will also increase the maximum penalties for the offence of failure to supply necessaries from three years imprisonment to seven years imprisonment.

In closing, I need to make it clear that, while I support the Criminal Code and Other Legislation Amendment Bill 2019, I do not support the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill 2019, which is a private member's bill. In relation to this bill I share the concerns of the Queensland Law Society as detailed in its submission, particularly in relation to clause 5, which amends section 181 of the Corrective Services Act 2006—the parole eligibility date for prisoners serving a term of imprisonment for life—to provide for standard non-parole periods; as well as clause 10, which inserts a new section 302A in the Criminal Code to create a new offence of child homicide; and clause 17, which inserts a new section 309A in the Criminal Code—punishment of child homicide—to provide mandatory sentencing for those who commit child homicide as these provisions go against the recommendations of the Queensland Sentencing Advisory Council.

In closing, I would like to thank the members of the Legal Affairs and Community Safety Committee, particularly its chair, the member for Toohey, Mr Peter Russo. I would also like to thank the submitters and the committee secretariat.

**Madam DEPUTY SPEAKER** (Ms McMillan): Member for Ipswich West, I just remind you to use members' correct titles.

 **Dr ROWAN** (Moggill—LNP) (3.30 pm): I rise to address the cognate debate on the Criminal Code and Other Legislation Amendment Bill and the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill. There are few events and issues that can truly unite and draw a common response from the community. The one I am about to address—the death of a child, especially the murder or manslaughter of a child—is such an event.

When we sit in front of the evening news or open the day's newspapers and learn of yet another horrific and senseless death of a child, we are shocked, stunned and saddened. No matter who you are or where you live, when you learn of the violent death of a child it is something that is ultimately very emotionally traumatic. Your heart sinks. You cannot help but think of the sheer grief that the child's family must be going through and you are left feeling for the defenceless child and the life they will never be able to live. Ultimately, you are left thinking 'How can these things happen?'

The devastation at such a loss of an innocent life is only further compounded when we later learn of the wholly inadequate sentence that is often handed down for the killing of that child. Again, we are left asking, 'How can such a light sentence be imposed and not meet community standards and expectations?'

This is where we find ourselves this week and in this debate. In this House, 93 elected members sit across six political and independent parties representing just over five million Queenslanders. Sure, we have our differences and our competing views on what is best for the state of Queensland and its

people and how we go about achieving good government, but I truly believe that in this House there is more that unites us than divides us and I believe that we are united in acknowledging that the current sentencing and penalties for the murder or manslaughter of a child need to be enhanced. That is why we on this side of the House will support the government's Criminal Code and Other Legislation Amendment Bill in the spirit of bridging the community's expectations, but Labor's bill was only introduced in response to the LNP's bill and the additional LNP legislative content could ensure that the Labor government's bill is strengthened.

Turning to Labor's Criminal Code and Other Legislation Amendment Bill, the government proposes to: firstly, expand the definition of murder in section 302 of the Criminal Code to include reckless indifference to human life; secondly, insert a new aggravating factor into the sentencing principles to provide that, in sentencing an adult offender convicted of the manslaughter of a child under 12 years, the court must treat the child's defencelessness and vulnerability, having regard to the child's age, as an aggravating factor; and, thirdly, increase the maximum penalty for failure to supply necessities from three years imprisonment to seven years imprisonment and reclassify the offence as a crime.

As noted by my Liberal National Party colleagues on the Legal Affairs and Community Safety Committee, the member for Southern Downs and the member for Lockyer, these amendments by the government should strengthen the existing legal framework and may lead to increased sentences for child killers. That is where we, the Liberal National Party, differ from the government. The Liberal National Party believes in this instance it is far better to amend legislation that takes us from an outcome that may lead to increased sentences for child killers to one that will lead to increased sentences. That is why the Liberal National Party is proposing to, firstly, increase the sentence for those who murder a child from 20 years to 25 years to bring Queensland's law in line with other Australian states and territories and, secondly, create a new child homicide offence that will see offenders convicted of child manslaughter serve a mandatory minimum sentence of 15 years, which is the maximum penalty for manslaughter.

The LNP's proposed child homicide offence will apply to any person who kills a child by an act or omission, including an act of violence, sexual offence or a breach of duty in the Criminal Code, which is the duty to provide necessities. Violence includes vigorous shaking, punching, kicking, stamping, throwing, squeezing, suffocating, strangling or engaging in any violent act that causes a child's death. The intent of the bill is to recognise and protect vulnerable and defenceless children, whether it is their age or capacity that increases their vulnerability.

Contrary to some of the claims made by those opposite, the bill proposed by the Liberal National Party provides for defences including diminished responsibility, killing on provocation and killing for preservation in an abusive domestic relationship. Importantly, and again contrary to some of the claims by those opposite, the child homicide offence will not apply to accidental deaths such as a child drowning in a home pool or a child being accidentally run over.

The Liberal National Party makes no apologies for these tough measures. The situation we face here in Queensland demands nothing less. As the Queensland Sentencing Advisory Council found last year, Queensland has the highest rate of child homicides in Australia but those convicted of child manslaughter face less time in jail on average than those convicted of adult manslaughter. At the time of the release of the council's report last year, Dr Samantha Bricknell of the Australian Institute of Criminology was reported as noting that Queensland's child homicide rate in some years has been double the national average. Further, Dr Bricknell was quoted as saying—

Something is genuinely happening with child homicide in Queensland.

Not only is something happening with child homicide but something is happening with sentencing for child homicide. Quite simply, it is failing to live up to the community's expectations. As the *Courier-Mail* articulated in an editorial in February this year—

Too often the pages of this newspaper have contained examples of horrific violence against defenceless children. And too frequently the killers have been handed sentences shorter than what the community might expect or even what white-collar criminals were receiving.

As I am conscious of time, I will refrain from repeating some of the examples but I note that many tragic instances have been highlighted in this debate already, including the circumstances of Mason Jett Lee, whom our bill is named after. They have been truly confronting and extraordinary to digest as an elected representative, let alone as a father and community representative.

What we are dealing with here is a system that has failed to meet the expectations of the community. That is why we, the 93 members in this House who have been elected by our individual communities, must act and we must act now. Our community expects nothing less. Whilst this legislation is putting in a minimum safety framework, we all must do more together to ensure that our most vulnerable and defenceless are protected. We need to make sure that parents are given the support they need. We need to ensure that people and community organisations act when it is identified that there are at-risk children in our communities. In this way, we can make sure that these tragic sets of circumstances are prevented in the future. We need to value our children, who are our future generation.

 **Mr KNUTH** (Hill—KAP) (3.37 pm): I rise to speak to the two Criminal Code bills that are before the House. I support the Criminal Code and Other Legislation Amendment Bill 2019 that has been introduced. The bill seeks to increase penalties to reflect the nature of the crimes. I truly believe that it achieves that goal.

The Criminal Code and Other Legislation Amendment Bill will amend the Penalties and Sentences Act 1992 to provide that, in sentencing an adult offender convicted of the manslaughter of a child under 12 years, the court must treat the child's defencelessness and vulnerability, having regard to the child's age, as an aggravating factor. The bill will also amend the Criminal Code to expand the definition of murder to include reckless indifference to human life and increase the maximum penalty for failure to supply necessities from three years imprisonment to seven years imprisonment and reclassify the offence as a crime.

Any life is precious and anyone taking a life, whether it is an adult or a child, should be treated in the same manner by our legal system. As the previous speaker just said, there is nothing more precious to us than our children. When those lives are taken, it destroys the lives of the families forever. It is a great loss. It is great to see that there is bipartisan support in the parliament and particularly in the committee to strengthen these laws. This is probably the biggest, most important issue that will ever come our way because it is devastating to those families and the entire community.

Just to add to that, I am aware of three families in the far north whose young adult children have been killed in hit-and-runs. There is a massive petition going, which has over 21,000 signatures at the moment, because when someone hits a person and then takes off, leaving them there is almost considered to be murder. It is great to see that there was bipartisan support in the committee. These bills will bring about welcomed, important and long overdue changes to sentencing regarding these crimes. Others have been overlooked such as what I was just saying regarding hit-and-run laws. Queenslanders have shown that they want action to implement tougher laws for crimes, particularly the killing of innocent children, but they would also like to see stronger hit-and-run laws be implemented in this House.

I firmly believe in these tougher laws that have been introduced in this House. However, I bring to the attention of the House that they need to go even further in relation to those hit-and-run laws. That needs to be taken into consideration. I commend the bill to the House.

 **Mrs LAUGA** (Keppel—ALP) (3.40 pm): I rise to speak in support of the Criminal Code and Other Legislation Amendment Bill. I can only imagine the absolute heartbreak that a parent or relative would go through when a child dies. Unfortunately, in my family we have experienced two children dying when two of my cousin's children died in a car accident. It was earth shattering for us all but none more so than for my cousin Melinda who survived the accident. Two little beautiful, smart and gorgeous children's lives were cut too short and we miss them terribly every day. If my child died I do not think I could go on. It would absolutely break me. It would shatter my heart and every bit of my being into a thousand pieces.

Like me, most parents want the best for their children. We want to raise happy, healthy, strong and confident children. However, children are so incredibly vulnerable. They rely on us for their every need from the day they are born and for many years afterwards. Someone said to me once that being a parent is the hardest job you will ever do, but it is also the most rewarding. I think it is a privilege to be Odette's mum and I will always do everything to protect her.

Child killers in Queensland must receive the tough punishments they truly deserve. It is absolutely unacceptable that the average sentence for adult manslaughter is 8½ years and yet the average sentence for offenders convicted of child manslaughter is 6.8 years. This is why I support these amendments, which make clear the expectation that higher sentences should be imposed.

The bill gives effect to recommendation 1 of the Queensland Sentencing Advisory Council's report by amending the Penalties and Sentences Act 1992 to introduce a new statutory aggravating factor for manslaughter of a child under 12 years. The new statutory aggravating factor will require that, when determining the appropriate sentence for an offender convicted of the manslaughter of a child under 12 years, a court must treat the child's defencelessness and vulnerability having regard to the child's age as an aggravating factor. This reform will ensure the community can have confidence that courts are focusing on the defencelessness and vulnerability of the child victim when sentencing an offender for child manslaughter. Such an approach will still allow courts to impose a sentence that is just in the individual circumstances of the case while making clear the expectation that higher sentences should be imposed. Higher sentences must be imposed.

The Palaszczuk government wants justice to be done—justice for the victims and justice for those left behind: their families and friends. We want to see strong sentences imposed when people take the lives of our most vulnerable: our children, the elderly and the disabled. The community must have confidence that this state has a criminal justice system that is robust in its protection of the most vulnerable members of our community. Some of the most vulnerable members of our community are, of course, our children. Every child has the right to be safe and to live in a home free from violence. Every adult needs to remember that being a parent and a carer is not a right; it is a responsibility, and it is a big one.

People convicted of child manslaughter have in many cases escaped murder convictions because intent is inherently difficult to prove in these types of cases. This bill will expand the definition of murder to include the unlawful killing of another if the death is caused by an act or omission with reckless indifference to human life.

I would like to take this opportunity to thank the committee for its timely and detailed consideration of the government's bill. I have no doubt it was a really difficult process and I want to thank all of those family members of victims who came forward to give their personal stories. I thank the individuals and organisations who provided submissions and also those who gave evidence before the committee. I commend the government's bill to the House.

 **Mr PURDIE** (Ninderry—LNP) (3.44 pm): Corby Akehurst did not know what he had done to deserve being squeezed so tightly his ribs popped. He was only 18 months old when his father, Shane, started torturing him. The torture began at Christmas in 2014. When he would not settle at night, probably because he had excruciating pain from his broken ribs, his father would go in and sit beside him on the bed. When Corby looked up at him crying, Shane would punch him in the face. As Easter and his second birthday approached in 2015, his mum left him at home alone with his dad so they could bond. Shane did not want to bond with his son; he wanted time to himself, so he put Corby to bed. When Corby got out of bed, Shane slapped him, told him to shut up and go to sleep. When Corby came out of his room, Shane would throw him back into bed, each time with more force. He eventually snapped, throwing his little boy with all his force. His head slammed into the wall and he began convulsing. That is when the lying and cover-up began.

Shane called triple 0 and in a panicked but innocent voice told the operator he had just found his son unconscious and unresponsive in bed. He was pretending to cry and calling for Corby to wake up as the triple 0 operator gave CPR instructions over the phone. The ambulance arrived at their Kin Kin home and a medivac chopper airlifted Corby to the Lady Cilento hospital.

I got the call at home later that evening. Two of my staff were en route to the address. On their arrival Shane was at the home acting as if nothing had happened. He provided a version blaming the other kids and the dog. Even the family goat got blamed for Corby's injuries. He said Corby was clumsy and was always falling over and hurting himself. Later that night, after an update from the medical experts at Lady Cilento hospital, a major incident room was established and a crime scene was declared at the family home. The next day as Corby was fighting for life in the ICU, Shane sobbed at his bedside pretending to be father of the year. Later that night, in a small room at the Lady Cilento Children's Hospital not far from where his son lay dying, Shane realised his excuses were not flying and admitted to me the events I have outlined above.

Corby never recovered; he died a few days later and we charged Shane with murder and torture. The medical evidence listed 81 separate injuries suffered on numerous occasions including injuries to his scrotum consistent with squeezing or blunt force trauma. His ribs were so badly broken that they were infected and had fused in different places and were malformed. However, it was the acute catastrophic brain injury that killed him. His death was violent and callous. His short life was filled with

terror and pain inflicted at the hands of his own father. Last month Shane Akehurst pleaded guilty to manslaughter and was sentenced in the Supreme Court. He got higher than the average sentence due to the associated torture charge, but he will still be eligible for parole in six years after time already served. Corby's family and our wider community are rightly outraged.

What I hope to do in the time I have remaining this afternoon is to outline an honest, practical application of our current law, the government's Criminal Code amendment bill, particularly the expanded definition of murder to include reckless indifference and our new proposed child homicide laws. The murder of a defenceless, vulnerable, young child is the most serious and the most difficult crime for detectives to solve. As opposed to other adult murder investigations where police can often obtain CCTV, text messages, a murder weapon, witness statements or other surrounding evidence, the murder of a child is often committed in the family home in the dark of night where there are no witnesses, no weapon to analyse and no surrounding evidence to assist the investigation. Subsequently, it is often hard for police to satisfy the element of intent to commit murder or grievous bodily harm, so accepting a plea to manslaughter is an easy option for the Crown.

As most members in this chamber would know, currently to be found guilty of murder, which does attract a mandatory life sentence, the Crown must prove the offender had intent to kill or at least the lower threshold of having intent to cause grievous bodily harm. In the Akehurst case, in Shane's record of interview when I asked if he thought throwing his toddler son against the timber wall with all his force was likely to cause grievous bodily harm, he said, 'I didn't care at the time.' Even with this admission, it was decided by the Crown that intent, even as a probable consequence of his actions, to cause GBH was too hard to prove and a plea to manslaughter was accepted, a decision that instantly cut his sentence in half.

The aim of the government's proposed Criminal Code and Other Legislation Amendment Bill is to strengthen sentencing practices around child homicide by expanding the definition of murder to include reckless indifference to human life. In order to uphold a murder charge in a circumstance of reckless indifference the Crown must show that the defendant foresaw that their actions would result in the probable—not possible—death of their victim. I have real concerns with regard to this bill's method of achieving this objective. As seen in New South Wales, an expansion of the definition of murder to include reckless indifference is no sure way to guarantee that where a child is killed through violence or gross negligence a murder conviction will result. This is due to the incredibly high threshold that reckless difference places on the Crown.

This morning I spoke to a former colleague, a detective superintendent in the New South Wales police force, who was formerly an officer in charge of the New South Wales state homicide squad. He told me that the New South Wales state DPP rarely proceeds with reckless indifference. They usually indict with the element of intent, as it is easier to prove intent to cause GBM than it is to establish the offender knew their actions were recklessly indifferent and likely to cause death, so the DPP usually accept a plea to manslaughter. His personal experience is supported by the New South Wales case law outlined earlier by our shadow Attorney-General. In the Akehurst case I mentioned earlier, if his admission that he 'snapped' and did not care if his actions would cause the child GBH was not enough to satisfy a charge of murder, it also would not have been evidence enough to satisfy the court that he knew his actions would probably cause death, and therefore it still falls short of the reckless indifference threshold.

I agree with others here that tweaking the definition is legal trickery. It will result in a lawyers picnic but have no real impact on appropriately punishing the most serious offenders in our community. In contrast, our proposed new specific child homicide laws will complement the government's bill in the event reckless indifference does not result in a murder conviction. It will act as a deterrent and it will enforce stronger penalties. Our new child homicide law will essentially fill the big gap between mandatory life for murder or 6.8 years for manslaughter. Our new child homicide offence will mean that offenders convicted of child manslaughter will serve a mandatory minimum sentence of 15 years in jail.

This new offence will apply to any person who kills a child by an act or omission, including an act of violence, sexual offence or breach of duty in the Criminal Code. Violence includes vigorous shaking, punching, kicking, stomping, throwing, squeezing, suffocating, strangling or violent acts that cause the child's death. There are also sensible safeguards in our bill that will ensure that a child homicide offence will not apply to accidental deaths such as where a child drowns in a dam or is accidentally run over by a car. Reckless indifference by itself does not work. It has not worked in New South Wales; it is just window-dressing. Our bill will complement it and act as a safeguard.

There is no excuse for killing a vulnerable, innocent and defenceless young child. There is no worse crime, there is no worse offender and there is no punishment harsh enough to fit this crime. Monsters who kill innocent, defenceless young kids should serve at least 15 years behind bars. I urge those opposite to do the right thing and support our bill, not only to appropriately punish these monsters but to act as a deterrent and protect our most vulnerable.

 **Mr POWELL** (Glass House—LNP) (3.53 pm): May I begin my contribution to this debate by acknowledging the contribution of the member for Ninderry. I want to acknowledge the work that he has done over many years, alongside a number of others in this chamber, to protect our kids and ensure that those who harm our children are brought to justice. I want to acknowledge the heartfelt contribution of the member for Ninderry in particular.

Before I became the member for Glass House just over 10 years ago I served four years with the department of child safety in this state. I have to say that I am very grateful for the fact that I was not a front-line child safety worker. Even so, through working with foster carers, child safety workers, police and health workers, I heard some horrifying stories. When we were told through the media in June of 2016 of the dreadful death of Mason Jett Lee in Caboolture, I have to say that I was left appalled, saddened and extremely angry. Until the redistribution a couple of years ago I represented parts of Caboolture. Indeed, members of Mason's broader family resided in the electorate of Glass House. I joined them and the member for Mudgeeraba in a community day of action not long after Mason's death to try to bring to the attention of the Palaszczuk Labor government concerns around child safety practices, what was known and what action was not taken.

When a 21-month-old suffers and dies from, and with, a perforated duodenum, peritonitis, a fractured leg, a fractured skull, a fractured coccyx, abscesses, dermatitis, a prolapsed anus and has traces of drugs in his bloodstream, my blood boils. So does that of the community that I represent and, I suspect, a lot of Queensland. Despite the severity of these injuries Mason Jett Lee's mother, his stepfather and a lodger who was residing with them at the time were only charged with manslaughter. What is more, Mason's mother, Anne Maree Lee, pleaded guilty to manslaughter and received a nine-year jail sentence, but at the time of sentencing she was likely to walk free after serving just five more months. That lodger I referred to, Ryan Robert Hodson, was originally charged with manslaughter. He pleaded guilty to the downgraded charge of child cruelty, but even this was reversed when the judge determined there was insufficient evidence and he walked free. Mason's killer—his stepfather, Andrew O'Sullivan—was sentenced to nine years in jail for manslaughter, but he could walk free after serving just six.

It is fair to say that those charges and sentences do not meet community expectations for such crimes, which brings us to the bills we are debating today. I will start by looking at the government's bill. The government is looking to strengthen sentencing practices around child homicide. It intends to do that by expanding the definition of murder in section 302 of the Criminal Code to include reckless indifference to human life. It intends to do that by inserting a new aggravating factor into the sentencing principles to provide that, in sentencing an adult offender convicted of the manslaughter of a child under 12 years, the court must treat the child's defencelessness and vulnerability, having regard to the child's age, as an aggravating factor. It intends to do this by increasing the maximum penalty for failure to supply necessaries from three years imprisonment to seven years imprisonment and to reclassify the offence as a crime.

As the member for Ninderry has outlined, whilst these are positive steps there are some concerns about the ability to have reckless indifference achieve the outcome the government is seeking. It will not be specific to child victims. There are significant concerns that the proposed expanded definition of murder will not always result in a murder conviction, even when the killing was violent or grossly negligent. As we have seen from child homicide cases in New South Wales, in many cases the offender is charged with murder but later enters a guilty plea to the lesser charge of manslaughter. Indeed, for those reasons it was not recommended by the Queensland Sentencing Advisory Council.

Having said that, we in the LNP will support these changes, but we do not believe they go far enough. That is why I call on members in this chamber to support the LNP's bill. The LNP's bill will enforce stronger penalties for unlawful homicide offences involving the death of a child. It will ensure that sentencing for homicide offences involving children reflects broader community expectations. It will do that by introducing a mandatory minimum non-parole period of 25 years imprisonment for the murder of a child under 18 years. I know there are members in this House who do not like the concept of mandatory sentencing. It is interesting that at various times both sides of parliament and politics have

chosen to support them. I think in this instance that change speaks for itself, and it will have enormous support from the Queensland community when we consider that we are talking about the murder of a defenceless child.

The LNP bill will also introduce a new offence of child homicide, which will attract a mandatory minimum non-parole period of 15 years imprisonment. When we think about the sentences given to the members of Mason Jett Lee's family and the sentences given in the case the member for Ninderry outlined, how much more appropriate would a 15-year mandatory minimum sentence be? The proposed child homicide offence will apply to any person who kills a child by an act or omission, including an act of violence, a sexual offence or a breach of duty in the Criminal Code. Violence will include vigorous shaking, punching, kicking, stamping, throwing, squeezing, suffocating, strangling or any violent act that causes a child's death. The intent of this bill is to recognise and protect vulnerable and defenceless children, whether it is their age or capacity that increases their vulnerability. Yes, there will be defences. There will be defences around diminished responsibility, killing on provocation and killing for preservation in an abusive domestic relationship.

At the end of the day, unlike Labor the LNP can guarantee that a person convicted of child murder will spend a minimum of 25 years in prison. Unlike Labor, the LNP can guarantee that a person convicted of child manslaughter will spend a minimum of 15 years in prison. This is double the average of what offenders are currently getting. We have a track record of introducing tough criminal law reforms aimed at protecting our children. We are committed to ensuring that the length of sentence imposed on child killers reflects the gravity of the crime and, indeed, the expectations of the communities throughout Queensland, starting with the community of Glass House and those who personally knew Mason Jett Lee and have been part of the journey since his tragic and unnecessary death in June 2016.

 **Mr COSTIGAN** (Whitsunday—Ind) (4.01 pm): I rise to make a contribution to the cognate debate. At the outset I place on the record and foreshadow that I will be supporting the private member's bill introduced by the member for Toowoomba South. It is my view that that bill is far superior to the government's bill. It provides for 15 years imprisonment for the manslaughter of a child and 25 years for the murder of a child. These are despicable crimes that should be punished accordingly. This mandatory sentencing is long overdue. Today has been a long time coming. As a number of speakers have alluded to, families of victims are in the gallery and are watching this live broadcast around Queensland and even further afield, waiting for this debate to reach its climax.

Hemi Goodwin-Burke was born in my electorate. Young Hemi would be at school today if things had turned out very differently a few years ago. Whatever we as legislators do in this House and no matter how we vote on these bills, to state the bleeding obvious, nothing we do will bring back Hemi, Mason Jett Lee or any of the other victims—little kids taken away. I acknowledge the presence in the gallery of Hemi's family—his mum and dad, Kerri-Ann Goodwin and Shane Burke and their little girl Tewera. As the member for Mudgeeraba said earlier and as I said quietly to the member for Caloundra yesterday, the family drove all the way from Mackay, sleeping in the car overnight, on their journey to seek justice. Kerri-Ann and Shane are in the gallery alongside Kerri-Ann's mum and dad, Richard and Kris Goodwin. I would like to mention Hemi's name. In English it means 'James'. Hemi's great-great-great-grandfather's name was James and the name pays homage to both sides of the family, both Maori and Pakeha.

I also want to acknowledge a lady whom I fondly remember from when I came back to North Queensland some years ago. She used to greet me in the paper shop in the main street of Proserpine. That lady became nanna to little Hemi. Her name is Lyn Burke. Lyn is not here today but she is watching the broadcast. What a journey it has been for her and the family—and all the families of the victims. I remember nearly two years ago—in fact, I think it might have been in June 2017—after the court proceedings in Mackay seeing Lyn like never before, so distraught she was and wondering why the system had failed her, her family and many other families.

As I have said—others have said it before and others will say it after me—we come into this place to make the system better. I am no bush lawyer. I may have worked for the former federal attorney-general, but I am no expert in legal proceedings. With the greatest of respect to the profession and the input of the Bar Association and the Law Society, surely we should be listening to the families of these kids and to the police officers who go about their duties. Imagine being a copper and having to go and deliver the message. We have heard that in this debate already. The member for Nicklin gave an excellent speech yesterday. It was not lost on the people in the gallery, his former colleagues in blue and others.

I remember that day in June 2017. Never before have I seen Lyn that way. We went and had a cup of tea and some cake at a cafe. What could you say? This debate will reach a conclusion today. As one person said in this debate, we need to park our egos. There are two bills before the House. As I said, I am supportive of mandatory sentencing. We need to listen to what the community is saying. I go back to what the member for Toowoomba South said when he introduced his bill on 13 February this year. He said—

According to the Queensland Sentencing Advisory Council's report into child homicide, offenders sentenced for adult manslaughter received significantly longer average sentences, at 8.5 years, than offenders sentenced for child manslaughter, at 6.8 years.

Am I the only one who cannot work that out? I support the LNP opposition's bill—the private member's bill—being put forward by the member for Toowoomba South, who has done an excellent job, and hope that today Hemi's family and others can take something out of this, no matter how small, because it has been a long time coming.

 **Ms SCANLON** (Gaven—ALP) (4.09 pm): I rise to make a contribution to the debate on the Criminal Code and Other Legislation Amendment Bill 2019. I start by thanking the committee for its work in relation to this matter. I can only imagine how difficult the nature of the contents of its inquiry would have been. This issue is not easy and it is not something that in an ideal world we would have to deal with. I came into this parliament, like many, wanting to create meaningful reform that changes people's lives and I share the views of the member for Macalister that if we can find measures and fund programs that prevent these horrible situations from occurring that is of course the preference, but the unfortunate reality is that these horrible deaths occur and all right-minded people are concerned that the consequences are not in line with community expectations.

The death of any child is tragic. It is particularly confronting and almost hard to believe when the people who are supposed to be responsible for that child caused their death. Children are our future leaders. They deserve to be cared for, nurtured and loved and, at the very least, protected from harm. We have all heard about the widely publicised, heartbreakingly stories that have rightfully concerned almost everyone in our community. I was out doorknocking a couple of weeks ago and met a woman who has been trying and trying to have a baby. She has been through numerous rounds of IVF and she shared with me how angry she was that she is desperately trying to provide a loving and caring home for a child while there are parents out there who have completely abrogated their responsibility, which in some horrible cases has resulted in the death of an innocent and vulnerable little human being. I understand our community's frustration that the sentences given to people being convicted for these offences relating to the death of a child are not adequate, and that is what this bill aims to address.

The Attorney-General and Minister for Justice responded to these concerns sensibly by asking the Queensland Sentencing Advisory Council to review the penalties and sentences arising from the death of a child. The *Sentencing for criminal offences arising from the death of a child: final report* was released in October last year and outlined eight recommendations. QSAC found that sentencing for manslaughter cases involving direct use of violence against a child does not reflect community views and, further, does not adequately reflect the significant vulnerabilities of a child. Recommendation 1 of the QSAC report was the introduction of a new aggravating factor for child homicide offences. The Criminal Code and Other Legislation Amendment Bill 2019 amends section 9 of the Penalties and Sentences Act by including subparagraph 9B—

In determining the appropriate sentence for an offender convicted of the manslaughter of a child under 12 years, the court must treat the child's defencelessness and vulnerability, having regard to the child's age, as an aggravating factor.

The bill also expands the definition of murder to include reckless indifference to human life and increases the maximum penalty for an offence of failing to supply necessities under section 324 of the Criminal Code from three years to seven years imprisonment. QSAC also recommended that victims, their representatives, the public and media be provided with more information in relation to sentencing in a timely manner. The comment I am sure we have all heard from constituents is that sentences are too weak and that judges are out of touch. Interestingly though, research reveals that the more people are informed they report less punitive views on crime, offenders and sentencing. That is to say that the more informed of the facts and circumstances of an individual case the more closely aligned public opinion is with judges and jurors. QSAC reports recommendations about better information sharing. However, they are not included expressly in this bill as the implementation does not require legislative amendment.

The opposition's response in its private member's bill effectively takes away the discretion of the court—the people who have all of the evidence and circumstances before them—to be able to make an informed decision. Mandatory sentencing does not deter offenders. Mandatory sentencing acts as

a disincentive for people to plead guilty, meaning that witnesses and victims' families have to face the uncertainty and delays of a trial and the system experiences increased costs. Mandatory sentencing also increases the likelihood of contested trials as the offender has nothing to lose, again retraumatising the families already suffering.

As the Attorney-General and Minister for Justice stated in her introductory speech—

The mother who pleaded guilty to manslaughter on the basis that she did not obtain medical assistance for her child quickly enough, in a domestic and family violence context, would be sentenced potentially to 15 years jail under the LNP's proposed mandatory regime for manslaughter, the same as her partner who violently assaulted their child and showed a callous disregard for their child's needs. Any proposal to apply minimum mandatory sentencing would see the father who tragically forgot about his child in the back seat of his car also receive a mandatory 15-year jail sentence.

These examples outline the potential injustice that could occur if this parliament were to adopt the LNP's proposal. The Palaszczuk government wants justice to be done for those who are left behind, their families and friends and I genuinely believe that every single person in this House wants to protect vulnerable and defenceless children. I thank the family members, the legal stakeholders and community organisations that examined and reported on both of these bills. I commend the Criminal Code and Other Legislation Amendment Bill 2019 to the House.

 **Mr O'CONNOR** (Bonney—LNP) (4.15 pm): I rise to speak in support of the Criminal Code and Other Legislation Amendment Bill 2019 and sincerely hope that the government supports our extra tougher proposals. Many members will be familiar with the story of young Tyrell Cobb, who died in unimaginable circumstances at the hand of his mother and her partner a decade ago this month in their Biggera Waters unit. He suffered 81 injuries, including 70 bruises and abrasions. He had cigarette lighter burns on his ankle. He suffered blunt force traumas that cut open his abdomen and small intestine. He was just four years old when he went through such a painful death.

This case was complex and saw blame shifting between Tyrell's mum and her partner. What we do know is that on his last weekend alive they were more interested in finding drugs than caring for their son. His first major injury happened 24 to 48 hours before he died. Neither of them got any help. The second major trauma occurred hours before his death and it was only when vomit was coming out of his nose that the partner called triple 0. The case was heard in 2017. The partner was sentenced to four years jail for manslaughter for not getting medical help for Tyrell. He was released immediately after serving nearly three years on remand. Tyrell's mum was sentenced to nine years. She lost an appeal against her sentence last year but will be eligible for parole in 2021.

Cases like this get under our skin because of the vulnerability of the victim. It is horrific to think of what Tyrell went through during his last weekend alive, let alone to think what his little four-year-old brain thought throughout his short life—that he was unwanted, that he had been bad and wondering why the people he loved did not love him. He is unfortunately one of many stories like many others raised in this House by members and these stories are reminders that we need to do everything to stop them from repeating. This bill is important in communicating that violent crimes like these against children will not be tolerated. I have concerns over the expansion of the definition of murder in this bill but am supportive of the introduction of the aggravating factor. In sentencing an offender for an offence resulting in the death of a child under 12 years, the court will have to treat the vulnerability and defencelessness of the victim as an aggravating factor.

In supporting this bill, I also call on those opposite to support the LNP's bill to further strengthen our child homicide framework. Our bill will create a new child homicide offence that will apply for both murder and manslaughter but, importantly, does not apply for accidental deaths. Importantly, our bill calls for harsher sentencing and, in the case of Tyrell, his mother would have had to serve a minimum 15 years for manslaughter. Court data shows that offenders convicted of the manslaughter of a child are sentenced to less time in prison than offenders convicted of manslaughter of an adult. One would think this would be the reverse. Do we value children's lives so little that we are willing for this to be the case? Case law binds Queensland judges to the lower penalties that we are seeing. We cannot wait for decades of precedents to change. We need change now and we need to send a clear message from this parliament. We value the lives of children. If we go after them, they will face the toughest possible penalties.

 **Mr BERKMAN** (Maiwar—Grn) (4.19 pm): I rise to speak to the government's Criminal Code and Other Legislation Amendment Bill 2019 and the LNP's Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill 2019. The death of a child, especially the unlawful killing of a child, is always a tragedy. In this parliament, we must strive to build a society that keeps children as safe as possible—where parents, carers and families have the things they need to thrive, such as a safe, affordable home, access to health care, including drug and alcohol services, and where government agencies

responsible for the welfare of children are properly resourced to do their job sensitively and effectively. I pay my respects and give my deepest condolences to those families who have lost a child in whatever circumstances that may have happened and also to those folks who have become advocates on this issue, including those who made a submission to the parliamentary committee.

The Greens and I support the recommendations of the Queensland Sentencing Advisory Council—or QSAC—in responding to these tragic circumstances. When we legislate changes like these bills that will affect the lives of thousands of Queenslanders for decades to come we must always be guided by the evidence and the advice of experts and those who experience the system firsthand. That is why I will not be supporting the LNP's bill and why I cannot support parts of the government's bill that go beyond and contradict the QSAC recommendations.

For my specific comments I will deal first with the LNP's bill. This bill was finalised before QSAC made its findings, so it necessarily ignores its advice. The Greens do not support expanding mandatory sentencing, because the evidence and the advice from legal experts tells us that it does not work and it means that the sentence will almost never fit the crime. As the Aboriginal and Torres Strait Islander Legal Service noted in its submission, there are other ways of increasing non-parole periods, including presumptive parole laws, but the LNP has opted for a crass law-and-order approach.

I turn now to the government's bill. The Greens support the recommendations of the Sentencing Advisory Council, including the proposal to add a new circumstance of aggravation to the offence of manslaughter, which this bill implements. However, we cannot support the other parts of the bill, including the proposal to expand the definition of murder to include reckless indifference, which currently carries a mandatory sentence of life in prison. We cannot support increasing the maximum penalty for failure to provide the necessities life and adding that offence to the serious violent offender regime. These additional measures, especially the change to the definition of murder, were not recommended by QSAC and, in fact, have never been recommended by any government advisory body or independent agency in Queensland. To be honest, we have no idea where these amendments have come from. No evidence has been presented by either the government or the opposition that these reforms are necessary and, certainly, no-one has done any detailed analysis of any kind about what their impacts would be.

I turn first to that part of the government's bill that we support, which is the addition of a new circumstance of aggravation to the offence of manslaughter. In 2017, the Attorney-General asked the Sentencing Advisory Council to review sentences for people convicted of child homicide. The members of QSAC are reputable experts in their fields and include former judges, academics, advocacy groups, Indigenous communities and the legal profession. The council conducted an extensive process of consultation, including public submissions, community summits, 10 focus groups and detailed research. The council made eight recommendations and offered four pieces of advice. The government accepted all of their recommendations, which is very welcome. In particular, we look forward to seeing the implementation of family liaison officers, better communication with families, more responsive court processes, the publication of sentencing remarks and better guidelines for prosecutors to keep families informed in line with the Charter of Victims' Rights.

I turn now to one of the deeply concerning parts of the bill, namely, the expansion of the definition of murder. We cannot support this change for a number of reasons. Firstly, it means a significant expansion of mandatory sentencing, which does not work and which we oppose. Secondly, the government has offered no evidence to show that it is necessary and has not taken any expert advice about its impacts. Thirdly, it could easily lead to a range of perverse and unintended consequences. This amendment would be a major expansion of mandatory sentencing in Queensland. The difference between Labor's bill and the LNP's bill is that Labor expands mandatory sentencing by stealth and the LNP's bill does so explicitly. Not a single expert legal stakeholder supported expanding the definition of murder or increasing the penalty for failure to provide the necessities.

The Crime and Corruption Commission, the Bar Association, the QLS, the Women's Legal Service, Legal Aid Queensland and the Queensland Council for Civil Liberties all raised the alarm about this dangerous amendment. The Women's Legal Service spilled the beans on this incredibly rushed process. It said in its submission—

WLSQ only became aware of the proposed amendment to the definition of murder in the week before the Bill's introduction into parliament and we were given two days to respond to the Attorney General.

...

As the Bill was clearly already drafted and the consultation was undertaken at the last minute—it is difficult to regard it as a genuine attempt to engage with the community on the proposed amendments.

I turn now to some of the key issues raised by submitters in respect of expanding the definition of murder. As I have mentioned, in Queensland, murder carries a mandatory life sentence in prison. Only the Northern Territory has a similar regime. There is no judicial discretion in this respect. As the CCC, the Queensland Council for Civil Liberties and many others note in their submissions, it is impossible to simply import the New South Wales rules with no definition of 'reckless indifference'. I agree with the Women's Legal Service when it cautions that 'a cut and paste approach to reform should be avoided in this situation'.

This newly expanded definition of murder will apply to all murders no matter who is the perpetrator or the victim. The government has totally failed to engage with this fact. The Women's Legal Service has drawn particular attention to the fact that, under these changes, women who kill their abusive partners will be more likely to be charged and convicted of murder and that Queensland's defences to murder in circumstances of domestic violence are already particularly weak compared to those of other states. Manslaughter already carries a maximum sentence of life in prison, which means that for particularly heinous cases the courts already have the discretion to put perpetrators away for life.

One of the very serious possible unintended side effects is illustrated by the following quote—

If they know pleading guilty or not they are getting a minimum 15 years, they will not plead. This means more matters going to trial, more stress and trauma for witnesses but, most importantly, it also leads to an increase of a potential of no conviction at all.

That quote comes not from a stakeholder but from the Attorney-General herself in yesterday's debate while criticising the LNP's bill. Labor's bill expands mandatory sentencing, too, and it will lead to exactly the same problem.

In contrast to the amendments that implement the recommendations, this amendment flies in the face of the views of experts and submitters to the bill. Just yesterday, QSAC released an options paper that articulates its position on mandatory sentencing perfectly clearly. Its view is the following—

In accordance with the evidence, mandatory sentencing does not work either in achieving the purposes of sentencing ... or in reducing recidivism. This is because, as a matter of principle, it assumes that every offence and every offender are the same which is patently not the case. The Council recommends a review of all the mandatory sentencing provisions presently in the law of Queensland.

The position of QSAC begs the question: why, instead of reviewing and repealing mandatory sentencing provisions in line with their position, are we debating the expansion of mandatory sentencing in such a significant way as is proposed in this bill? Creating and expanding offences that carry mandatory sentences without any evidence is dangerous. It could even have serious negative consequences, such as reducing the likelihood of guilty pleas and putting families through even more trauma at trial.

Here in the parliament we are not experts, but we are the ones with the final say about what happens in our society. Especially in Queensland where we have no upper house and almost no meaningful scrutiny of the executive, listening to experts and those who see the system in action every day is vital. The government has failed to do that in respect of certain parts of this bill. That is why I cannot support those parts.

In the time that remains to me, I turn to the last part of the government's bill, which are the changes to the offence of failing to provide the necessities of life. The Greens oppose these changes because the government has not offered any justification for them. These changes have never been recommended by any independent review agency. It is another set of changes the origin of which, frankly, are a mystery. This offence is typically charged against women, particularly mothers who are more likely to be the primary caregiver for a child in the first place. The offence is an alternative to the charge of manslaughter, so it is totally wrong to say that people charged with this offence have used direct violence against a child. That is the situation that the government claims to be targeting and which the Sentencing Advisory Council identified as the area of most concern in the community.

As well as increasing the maximum penalty from three years to seven years, the government is also adding this offence to the serious violent offender regime, which is completely inappropriate for reasons that I do not have time to go into. I thank the submitters to the bill. I implore the government to take their submissions better into account.

 **Mr MOLHOEK** (Southport—LNP) (4.29 pm): I rise to speak to the Criminal Code and Other Legislation Amendment Bill 2019 and the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill 2019 in this cognate debate. At the outset of my contribution, I would like to

acknowledge Ty De Salis, a Griffith University communications student who has been interning at my office over the past few months. This speech is primarily his work. When we spoke about the opportunity to do some speechwriting, Ty embraced it wholeheartedly and was very keen to write this speech. I think it is quite outstanding for a young person to pick up such a challenging topic as the issue that is before us today. I acknowledge his work in preparing this speech.

The aim of Labor's bill is to expand the definition of murder in the Criminal Code to include the act of reckless indifference to human life with the intended strengthening of legislation around child homicide. The Labor Party aims to accomplish this by including the judicial consideration of a child's defencelessness and vulnerability in the case of an adult offender committing the murder of a child under 12 years of age and introducing failure to supply the necessities as a crime with an increase to the maximum penalty from the previous three years imprisonment to seven years imprisonment.

In this case the offence would be deemed a serious violent offence, SVO, which gives the sentencing court the power to make an SVO declaration which requires the offender to serve 80 per cent of their punishment before they become eligible for parole. The bill amends section 302 of the Criminal Code to include acts done or omissions made with reckless indifference to human life. This is consistent with the New South Wales legislation, which includes reckless indifference to human life as a separate element for establishing the offence of murder. This offence not only applies to the murder of children but the murder of adults as well.

The LNP holds significant concerns that the Labor government's proposal will not always result in a murder conviction, even in cases where the murder was violent or blatantly negligent. This amendment was not recommended by the Queensland Sentencing Advisory Council. This is why the LNP introduced its own bill to address offences involving the death of children. The aim of the LNP's private member's bill is to introduce harsher penalties for unlawful homicide offences involving the death of a child to reflect the moral expectations of the broader community. This would be achieved by the introduction of a minimum non-parole period of 25 years imprisonment for the murder of a child under 18 years and the introduction of a new offence of child homicide, which entails a minimum non-parole period of 15 years imprisonment.

Our proposed child homicide offence will apply to any individual who kills a child by an act of violence, sexual offence or breach of duty in the Criminal Code such as the duty to provide the necessities of life. This Mason Jett Lee bill provides defences such as diminished responsibility, killing on provocation and killing for preservation in an abusive domestic relationship. We on this side of the House believe these defences are necessary in offering protection to women within abusive relationships and to those who are not of sound mind. These are significant proposals to law reform, a concept which falls on the deaf ears of the Labor government.

The expansion of the definition of murder cannot guarantee the result of a conviction for child murder or the intentional negligent killing of a child. This is evidenced in the New South Wales state legislation where abhorrent child murders have resulted in manslaughter convictions based on reckless indifference. This loophole is exploited far too often as defendants offer plea bargains for lesser manslaughter charges. For example, in the case of a child being intentionally beaten, struck and clamped resulting in death by asphyxiation, the offender pleaded guilty to manslaughter. Similarly, consider the case of a three-year-old child being raped and suffocated. The offender was acquitted of the charge of murder but found guilty of manslaughter.

It should be noted that the Bar Association of Queensland, the Queensland Law Society and the Crime and Corruption Commission are all opposed to introducing reckless indifference within the definition of murder. The Bar Association of Queensland holds similar concerns about the vague nature of the bill. They believe the number of domestic scenarios put down to reckless indifference will increase. Situations such as leaving pool gates open or reversing over a child in a driveway would fall under this provision. Other cases based on negligence and accidental causes of death could now be charged as murder. The LNP supports harsher penalties for those committing violent crimes against children and those under the age of 18 with intent to harm, however, we do not support these harsher penalties being given to grieving parents and families, which could be the case under the Palaszczuk Labor government's bill.

Under Labor's bill the introduction of a new aggravating factor would not be different from aggravating factors that exist in terms of sentencing. Courts already have access to dozens of aggravating factors that could increase sentencing—something that has not led to an increase in

sentencing for abhorrent child crimes. The Bar Association of Queensland and the Queensland Law Society agree with this sentiment, questioning the relevance of the new aggravating offence given that the proposed considerations are part of current sentencing guidelines.

While the LNP is not opposed to expanding the definition of murder to include reckless indifference to human life, we are concerned that reckless indifference is a legal loophole that could be exploited as it may not always result in a murder conviction. These loopholes have been exploited under similar legislation within New South Wales and we on this side of the House believe that the same outcome may well occur in Queensland.

The LNP's proposed legislation would guarantee that a person convicted of child murder will spend a minimum of 25 years in prison. Labor's bill cannot. The LNP's proposed legislation would guarantee that a person convicted of child manslaughter will spend a minimum of 15 years in prison, double the average time offenders are currently serving. Labor's bill does not guarantee that. The LNP is committed to the appropriate sentencing for abhorrent crimes against children. We are committed to law reforms aimed at protecting children and harsher sentences that reflect the magnitude of the crimes in question. That is why the Queensland LNP introduced its Mason Jett Lee bill and that is why we support that over Labor's bill. I ask that the House sincerely consider adoption of the LNP's proposed provisions as outlined in our Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill.

 **Ms SIMPSON** (Maroochydore—LNP) (4.36 pm): I rise to speak in the debate on the Criminal Code and Other Legislation Amendment Bill and the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill. I note that there are many others who wish to speak after me but because of the time gag will not get the opportunity to do so, so I will keep my comments short.

We recognise in this parliament that legislation to date has failed our most vulnerable children who have suffered the most horrendous abuse resulting in their death. Tragically, people who face court charged with these crimes have had sentences imposed that are inadequate—sometimes only four to six years for manslaughter—because perpetrators of these most heinous offences have not been charged with murder.

These children do not often have witnesses to their crimes. The only evidence is a litany of injuries detected after they have been killed in these horrendous ways. They do not have a voice; they require a legislative framework that recognises that. Both the government and the opposition have put forward legislation to try to address that. I believe the government is intending to do that but there is good reason to believe it does not go far enough. The reason we believe it does not go far enough is that in New South Wales, where reckless indifference to human life was inserted into the Criminal Code, it does not appear to have resulted in a difference in sentencing outcomes. That is why the state opposition has put forward this new mandatory minimum non-parole period of 25 years imprisonment for the murder of a child under 18 years.

One of the crossbenchers mentioned that there was no proof that this provision would deter people from committing these heinous acts. There are many laws in this state that one could argue do not deter evil from occurring. Hopefully, they will deter evil from occurring. We have strong sentencing procedures so that there are appropriate penalties for offences. Quite clearly, four to six years for the killing of a child is not an appropriate penalty.

That is why we believe there needs to be additional provisions to protect vulnerable children who are currently being let down by the law, but there is also the issue of public safety. Those who are evil enough to kill a child should be behind bars. They should not be walking the streets. They should not be entering into other relationships with people, having more children and once again abusing children. They should be behind bars. That is why the legislation that we have put forward seeks to address not only the issue of the inadequacy of the current laws, what we believe is the inadequacy of the government's proposition and the need to have an appropriate penalty for those who do these horrendous things but also the need to keep the public safe.

I recognise the tragedies involving the children whose names have been put forward by my colleagues. We should never forget those children. We should do all in our might, not only in law but also as a society, to keep children safe.

 **Mr PEGG** (Stretton—ALP) (4.40 pm): I rise to speak in support of the Criminal Code and Other Legislation Amendment Bill 2019. At the outset, like many other people—in fact, unfortunately, probably like every member of this House—I know someone who has lost a child. We are all aware of what a

tragedy that is and how deeply it affects loved ones and family members. To lose a child due to violence is particularly egregious and it is important to note that at the outset. In the debate so far, many tragic and terrible tales have been put forward by members from both sides of the House.

On 25 October 2017, the Attorney-General and Minister for Justice referred an inquiry to the Queensland Sentencing and Advisory Council to review the adequacy of penalties imposed on the sentence for criminal offences arising from the death of a child. On 21 November last year, the council released its report *Sentencing for criminal offences arising from the death of a child: final report*. The report concluded that there needed to be changes to the system in relation to child manslaughter sentences. As has been outlined by other speakers, there are challenges in establishing intent, even when a vulnerable child or a vulnerable adult suffers a violent death, and that many killers are ultimately convicted of manslaughter rather than murder.

The council concluded that the penalties imposed in relation to manslaughter offences committed against children under 12 years and, in particular, those offences involving the direct use of violence do not adequately reflect the unique and significant vulnerabilities of child victims and that additional legislation is required to respond to that issue. After looking at a range of possible options to address the issue, the council ultimately recommended the introduction of a requirement that, in sentencing an offender for an offence resulting in the death of a child under 12 years, courts must treat the defencelessness and vulnerability of the victim as an aggravating factor. This approach will take into account the diverse circumstances in which those offences occur while also emphasising the factors that make those offences more serious.

Pursuant to the current laws, the definition of murder requires proof of intent to kill or cause grievous bodily harm. The bill will redefine murder to include the unlawful killing of another if the death is caused by an act or omission with reckless indifference to human life. This bill will bring Queensland law into line with New South Wales, the ACT and Tasmania. The bill will also increase the maximum penalty for the offence of failure to supply necessities from three years imprisonment to seven years imprisonment.

I note that the committee recommended that the bill be passed. I acknowledge the work of the Legal Affairs and Community Safety Committee in relation to the bill. Ultimately, the bill proposes to implement recommendation No. 1 of QSAC's report, *Sentencing for criminal offences arising from the death of a child: final report*. The bill will amend the Penalties and Sentences Act 1992 to provide that, in sentencing an adult offender convicted of the manslaughter of a child under 12 years, the court must treat the child's defencelessness and vulnerability, having regard to the child's age, as an aggravating factor. That is something that I certainly support and I hope that all members of this chamber will support those changes.

The bill will also amend the Criminal Code Act 1899 to expand the definition of murder to include reckless indifference to human life, increase the maximum penalty for the failure to supply necessities from three years imprisonment to seven years imprisonment and reclassify the offence as a crime. All of those changes are appropriate given the gravity of the offences and given some of the tragic tales that we have heard during the course of and prior to this debate.

I commend the Attorney-General and all those who were involved in putting together this significant legal reform. We all hope that it will assist in protecting some of our most vulnerable Queenslanders, our children, who are ultimately our future. I commend the bill to the House.

 **Ms LEAHY** (Warrego—LNP) (4.45 pm): I rise to contribute to the cognate debate on the Criminal Code and Other Legislation Amendment Bill 2019 and the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill 2019, which is a private member's bill introduced by the LNP opposition. I commend the shadow Attorney-General and member for Toowoomba South for the work that he has put in to this private member's bill. I acknowledge his passion for protecting our children. I put on the record my thanks to him for the very hard work that he does to protect Queensland children. That is particularly important.

Today the House is debating a very serious matter. Children are innocent and it is the role of the legislators in this House to protect them. I listened to the shadow Attorney-General as he outlined the absolutely horrendous injuries suffered by Mason Jett Lee, in whose honour the private member's bill is named. The LNP introduced this bill to remedy the inadequacy of the punishments given to child killers in Queensland. Mason Jett Lee's killer could be eligible for parole in six years; he could be out of jail in six years. We in the LNP know that Labor does not have the stomach to do what is necessary to deliver justice for Queensland children. We should never forget the tragedy of our precious young children who are being killed, and it is particularly disturbing that that situation is occurring in Queensland.

Twenty-two-month-old Mason Jett Lee suffered from broken bones and ruptured organs. He was bruised from head to toe and covered in vomit. Blood was pooling around his neck and ears, and a bruise had swallowed his eye. This bill is rightly named in his honour and memory. This is one of the most horrendous cases I have ever heard, but what really disturbs me is that there are more. Tragically, many other precious children have been killed and their lives cry out for justice: a three year old was punched by her father and she died a slow and painful death; a four year old was punched in the stomach by his mother and he later died from abdominal injuries; a one-month-old baby girl suffered injuries including fractures to the skull, ribs and legs. It is horrendous and I can understand why the community is so outraged and why they expect more. They expect more from those of us who sit in this House. They expect more from the members sitting opposite who are in government. We have a role to play in protecting children from such horrendous crimes.

The killing of a child is a despicable crime. It will not be tolerated by the LNP or the community in Queensland, particularly when that crime involves violence or neglect. The court data tells us that offenders convicted of the manslaughter of a child are sentenced to less time in prison than offenders convicted of the manslaughter of an adult. That is absolutely crazy and we need to correct that imbalance.

It must be corrected and it is our responsibility to children and the community to do so. That is why the LNP propose these very important safeguards in this legislation. Child homicide offence will not apply to accidental deaths where a child drowns in a dam. Unfortunately, on occasions that happens in my electorate, or where a child is accidentally run over.

The LNP believes that mandatory sentencing is necessary because the courts are bound by low sentences and Queensland does not have decades to wait for precedents for change. Unlike Labor, the LNP can guarantee with our legislation that a person convicted of child murder will spend a minimum of 25 years in prison. Unlike Labor, under our legislation the LNP can guarantee that a person convicted of child manslaughter will spend a minimum of 15 years in prison. This is double the average of what offenders currently get. We have a track record of introducing a number of criminal law reforms aimed at protecting children and we are committed to ensuring the length of the sentence imposed on child killers reflects the gravity of the crime and addresses the community expectation. We believe that there needs to be stronger penalties for murder and manslaughter of a child. Under this legislation, we will see an increase in sentences.

**Mr DEPUTY SPEAKER** (Mr Weir): Thank you, member for Warrego. In accordance with the business program agreed to by the House earlier in the day, I call on the member for Toowoomba South to reply to the second reading debate.

 **Mr JANETZKI** (Toowoomba South—LNP) (4.51 pm), in reply: As articulated by so many in this House, particularly on the opposition side, the killing of a child is a shameful crime. As I said in my introductory speech to our private members' bill, any parent or carer who has held a child in their arms intimately understands their vulnerability. They are helpless and completely reliant on others. No child deserves to be held in the arms of evil, murderous evil. This evil does not just steal life from these children but from their families and loved ones, thereby inflicting a life sentence of pain and suffering.

I do not intend again to lay down the key aspects of our bill, but I do need to address a number of issues in reply. First, I really need to call out the lack of Labor contributors to the cognate debate. There were not that many of them. To have 12 or 13 speakers in addition to the Attorney-General shows a lack of serious consideration of the matters before this House. Deep down, those opposite—and I join with the member for Nicklin—know that there are severe doubts about the proposals contained in the government's bill and about whether they will make any meaningful difference in the future.

The Labor government made much of the impact of mandatory sentencing as proposed by the private member's bill for these most heinous killers. The opposition does not propose it lightly or without serious consideration. Rather, it is a last resort for a justice system that is not delivering justice for the community. However, it seems that there is a fundamental misunderstanding of mandatory sentencing by the Labor contributors. Indeed, at my public hearing it appeared they had no idea that Queensland already has mandatory life sentences and minimum non-parole periods for murder. I was subjected to a bizarre series of questions from Labor committee members, in particular the member for Macalister, who asked—

Do you believe that a mandatory sentence of 25 years will deter future child murderers? Do you have some evidence that you can point to that indicates that mandatory sentencing whether it be 14 years, 25 years or 100 years will actually protect vulnerable and defenceless children?

I hate to break it to the member for Macalister and a number of Labor contributors, but Queensland already seems to have life sentences and mandatory minimum non-parole periods. It appears that the Palaszczuk Labor government supports them, because it remains the law in Queensland today.

During the second reading debate yesterday when the member for Macalister said, 'My primary concern with this bill is any approach which seeks to introduce mandatory sentencing,' or the member for Bulimba said, 'I do not support mandatory sentencing,' or as we heard from the member for Gaven previously, 'Mandatory sentencing does not deter offenders,' it does seem that they fundamentally misunderstand the law as it stands in Queensland today, that is, the law that is overseen by the Attorney-General, the police minister and Labor governments for 25 of the last 30 years. How can the Labor government fail to support the LNP's proposal for a mandatory 15-year punishment for child killers when Labor oversees a legal system that provides exactly the same thing for murder?

Again, I confirm for those opposite: for adults convicted of murder and repeat serious sex offences, a judge must sentence the offender to life imprisonment or an indefinite sentence under the Criminal Code. The Corrective Services Act 2006 establishes mandatory minimum non-parole periods, including 25 years for the murder of a police officer, 20 years for other murders or repeat serious child sex offences, and 15 years for any other life sentence imposed for another offence such as rape. This is a staggering oversight but, again, as so often with this Labor government, they ought to reflect on their own history.

In 2010 the Bligh government established a sentencing advisory council tasked with examining whether a minimum standard non-parole period should apply to certain offences. I note that then premier Bligh and the then attorney-general, now the member for Woodridge, issued a joint media release from which I will quote. The heading is 'Standard minimum jail terms part of sentencing reform'. That is Labor speak for mandatory sentencing—

The Bligh government will take its tough stance on violent crime to a new level, including introducing standard non-parole periods to ensure jail time fits the crime. Premier Anna Bligh said it was imperative that offenders who committed violent or sexual crimes spent appropriate periods in detention—and enabling the justice system to impose standard non-parole periods would achieve that.

What hypocrisy, what inconsistency, from the Labor government today. They have done it before, but they can support us and do it again today. With this knowledge, it is now imperative that they support the Mason Jett Lee bill to truly ensure that Queensland's child homicide sentencing framework is changed, right here and right now. The Mason Jett Lee bill strikes at the heart of the child killer problem. There is no tricky legal fix and no technicalities—just straightforward lawmaking. This is because the bill includes a new child homicide offence increasing the punishment for the murder of a child and introducing a law that will apply to the violent killing of a child in which the offender does not meet the threshold for a murder conviction. This means that under the bill a person who violently kills a child will be sentenced to a minimum of 15 years imprisonment. This is an absolute guarantee.

While mandatory sentencing may not be favoured by legal bodies, it is supported by many of the families who have lost children at the hands of violent and negligent acts of offenders. I submit that our bill offers suitable defences, and a member of the public will not be caught under the child homicide offence for an accidental death. The court only need turn its mind to the explanatory notes and speeches to grasp the intent of the bill. Let me be clear as I have articulated time and again—the intent of the bill is not to capture scenarios accidental in nature. This is why the child homicide offence was drafted the way it was—to offer a precise definition into what child homicide is and what it is not. The opposition can guarantee families that offenders will be imprisoned for more than double the time they currently receive for child manslaughter; Labor cannot.

It is for Mason Jett Lee and for all the children who lost their lives, including tragically Hemi Goodwin-Burke, and for future generations of children that the opposition introduced this private member's bill into the House. I acknowledge again the presence of Hemi Goodwin-Burke's parents, Shane and Kerri-Ann, and little 'Tee' and Hemi's grandparents. Thank you for your presence in the gallery throughout this debate and for your fierce advocacy over many years. There are other advocates like John and Sue Sandemann who wanted me to remind the Labor government of the law-abiding citizens whose lives have been destroyed by evil people, loved ones left to cope and deal with their future without their murdered loved one. I also acknowledge Katherine, the Act for Mason coordinator of which the member for Mudgeeraba is patron, for her fierce advocacy over the years and for her contribution in getting this bill to the stage it is at today.

If our bill fails today, which I pray it does not, it will not be the end. We will be watching closely, observing the operation of Labor's law, pressuring the government to better reflect the rights of victims and crimes and their loved ones—fighting for them. In honour of the memory of the children who have had their lives stolen from them and for their loved ones who are left with a lifelong grief, I commend the bill to the House.

Debate, on motion of Mr Janetzki, adjourned.

## DEPUTY SPEAKER'S STATEMENT

### Comments by Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships, Deputy Speaker's Ruling

 **Mr DEPUTY SPEAKER** (Mr Stewart): Yesterday on page 1281 of the *Record of Proceedings* during debate on the Health Regulation (Scope of Practice) Amendment Regulation, the member for Kawana made an interjection irrelevant to the debate which the Deputy Premier then took to proceed to answer. I asked the Deputy Premier to come back to the motion. On reading the record, I concede that I should have permitted the Deputy Premier latitude to respond to the interjection despite its irrelevance.

## MOTION

### Queensland Health; No Confidence in Minister for Health

 **Ms BATES** (Mudgeeraba—LNP) (5.00 pm): I move—

That this House:

1. condemns the Palaszczuk Labor government's health crisis for undermining confidence in Queensland's public health system;
2. notes:
  - (a) the recent unprecedeted overcrowding crisis which has seen patients turned away and left untreated;
  - (b) that it has taken only four years for Queensland Health to be taken back to the bad old days of dysfunction;
  - (c) doctors have said that Queensland Health is in crisis;
  - (d) the Queensland Nurses and Midwives' Union has said Queensland Health is in crisis;
  - (e) Nambour GP and AMA councillor Dr Wayne Herdy issued a public plea to save one of his patients who was at risk of death;
  - (f) a young mum suffering from endometriosis was kicked out of her bed and discharged, still in excruciating pain;
  - (g) the Australasian College of Emergency Medicine warned about unacceptable and intolerable delays, calling Queensland Health's emergency wait times 'inhumane';
  - (h) the Australian Medical Association Queensland called on the Palaszczuk government to urgently stop the digital hospital IT rollout because patient safety was at risk;
  - (i) the United Voice union has said Labor's rapid offload policy is putting lives at risk; and
  - (j) the sensational sacking of the Labor appointed CEO of Metro South HHS;
3. calls on the Palaszczuk Labor government to implement real-time public reporting every time a 'code yellow' is declared so that sick Queenslanders can have confidence that when they turn up to a hospital there will be a bed; and
4. expresses no confidence in Labor's health minister.

It is time for patient care to come first, and that means fixing Queensland's health crisis under Labor. Our hardworking nurses, doctors, midwives and paramedics are struggling on the front line to improve patient care. They are coping increased assaults and violence in our hospitals at the same time they are trying to provide world-class health care to Queenslanders.

We have had just over four years of failed Labor health policies and what we are seeing now is the result. We have seen a code yellow crisis with major hospitals bursting at the seams; a dump-and-run ambulance ramping policy putting patient care at risk; hundreds of thousands of dollars wasted on changing the name of the Lady Cilento Children's Hospital while sick kids get treated in a hospital kitchenette because of a shortage of oncology beds; and now a CEO scapegoated because the minister does not take responsibility for his own portfolio.

On top of that, we have the ongoing harassment of nurses still being chased from Labor's Health payroll debacle almost a decade after it began. We also see major IT health bungles affecting hospitals right now with the botched rollout of Labor's integrated electronic Medical Record system. A scathing Auditor-General's report late last year revealed a \$256 million blowout in the program that the minister labelled at the time as a 'big tick'. The AMAQ have called on the IT rollout to be halted until all issues are sorted and patient safety is no longer at risk.

We have also seen the IT rollout dogged by major corruption scandals with the resignation of the former Labor appointed CEO of eHealth Queensland, Dr Richard Ashby, earlier this year, despite calls for his sacking for several months. It has been a series of broken promises, crisis management and political scandals.

When it comes to health, Labor's priorities are all wrong. At the last state election Premier Annastacia Palaszczuk promised better local health services, but things have gone backwards. Queensland Health was described as a basket case under former Labor premier Anna Bligh; it is now bedlam under Annastacia Palaszczuk. Labor's code yellow crisis that Queenslanders saw in late March saw surgeries cancelled and patients warned not to come to hospitals unless it was for a critical emergency. Labor's dump-and-run, rapid off-load ambulance ramping has seen major disputes between paramedics and nursing staff and warnings about patient care.

The minister was warned about the concerns with the policy mid last year by nurses at the QEII hospital which were against normal QAS process with regard to coordination of patient off-loads within the ED. He was also warned that patients had been placed on stretchers against clinical advice and left unattended which they believed was a risk to patient safety. Let us remember that this was supposed to be a policy that was only in place for the Commonwealth Games.

In response to the issues raised in the media when the issue raised its ugly head at the Logan Hospital, United Voice General Secretary Gary Bullock was quoted as saying—

'Paramedics bringing in patients are being stopped by hospital staff at triage and told to take their patients back to their units ramped outside,' ...

'It's simply unacceptable to turn patients away from hospital and back into ambulances. It's putting at risk the lives of Queenslanders in need.'

'Our ambulance officers need to be out in the community, responding to emergencies, not stuck on hospital ramps.'

'As the union for Queensland Ambulance Officers, United Voice demands that the Director General take immediate action to fix this, and the Health Minister take control of Metro South health board.'

'Clearly they haven't got the ability to run the service the community needs—the Minister must step up and take control if the hospital boards can't do it.'

'This is another example of the health crisis failing Queenslanders.'

I table a copy of that article.

*Tabled paper.* Article from the *Courier-Mail*, dated 10 April 2019, titled 'Paramedics clash with Logan Hospital emergency department staff in overcrowding rift' [677].

Queenslanders deserve a world-class public health system that the Palaszczuk government is not delivering. Elective surgery wait times are blowing out. Emergency departments are overcrowded. Ambulance ramping is getting worse. Our public hospitals are literally bursting at the seams. These are not just numbers on a spreadsheet; it is your mother or your son or your close family friend. At the same time we have seen cuts to regional maternity services in the bush.

The current Queensland Health hospital performance data shows that 29 per cent of patients in our EDs are not being seen within clinically recommended time frames; 27 per cent of patients are ramped in ambulances for longer than 30 minutes; and elective surgery wait times are blowing out, with 93.8 per cent of patients seen on time with a median wait time of 40 days compared with 97 per cent at 28 days when the LNP left office. It is simply not good enough. Yesterday we saw the wrong Stephen sacked. It is time for the health minister, Steven Miles, to go.

 **Hon. KJ JONES** (Cooper—ALP) (Minister for Innovation and Tourism Industry Development and Minister for the Commonwealth Games) (5.05 pm): I rise to oppose the motion. One of the reasons I decided to join the great Australian Labor Party was that I learned from a very young age the importance of health care provided to those who could least afford it. In actual fact, for all of my childhood the only dental care that was provided to me was provided through the dental vans that we had at schools. Similarly, if it were not Medicare—my mum was a sole parent with four kids—and if it were not for

bulk-billing then none of us would have had health care. As the only daughter in that family, I think I understood sometimes the challenges my mum had with being able to provide her children with the medical care that we needed when we needed it.

I will always be forever grateful for Labor governments establishing the Medicare system in Australia. It is something that all Australians can be extremely proud of and something that I think continues to elevate us as a society, as a community and as a nation over other countries around the world, because in the main we believe—not always those opposite—that it does not matter how much money your parents have or where you live in our country; a child deserves the right to good quality health care and good quality hospitals. That is fundamentally what this debate tonight is all about.

I think the health minister is doing an absolutely fantastic job here in Queensland, advocating very strongly at the CBRC table to continue the investment that we have proudly delivered as Labor governments here in Queensland. Every single member on that side of the House knows that the only reason why we have a Sunshine Coast hospital is a Labor government. The only reason we have a world-class hospital on the Gold Coast is a Labor government. The only reason we have a world-class children's hospital—

**Mr Powell:** You say it to yourself often enough; you might say it to the ones who need it.

**Ms JONES:** No. I take that interjection. I was there. I was part of those deliberations. I remember being at the cabinet table when we decided that were going to fund—let us compare our capital investment and our deliberate strategy of rebuilding every single hospital along Queensland's coastline because we believe in investing in health.

**Mr Langbroek** interjected.

**Ms JONES:** I take the interjection from the member for Surfers Paradise. Let us have a look at their record. Here is the capital investment in hospitals under their watch. See those ones? They are a Labor government. See the flat line? That is them.

**Opposition members** interjected.

**Mr DEPUTY SPEAKER:** Member for Cooper, are you going to table the document?

**Ms JONES:** I will table it. In the Budget Measures document, if we look at the years those opposite were in government, we see that in 2012-13—bah-bow; in 2013-14—bah-bow; and in 2014-15—bah-bow. It is there in black and white. I table that for the benefit of members.

*Tabled paper.* Extract, undated, from Queensland Government Budget Presentation titled 'State Labor Governments invest in new hospitals and infrastructure projects ... State LNP Governments don't' [678].

We unashamedly believe that our healthcare workers deserve to be supported and we believe in investing in health. Under the LNP, we know that 4,400 Health staff were sacked, including 1,800 nurses and midwives.

In my local community when I was grocery shopping or working out and going to uni when I was not the member for Ashgrove, I would run into these nurses and midwives who would cry to me in the aisles of my local grocery store because those opposite sacked them. Those opposite can move as many of these motions as they want, but the LNP cannot rewrite history. They cannot pretend that those women and men who lost their jobs under the savage and heartless cuts of the Newman government and his protege, the Leader of the Opposition, did not happen. They cannot rewrite history, as much as they would like to. I would like to pretend the Newman years did not happen too, but we all know that they did and none of us are better for it.

More than 170 staff working in preventive health were cut. More than \$35 million was cut in annual funding for health projects, for NGOs like Diabetes Queensland, and \$45 million was cut from mental health in their first year.

**Mr Millar** interjected.

**Mr DEPUTY SPEAKER** (Mr Stewart): Order! Member for Gregory, you are on the speaking list. You will get your go. If you continue, you will be warned.

**Ms JONES:** It is the same old, same old: just yell and scream, but we know that they are also defending the Morrison government's cuts of \$2.8 billion to the health system across our country.

*(Time expired)*

**Mr SORENSEN** (Hervey Bay—LNP) (5.11 pm): I support the motion moved by the shadow minister for health, Ros Bates. I can relate to everything that is on this piece of paper: the unprecedented overcrowding crisis with patients being turned away and left untreated. I can really relate to that and I will get back to that later. It has taken only four years for Queensland Health to go back to the bad old days of dysfunction. I can remember under Anna Bligh how you could not even pay the nurses properly. How long did that last? It went on and on and on.

**Mr DEPUTY SPEAKER:** Order! Member for Hervey Bay, can you direct your comments through the chair, please.

**Mr SORENSEN:** Doctors have had their say. Queensland Health is in crisis. The Queensland Nurses and Midwives' Union have said the same thing. A young mum suffering from a disease was kicked out of her bed and discharged. That happens a lot in Hervey Bay. A taxidriver pulled me up one day and had a real go at me. He said, 'It's bloody ridiculous that these people are being pushed out'—

**Mr DEPUTY SPEAKER:** Order! Member for Hervey Bay, I know you are quoting, but it still does not make it acceptable. You have used unparliamentary language. I ask you to withdraw.

**Mr SORENSEN:** I withdraw. He pulled me up and said, 'It is totally unacceptable that these patients are being kicked out of hospital at three o'clock in the morning.' I said, 'How often does that happen?' He said, 'Quite frequently.' That is not on. It is disgraceful.

What does the Premier of this state have to say about the crisis? I quote from Steve Wardill in the *Courier-Mail* of 27 March—

Annastacia Palaszczuk's argument about the crisis that has gripped southeast Queensland's hospital network boils down to a pretty simple point.

There's absolutely nothing wrong with the health system that her government is providing, according to the Queensland Premier, it's just that there are too many patients.

Annastacia Palaszczuk says the reason behind the state's hospital crisis is that there are 'too many patients'. And the blame for that, she reckons, lies with everybody but her Labor administration.

She blames Prime Minister Scott Morrison. The article continues—

It's Prime Minister Scott Morrison who is at fault, it's former premier Campbell Newman who should be blamed ...

but get a load of this—

... it's the flu, it's old people, it's sick people.

What an outrageous thing to say! That was Steve Wardill. I would like to thank Steve Wardill for writing that.

**An opposition member:** Get him a birthday card.

**Mr SORENSEN:** I will. I would like to talk about Hervey Bay Hospital. I know that Hervey Bay Hospital is full of great doctors, nurses and ambos who do a wonderful job and they are being let down by this Labor government. A lack of funding and a lack of staff is the message I receive loud and clear every day, and this government is deaf to it. Our valuable nursing staff and doctors are being burnt out at a fast rate. I would like to know why our area cannot retain doctors and nurses. They come and go pretty regularly. A couple of our theatre nurses have left Hervey Bay as well.

**Mr Stevens:** Is there bullying?

**Mr SORENSEN:** I take that interjection. I believe so. I support those nurses and doctors. When I was in hospital last year, the one thing I could not accept was that they accept the violence against them in the hospital. If there is something that needs to be done, that needs to be—

*(Time expired)*

**Mr KELLY** (Greenslopes—ALP) (5.16 pm): I was disappointed I missed out earlier to speak to a motion regarding all workers and the opportunity to stick up for all workers. I will have to content myself with talking about health workers today. I am going to start by saying that I reject this ridiculous motion. How could we take seriously an opposition spokesperson who is a nurse who voted against—with one other nurse in this place—safe nurse-to-patient ratios and safe midwife-to-patient ratios? That is not an

opposition health spokesperson that you can take seriously. Every nurse and every midwife that I know tells me how important those ratios are. I am sure if they were given the chance to vote for ratios in aged care they would be against those as well.

I want to turn my attention to dot point 2 in the motion, the digital hospital program. This is an area that I am particularly interested in and I particularly reject this notion. I am very disappointed with the constant media attention by Fairfax in relation to this matter. The information they are putting forward is four to five years out of date. The sorts of errors and mistakes that they are putting forward happened on a paper based system. I have worked as a nurse over the last 30 years in a paper based system. The reality is that the digital hospital program works. I will give the House some statistics to back that up. Unlike the member for Mudgeeraba, I do not carp on and make things up. I investigate things and I do my own research. I went to the PA and I took a tour of the digital hospital program. I did not take their word on this. I came into the House and I asked questions on notice in relation to this. Medication errors since the introduction of the digital hospital program have reduced by eight per cent. Falls within the hospital have reduced by more than 11 per cent. Infections within the hospital have been reduced by 37 per cent. Level 4 patient pressure injuries have fallen by over 50 per cent.

I can tell the House that as a nurse and somebody who studied health economics this means good things. Firstly, it means very good things for the patients. Falls, skin tears, pressure areas, infections and medication errors lead to catastrophic outcomes for patients. The first thing we are seeing is that there are good outcomes for patients. The second thing we are seeing is that there are good outcomes for our financial and budget situation because all of those things cost more money. They also result in patients staying in hospital for shorter periods of time. If we can reduce these things, we can get people home and we can get more people through the hospital.

I want to move on and talk about the Palaszczuk Labor government's achievements in relation to nursing. I notice there is some talk in there about the QNNU. When I talk to members and delegates from the QNNU—and I doubt they would talk to the member for Mudgeeraba; I would not want to tell the House what they are saying about the actions of the member for Mudgeeraba and the member for Currumbin in relation to ratios—they want to talk about what we have done for nurses.

**Mrs STUCKEY:** Mr Deputy Speaker, I rise to a point of order. I find the member's comments offensive. I ask him to withdraw.

**Mr DEPUTY SPEAKER:** Member for Greenslopes?

**Mr KELLY:** I withdraw. They talk to me about ratios. They talk to me about the introduction of nurse navigators. They talk to me about the re-establishment of new graduate positions. They talk to me about the increase in nurses. What they do not talk to me about is the real crisis that happened under the LNP, and I was there for that crisis. There were cuts to nurses. We were given a letter that said that five per cent of the nurses at the Royal Brisbane and Women's Hospital would be gone. There was decimation of the safety and quality units and the closure of the Barrett Adolescent Centre. These are the real crises and they were perpetrated by the state LNP, but the federal government is no better, with \$26 million out of the hospitals in Griffith. There is the real crisis. The LNP is the real crisis in health.

*(Time expired)*

 **Mr KRAUSE** (Scenic Rim—LNP) (5.21 pm): If there is one thing that Queenslanders know in their bones, it is that the Labor Party cannot manage Queensland's health system. The evidence is overwhelming and it stretches back across the generations, but we have to especially look at the Beattie and Bligh years to know that Queensland Labor cannot manage the health system. Who can forget the mishaps of the early 2000s when Dr Patel was running rampant at Bundaberg Hospital under Labor's watch? Peter Beattie went to an election—I think it was the 2001 election—promising to fix the health system. That was the election when half the Labor Party was under investigation for electoral fraud after the Shepherdson inquiry. He fixed the system all right. We had Dr Patel after that and then we had the Health payroll system. It went from mishap to disaster to calamity.

An opposition member interjected.

**Mr KRAUSE:** Yes, the Tahitian prince as well. Peter Beattie really fixed the health system! Who can forget the best mea culpa there ever was from Anna Bligh? After 14 years of Labor government, Anna Bligh said that Queensland Health was broken and needed to be torn apart, split asunder, torn asunder, because it was a basket case. It is not much of a legacy to defend for the Australian Labor Party, but it is worse for Queenslanders because Labor has failed Queenslanders. Labor will always fail Queenslanders because Queenslanders cannot get the health services they need.

This government deserves to be condemned for its management of Health. It was much better under the LNP. The government deserves to be condemned not just because the LNP managed Health better for two years and 10 months; it deserves to be condemned because the Queensland Nurses and Midwives' Union says the system is in crisis. United Voice, which is one of the biggest backers of the Labor Party, says that the government's policy is putting lives at risk. The Australasian College for Emergency Medicine warns about unacceptable and intolerable delays, calling the waiting times inhumane. These are the comments we would expect to hear about a crumbling country—something like Venezuela perhaps, where the economy is on the brink of collapse—but this is Queensland and this is Health under Labor in Queensland.

When it comes to health, Labor's priorities are all wrong. They are always wrong. Labor proves time and again that it does not matter how many millions of dollars you pour into the system, how many more hundreds or thousands of staff you employ. If you do not get the basics and the system right and manage from the top, the system will not work for patients. They are wrong when they waste money on renaming the Lady Cilento Children's Hospital, and we will not forget about that because it was a disgrace. The priorities are wrong when it comes to harassing nurses to repay overpayments from nearly 10 years ago. The priorities are wrong when they promised upgrades at the last election that will not be delivered until after the next election. When the priorities are wrong for Queenslanders, people suffer—like this lady from my electorate of Scenic Rim in this report I am holding who was discharged from hospital suffering awful pain from endometriosis.

**Mr DEPUTY SPEAKER:** Member for Scenic Rim, I ask you to put that down.

**Mr KRAUSE:** I table that media report.

*Tabled paper:* Article from the *Courier-Mail*, dated 28 March 2019, titled 'I was kicked out of my bed and discharged, still in excruciating pain, for someone who had a headache' [679].

People like her suffer because the priorities of the Labor Party are always wrong when it comes to health. Health is going backwards under Labor. The minister must think sometimes that he was given the poisoned chalice when he was made the Minister for Health, but it does not have to be like that. The member for Stafford could have been given the job but it was given to the member for Murrumba. It does not have to be the poisoned chalice because there was a minister for health once who took the health system and made it work for Queenslanders.

**Opposition members** interjected.

**Mr DEPUTY SPEAKER:** Members, I know that this can be exciting at times. Member for Caloundra, you do not need to be yelling across the chamber, neither does the member for Coomera.

**Mr KRAUSE:** There was a minister for health who made Queensland Health work for Queenslanders. He oversaw the LNP's legacy in health by overturning and reversing Labor's cataclysmic management. He worked for Queenslanders by reopening maternity services in Beaudesert and other parts of Queensland. He was working for Queenslanders who travelled to hospital by doubling the Patient Travel Subsidy Scheme. He worked for Queenslanders by slashing surgery waiting lists. He was working for Queenslanders by reducing ramping and cutting Labor's long-wait public dental list from 61,000 when we took office to zero in mid-2014.

**Ms Pease** interjected.

**Mr DEPUTY SPEAKER:** Member for Lytton!

**Mr KRAUSE:** The minister who did that was the best health minister Queensland has ever had. It was the former member for Southern Downs. It is not just me who says that; there are other people who say that as well. The member for Murrumba should take a leaf out of the former member for Southern Downs's book if he wants some advice. If he wants to avoid the poisoned chalice, he should talk to Lawrence Springborg because he can tell him how to run a Queensland health system that works for Queenslanders and gets Queensland Health working again.

*(Time expired)*

**Mr DEPUTY SPEAKER:** Member for Lytton, you do not need to yell across the chamber at those opposite. I also counsel the member for Buderim and the member for Nicklin. You should not be quarrelling across the chamber.

 **Ms SCANLON** (Gaven—ALP) (5.27 pm): I rise to speak against the member for Mudgeeraba's motion—a motion which seeks to score cheap political points at the cost of devaluing and undermining the hard work of our front-line service workers. This Palaszczuk government has been standing up for our front-line service workers since day one. We stood up against those opposite and we have stood up against the federal LNP government which has let Queenslanders down every single time.

The Abbott-Turnbull-Morrison government cut \$316 million from Queensland hospitals. I do not remember the member for Mudgeeraba speaking for the motion to condemn Scott Morrison when he locked in those cuts in the latest budget. What I do remember is members of this government on this side demanding that Queenslanders get our fair share for hospital funding. I stood up when the federal government cut \$27.2 million from my local Gold Coast Hospital and Health Service, including Robina Hospital, which is in the member for Mudgeeraba's very own electorate. That funding cut has real-life consequences for patients on the Gold Coast. It could have funded 947 hernia repairs, 398 hip replacements or 2,559 cataract procedures, or 650 people could have had their tonsils removed.

Our hospitals are feeling the pressure, and our ageing and growing population means Queenslanders need access to health services more. Every single dollar that the federal government cut has added to that pressure. Even with that pressure as a result of the federal government's cuts, our front-line service workers have been working incredibly hard. On the Gold Coast, they treated 15,491 patients in March alone—a six per cent increase. Importantly, 100 per cent of our most critically ill patients were seen immediately, within the clinically recommended time. On this side of the chamber we back in our doctors, nurses, paramedics and health practitioners.

During the last sitting week the Premier and Minister for Health both talked about the fact that we had approximately 250 elderly Queenslanders in hospitals waiting for a Commonwealth subsidised aged-care place and approximately 400 people with a disability in Queensland hospitals waiting for an NDIS package. Why did the member for Mudgeeraba not join the government in calling on Scott Morrison to take action and fast-track the placement of these Queenslanders, who should have been in residential aged care or disability services?

The federal electorate of Moncrieff covers parts of both the member for Mudgeeraba's electorate and mine. A statewide audit commissioned by the Queensland Nurses and Midwives' Union found that this electorate had the worst hours of care provided in the state as a result of understaffing. Instead of backing in our hardworking nurses and aged-care staff, the member for Mudgeeraba sold them out, saying that this would be 'just another scare campaign from the QNMU'. That was a particularly embarrassing comment from her given that two days later the Prime Minister announced a royal commission into the aged-care sector. It is interesting also that the member for Mudgeeraba is now quoting lines from United Voice and the QNMU claiming to stand up for their interests, but we all know that those opposite were part of a government that sold out those members. Just last week I heard from nurses and aged-care staff—

**Ms Bates** interjected.

**Mr DEPUTY SPEAKER** (Mr Stewart): Order! One moment, please. Member for Mudgeeraba, I have given you several warnings now. You are now officially warned under the standing orders.

**Ms SCANLON:** Just last week I heard from nurses and aged-care staff at a forum that I held, some of whom live in the member for Mudgeeraba's electorate, who are pleading for better staffing levels so that residents who do not need to be in hospital can remain in their home.

I still come across people in my community who remember the savage cuts made under the Newman government. This year I knocked on Carmel's front door, a Pacific Pines resident who was callously sacked under the Newman government at the Gold Coast University Hospital. In stark contrast, in last year's budget we backed in the Gold Coast and brought their hospital and health budget to a record \$1.5 billion a year, a \$34.5 million increase on the previous year. Between March 2015 and September 2018 we hired an additional 193 doctors and 748 nurses. We build up our health services; those opposite tear them down. I oppose the motion.

 **Dr ROWAN** (Moggill—LNP) (5.31 pm): I rise to support the motion as moved by the LNP's shadow minister for health and ambulance services. It is a great motion. I hear those opposite attacking the member for Mudgeeraba and the member for Currumbin. It is just disgraceful the way that Labor attacks individual members, who have done some great work as clinicians and as nurses as well. However, that is the Labor way: they will always play the man rather than the ball.

It is high time that Labor understands that when it comes to Queensland's health system the primary role of government is service delivery. It is not about rhetoric, it is not about spin, it is not about slogans and it is not about dubious decision-making processes; it is about patients. That is why we are debating this motion tonight, because it is about patients and their clinical care here in Queensland and the fact that this Labor government, like previous Labor governments, is failing the patients and the clinicians of Queensland.

I know that it is the Labor way to opt for style over substance. This has not been more devastatingly evident than in the disgraceful and insulting way in which the Labor Premier and the Minister for Health undertook to tear down—literally rip down—the name and legacy of a great Queensland female doctor. We will not let those opposite forget about the way they have treated the Lady Cilento family in relation to the disgraceful renaming—and their dodgy survey—of the Queensland Children's Hospital.

In question time yesterday the Premier loved to repeat the line, 'I'm proud of our record in Health and we stand on our record.' Is the Labor Premier, Annastacia Palaszczuk, kidding? Is she kidding the Queensland people? Let's look at Labor's health record because what Queenslanders seeking health care and clinical attention within our public health facilities, particularly through the first few months of this year, have had to endure leaves a lot to be desired. There are broken promises in relation to infrastructure upgrades. At the 2017 election there were upgrades promised to Logan, Caboolture and Ipswich. At the time it sounded like this Labor government was going to make that a priority. They are settling on the go-slow agenda because this lazy Labor government is not progressing it in a timely manner. As many people say in the western suburbs of Brisbane, the lazy, socialist Palaszczuk Labor government should always be condemned for its lack of adequate and timely resourcing and for its failed management in Health. There is still no sign that this government will abandon its rapid off-load policy. This was a policy that was supposed to be only an interim arrangement when the Commonwealth Games were being held, but it is now on the autocratic orders of the Labor Minister for Health becoming a permanent feature of the Queensland hospital system.

We need support for our clinicians in Queensland. We know that ambulance ramping and bed block are once again a permanent feature of our public hospital system. That is affecting patient care adversely not only here in the south-east corner but right across Queensland. Queenslanders have seen this all before during the years of the failed Beattie and Bligh Labor governments. Do honourable members remember the payroll debacle—that \$1.2 billion failure—the fake Tahitian prince episode with \$16 million of fraud on the part of Joel Barlow, the Jayant Patel saga and the failed clinical governance processes? We went through the Forster inquiry and the Davies review. There were those failed health minister years of Wendy Edmond. Even when I was a medical superintendent at the Mungindi Hospital it took three months to get an ECG machine. Clinicians in Queensland are again facing the same sorts of debacles.

When it all goes wrong under this Labor government in Queensland, it is always someone else's fault. It is always the federal government's fault, the Brisbane City Council's fault, somehow the Prime Minister's fault or Campbell Newman's fault.

**Mr Janetzki** interjected.

**Dr ROWAN:** I take the interjection from the member for Toowoomba South; it is the patient's fault that they got the flu. It is the patient's fault that they got sick—that elderly people got sick—and had to access our public hospital system in Queensland. They are always blaming someone else. I can tell honourable members that nurses, doctors, ambulance and paramedic staff, and health professionals are being forced to shoulder the burden of Labor's gross incompetence and mismanagement of our health system. Labor always trumpets how they are the friend of the worker. However, they are not friends of clinicians and workers in our health system in Queensland; they are not friends of patients. They are failing the patients of Queensland, jeopardising their clinical care. They need to be doing a lot better. They should be focusing on the priorities of ensuring that patients in Queensland get timely care.

This is a great motion. I would urge all members in this House to support it. The health minister needs to be condemned.

 **Mr HARPER** (Thuringowa—ALP) (5.37 pm): I rise to speak against the member for Mudgeeraba's motion. This motion is just another example of those opposite continually talking down the world-class healthcare system we have here in Queensland, including the fantastic and dedicated Health staff and our Queensland Ambulance Service. We have heard about the issues raised in the motion regarding ramping. Can I say that after 28 years of serving with the Queensland Ambulance Service I think I can speak with a degree of authority about what those people opposite did in their time with regard to ramping and the pressure it put on our state government when we came to office. Those opposite should be very familiar with a document, the ambulance ramping document, the *Metropolitan Emergency Department Access Initiative*. Page 4 talks about access block.

**Opposition members** interjected.

**Mr HARPER:** If members opposite want to understand ramping they have to understand the causes. Those opposite should listen and learn because on page 4 it talks about access block. When there is access block, when hundreds of beds are taken up by elderly people who cannot get a bed in residential—

**Mr Mickelberg** interjected.

**Mr DEPUTY SPEAKER:** Order! Member for Buderim, you don't need to be quarrelling across the chamber with the man on his feet.

**Mr HARPER:** Access block is about patients being blocked from entering the hospital. We have hundreds of people who should be in residential aged-care facilities. Due to the royal commission we are hearing right now about what is going on. We are also hearing right now in our committee about the great burdens placed on our public healthcare system and aged-care system. It is a population wave. It is not going to be stopped; we need to prepare for it. What did the LNP do? I table that document.

*Tabled paper: Metropolitan Emergency Department Access Initiative report, dated July 2012, titled 'A report on Ambulance Ramping in metropolitan hospitals' [680].*

I worked with United Voice on the state council, and I applaud the team that worked with the QAS on that. They had it for three years and they did nothing at all. You did not increase staff. You did not increase vehicles. Since 2015, when we came into government, we put 532 ambulance staff into the Queensland Ambulance Service. That is a great Labor initiative. Why did we have to put 532 in? Because did you nothing in your time. You sat on your hands—

**Mr LANGBROEK:** Mr Deputy Speaker, I rise to a point of order.

**Mr DEPUTY SPEAKER** (Mr Stewart): Order! Member for Thuringowa, direct your comments through the chair.

**Mr LANGBROEK:** Mr Deputy Speaker, you have just dealt with my point of order.

**Mr HARPER:** Their record is a generation of failure. They let down the health system. They let down the people of Queensland under their watch. When they could have done something with the MEDAI initiative they chose to do nothing. They put a massive load onto the Labor government, which came out and restored front-line services. We are restoring hundreds of beds back into hospitals. I have to ask those opposite if they received funding from the federal government during their time. No. Did they increase funding for the Ambulance Service? No. Did they increase funding for aged-care beds? No.

**Opposition members** interjected.

**Mr DEPUTY SPEAKER:** Order, members! Order!

**Mr HARPER:** It takes a Labor government with record Health budgets year after year to counter the growing ageing population. We will continue to support the fantastic hardworking nurses, doctors and paramedics of the Queensland health system who deliver quality patient care. I am sick and tired of those opposite talking down our health system. We should be celebrating every single interaction they do. The Queensland Ambulance Service—

**Opposition members** interjected.

**Mr DEPUTY SPEAKER** (Mr Stewart): Order! Pause the clock. Member for Nicklin and member for Buderim, I have already given you a warning. You are now officially warned under the standing orders for calling out and quarrelling across the chamber with the member on his feet.

**Mr HARPER:** It was a Labor government that increased the workforce of ambulance paramedics. It was a Labor government that brought in paramedic registration. It was a Labor government that brought in 600 new ambulances. It was a Labor government that brought in training to reduce assaults on our front-line staff. This Labor government cares about our Queensland Ambulance Service paramedics. I am proud to have worked with them. Those opposite should hold their heads in shame for what they did by cutting, sacking and selling.

 **Mr MILLAR** (Gregory—LNP) (5.42 pm): On behalf of my constituents in Gregory, I rise to speak in support of the motion. In March last year the new member for Murrumba gave his address-in-reply speech. As the newly appointed health minister, he told us that health is a priority of the Palaszczuk

Labor government. He said, 'I know because it was on the side of the bus.' That is in *Hansard*. The member for Murrumba told the House that the Palaszczuk Labor government would 'make sure our health services care for Queenslanders no matter who they are, what they do or what part of the state they live in.' I am here to say that it does not feel like that in the bush.

Our bush maternity services are under threat. To see this you need go no further than the *Sunday Mail's* 'Bush Baby Crisis' campaign. In regional Queensland birthing centres such as Theodore and Chinchilla do not exist because the Labor Party have no interest in rural Queensland. The best they can come up with is DIY birthing kits that are given to expectant young mothers. Middlemount mum Sarah Berghauser was on a merry-go-round of three hospitals before giving birth in her bathroom. Her husband was talked through the breech delivery by a paramedic on the phone. Sarah wanted to deliver her baby, Naomi, at the nearest hospital, but Dysart no longer has birthing facilities so they planned to deliver their baby at Mackay Hospital 300 kilometres away. Shocking data from doctors revealed that babies born in Queensland country towns where maternity services have been closed were dying at a much higher rate than newborns in other rural centres.

It is maternity services and other medical treatments such as renal dialysis that I have been calling for over the past 12 months or more. More than 600 residents in Gregory signed a petition which I tabled in parliament recently, yet those calls have been ignored by the minister and this Labor government. It is having a devastating impact on families in the electorate of Gregory and people like Ian Williams, from Emerald. Ian's life is only sustained by renal dialysis, but he cannot get it in Emerald so he has to take the bus to Rockhampton for his treatments. Ian can only travel according to the bus schedule, and it is a six-hour round trip assuming there are no stops or delays on the road. His specialist prescribed five hours of dialysis three times a week on alternating days from week to week. Due to the clash of bus and hospital schedules he does not receive the prescribed amount of dialysis, nor does he receive treatment according to the prescribed timetable. I saw Ian when he popped into my office last week, and it was clear that he cannot sustain this travel schedule much longer. He may have to move, leaving his family and friends behind.

As both *Queensland Country Life* and *Rural Queensland Today* have reported, Ian is not the only such case. Constituents in Longreach who require renal dialysis have had even greater challenges. Their trip to Rockhampton is 14 hours minimum with no delays and no stops on the way. When you add in the treatment times, it is impossible to go home between treatments. For Lyndell and her husband, Neil Polkorny, the lack of a dialysis chair at the Longreach Hospital has meant they have had to quit their jobs. They have had to lock up their house in Longreach and they are subsisting in a cabin at a Rockhampton caravan park so that Lyndell can receive treatment. Because of the lack of a chair in Longreach they have been there for over four months with no solution in sight. Both the Longreach and Emerald hospitals serve large districts and are more capable of providing such a service. Maybe the explanation is not a difficulty in installing dialysis chairs: maybe it is a staffing issue.

I was told that the Central Queensland Hospital and Health Service is having difficulty finding renal nursing staff. I was told their solution has been to transport patients from Woorabinda into Rockhampton and even to bring patients from Gladstone into Rockhampton. It would make sense of media reports that, while the number of Health bureaucrats has grown under the Palaszczuk government, the number of front-line nurses and doctors in the bush has fallen.

Last year the minister commissioned an independent expert review of the provision of renal services in Queensland. The review has been delivered to the minister but he flatly refuses to release it. By doing so he undermines public confidence in his administration. What could be so explosive in a review for planning purposes? Renal dialysis is a treatment that we should be able provide in Longreach and Emerald. People are having to leave Longreach, their families and jobs, to receive that care whether it is in Townsville or Rockhampton. Young expectant mothers being sent DIY birthing kits is unacceptable in a country like Australia and unacceptable in a state like Queensland. If you want to grow the bush, if you want to invest in the bush, you have to provide services in the bush. Giving expectant mothers DIY kits is unacceptable and shameful. Labor, you should be ashamed of that!

**Mr DEPUTY SPEAKER** (Mr Stewart): Member for Gregory, I would remind you to direct your comments through the chair.

 **Ms LUI** (Cook—ALP) (5.47 pm): I rise to speak against the member for Mudgeeraba's motion. Queenslanders, including people in my electorate, know that Labor is the party that will invest in health care. They know that they can expect the best possible health care no matter where they live in our state.

**An opposition member:** Are you serious?

**Ms LUI:** Yes, I am. Mr Deputy Speaker, there is one thing that we have not touched on in any of the conversations we have had in this House today, and that is the cuts to health services in Far North Queensland. We need to accept that Far North Queensland is being left out and ignored. It is not being taken seriously. When we talk about cuts across the whole of Queensland and not receiving any support from the federal government, let alone those opposite, then it is a disgrace. It is a huge disappointment to the people of Queensland and—

**Opposition members** interjected.

**Mr DEPUTY SPEAKER** (Mr Stewart): Order, members! Member for Gregory, you have had your go.

**Ms LUI:**—in particular, communities in my electorate. What is most disappointing is that the federal government's April budget locked in the government's cuts to essential health services across Queensland, including Far North Queensland. That is such a disgrace!

My region has been hard hit by these savage cuts, with the Cairns and Hinterland Hospital and Health Service losing \$32.9 million. That is a huge cut for a health service in regional Queensland. The sum of \$32.9 million means a lot for communities in my electorate. It can fund so many procedures. That amount of funding could pay for 610 hernia repairs, 142 hip replacements, 268 knee replacements, 1,070 cataract procedures and 654 tonsillectomies. Let's be serious. This is real. This is what we face in regional Queensland, yet we have to sit here and listen to those opposite complain about what we are not doing. I commend the Minister for Health for all of his hard work in supporting the health service in Far North Queensland and in my communities in Cook.

From the Torres and Cape Hospital and Health Service the federal government is cutting \$1.1 million. We are talking about remote communities in Queensland, in Australia. There is no backing from the federal LNP government. That amount is equal to 18 hernia repairs, 151 cataract procedures and 24 tonsillectomies. Let's put things into perspective and have a conversation about the reality. We need to address the cuts that the federal LNP government is making to communities in my electorate. I see the member for Mudgeeraba smiling. She has a lot to answer for. She was in Far North Queensland—

**Mr Crandon** interjected.

**Mr DEPUTY SPEAKER:** Order! Member for Coomera, you have had a pretty good go all session. You are now warned under the standing orders.

**Ms LUI:** The member for Mudgeeraba may think this is funny. In Far North Queensland she stood next to the federal member for Leichhardt, who does nothing for communities in Leichhardt, and said not a single word about reversing the federal LNP cuts or about supporting the health service in Far North Queensland to address many of the issues you are raising today. I take on board exactly what you—

**Mr DEPUTY SPEAKER:** Member for Cook, direct your comments through the chair, please.

**Ms LUI:** Thank you, Mr Deputy Speaker. The reality is that regional and remote Queensland need attention and support from the federal LNP government. It is up to those opposite to support regional and remote Queensland in the fight for better health services and better support from the federal LNP government to support what state Labor is currently doing to support communities in my electorate.

We talk about Queenslanders deserving world-class health services. This is not going to happen under the federal LNP government or those opposite. Only under Labor will we see better health services for communities.

 **Mr MANDER** (Everton—LNP) (Deputy Leader of the Opposition) (5.53 pm): I rise to speak in favour of the motion moved by the shadow minister. In particular, I want to speak to paragraph 4, which calls on the House to express no confidence in Labor's health minister. When motions of no confidence in a minister are moved, it is always interesting to see who from the government speaks in support of that minister. The only cabinet colleague the minister could get to speak in support of him today is the member for Cooper. I suspect that is because she sits next to him in parliament and feels that she needs to support him.

I note that the member for Stafford did not speak in favour of the Minister for Health. There has been a lot of speculation about whether the member for Stafford would stay in parliament or go back to his practice in the public health system. I suspect that the reason he has stayed in parliament and has not gone back to the public health system is that the Labor government is running the public health system. It is my bet that when the LNP gets control of Health once again the member for Stafford will

be out of this place quick smart, back into the public health system which he knows will then be run properly. The Minister for Health is so desperate to get colleagues to support him that he himself has had to speak to this motion of no confidence in him.

**Mr Hart:** Even he didn't want to do it!

**Mr MANDER:** I take that interjection. Members on this side of the House have very powerfully and articulately put a case showing that the health system has gone back to the bad old days of the Bligh government. Despite the bragging about the extra staff that are in our hospitals, the health system is now delivering worse results than four years ago. Despite the extra staff, ambulance ramping, emergency department processing times and elective surgery waiting times have all blown out under this administration and this minister.

This is a minister who not only is incompetent but also lacks courage. When the going gets tough in his portfolio, he hides. When the going gets tough in his portfolio, he puts out the poor public servants to deliver the bad news. When it was the tissue bank bungle, where cancerous tissues were incorrectly given to four children, who had to go out? The Chief Health Officer had to front the media. Who had to release, on a Friday afternoon, the mental health report relating to the death of Manmeet Sharma? It was the deputy director-general. The minister was nowhere to be seen. When the Gold Coast HHS planned to outsource the Commonwealth Home Support Program, whose fault was that? It was not the minister's! The minister blamed middle management and said they had made a misjudgement. The worst one was when they changed the name of the Lady Cilento hospital. Who do members think communicated that to the Cilento family? It was not the director-general and it was not the deputy director-general; the PA of the director-general communicated the bad news. This minister lacks courage.

There is no greater example of a loss in confidence not just by those on this side of the House but also by Queenslanders than his handling of the renaming of the Lady Cilento hospital. First we had the bogie survey. We all suspect that many votes came from the government and the ministerial offices. Then we had a so-called petition. At one moment it was from 1,000 doctors, then it was from 800 doctors and then it was from hospital staff. This is a petition that the minister still has not tabled or made public. We were told that the name of the hospital, the Cilento name, was affecting fundraising. Then the minister got up in the House and bragged about the record fundraising that had been done that year. In fact, changing the name has had the opposite result. There are people who are now not donating in protest.

This minister is clearly incompetent. This minister clearly lacks courage of conviction when it comes to owning up to the mistakes we constantly see. This side of the House has lost confidence in the minister. We urge the crossbench and even the government's own members to realise that this minister will bring this government down. When the health system fails, the government will fail. Queenslanders have totally lost confidence in this minister.

 **Hon. SJ MILES** (Murrumba—ALP) (Minister for Health and Minister for Ambulance Services) (5.58 pm): Tonight we see another ham-fisted attempt by the member for Mudgeeraba to get herself some attention by claiming there is a crisis and scaring Queenslanders. It is disgraceful. Her Chicken Little routine is not fooling anyone; nor are her falsehoods. No-one who goes to an emergency department is turned away. It is the most outrageous slight on our emergency department clinicians to accuse them of that, as she has in this motion tonight. I have spent a lot of time in our hospitals, and the patients I meet cannot speak more highly of our amazing staff and the work they do. To hear those opposite talk down our health system and disparage our hardworking medical professionals is more than disappointing, but it is all they know how to do—fight with doctors, put them down, sack them.

The Palaszczuk government has rebuilt our front-line health services after the savage cuts of the Newman government. We have hired almost 6,000 more nurses and midwives, more than 2,000 doctors and we have delivered 527 new beds, with hundreds more to come, and that means that when our system sees an increase the size of the population of Mount Isa in just one month it can respond. We all know that last month was unseasonably busy, but the performance data shows that 99 per cent of the sickest patients were seen within two minutes of getting to a hospital and the median wait time across all categories was just 17 minutes.

We on this side of the House are building hospitals. Those opposite went to two elections without committing to any hospital infrastructure. Can members imagine the mess our hospitals would be in now if those opposite had been allowed to continue in government? But Queenslanders know better. If those opposite wanted to redeem themselves—if they wanted to do something for our health system to

help it deal with increasing demand—they would pressure their federal colleagues to pay our hospitals what they owe them. They could stand with Queenslanders and demand Canberra repay us the \$316 million it owes for surgeries already performed in our hospitals, but they are too cowardly to do that. The member for Everton even admitted he is too scared to even raise it with his party bosses in Canberra. He would rather make excuses for his masters and his mate Peter Dutton than even raise this issue with them—an issue that I know is worrying Queenslanders and one that will be very much on their minds come federal election day. When 18 May comes around, Queenslanders will remember the Abbott-Turnbull-Morrison government's record on health, just as Queenslanders remember the record of those opposite when they sacked 4,400 doctors, nurses and healthcare staff.

I also want to point out that the member for Mudgeeraba has now misled the House twice just today. United Voice supports the rapid transfer process for paramedics. The member knew it when she made the false claim in the House today, and she definitely knows it is false now because it wrote to her today to correct the record and ask her to withdraw her comments. Instead, she came back in here and repeated her falsehoods again. The rapid transfer process gets paramedics back into the community and saving the next life quicker, and United Voice has affirmed its support for it. The member for Mudgeeraba can come in here and try to whip up all the hysteria she likes, but no-one is buying it. Those of us on this side of the House will continue to build the hospitals of the future and we will keep training our medical workforce, not just in city centres but right across the state, to see more health care delivered by locals for locals. We will continue hiring doctors and nurses, radiologists and cardiologists, physios and allied health professionals, Indigenous health workers and every other health professional. Our record is clear, and so is theirs.

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

**AYES, 37:**

**LNP, 35**—Bates, Batt, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McArdle, 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.

**NOES, 45:**

**ALP, 44**—Bailey, 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, Pease, Pegg, Power, Pugh, Richards, Russo, Saunders, Scanlon, Stewart, Trad, Whiting.

**Grn, 1**—Berkman.

Pairs: Boyd, McDonald; Palaszczuk, Frecklington; Ryan, Bennett.

Resolved in the negative.

## **CRIMINAL CODE AND OTHER LEGISLATION AMENDMENT BILL**

### **CRIMINAL CODE AND OTHER LEGISLATION (MASON JETT LEE) AMENDMENT BILL**

#### **Second Reading (Cognate Debate)**

Criminal Code and Other Legislation Amendment Bill resumed from p. 1372, on motion of Mrs D'Ath, and Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill resumed from p. 1372, on motion of Mr Janetzki—

That the bills be now read a second time.

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice) (6.08 pm), in reply: In replying to the government's bill and the private member's bill, I start by acknowledging all of the speakers on these bills. This is not an easy topic at all. It is extremely serious and it is very sensitive, and I note the emotion in many people's speeches. Irrespective of what has been said in this chamber in this debate, everyone on both sides wants to see increased sentences for child killers. That is all there is to it.

That is why we are doing what we are doing. That is why we had a year-long inquiry with the Queensland Sentencing Advisory Council. That is why we introduced this bill and that is why the LNP introduced its bill. I want to acknowledge that. The government is not taking the position it has in relation to the private member's bill because it is the LNP's bill; it is because we need to ensure that whatever we do in changing the laws in this space to achieve the aim of increased sentences is done on an evidence basis and is also well considered.

I have heard a number of people on the opposition side say that the LNP's bill is seeking to fill the gaps that the government's bill leaves behind, or that both bills complement each other and work together. The problem is that the LNP's bill was not designed to work in conjunction with the government's bill. The LNP's bill was released a week before QSAC's year-long review report was handed down that everyone knew was coming. The LNP's bill was introduced in the absence of knowing what the QSAC report was going to recommend and the submissions and the evidence that QSAC released. That means that the LNP has not explained how its bill works in conjunction with the government's bill.

We are going to have a new element of murder being reckless indifference, then we are going to have child homicide and then we are going to have manslaughter. The definition of 'child homicide' in the private member's bill talks about assault, sexual assault, shaking, kicking and hitting. The question is: where is the distinction between that and what we seek to achieve with reckless indifference for murder? If the shadow Attorney-General is correct in his reading of the LNP's bill—that a jury will be able to choose the alternative of child homicide if it does not believe that the charge of murder is met—how is the jury going to distinguish that when all of the examples that we have talked about in this debate have been the same types of cases? Which case falls into child homicide and which one falls into murder? How is a jury to know that when we are saying that they are the same thing? It is very reasonable to assume that a jury may very well choose, if there is any doubt whatsoever in their minds, the child homicide offence over murder, which will result in 15 years imprisonment versus a mandatory minimum sentence of 20 years imprisonment. That creates complexity and confusion as to what charges are going to be laid and what a jury will ultimately decide.

The bills have not been designed together. The private member's bill was designed in the absence of knowing what the government was going to do and the QSAC report. There has been no explanation about how these bills could work together. The private member's bill proposes an increase to the mandatory minimum sentence of murder of a child. QSAC specifically went to that issue. In its report it states that it considered increasing the penalty to 25 years imprisonment based on submissions put to it. QSAC said in its report—

... on the basis they may result in injustice in individual cases and, in the case of child homicide, may, in combination with the current life sentence that applies to murder, discourage the possibility of offenders entering a guilty plea.

...

Where a higher non-parole period is warranted, the court retains discretion to set the non-parole period above the minimum non-parole period mandated by law.

We support the recommendation of the QSAC report. We do so for another reason, which is that our bill's reckless indifference element of murder is not limited to children. We understand that we are all focused on increasing sentences for child homicides but, as the report says and as stakeholders put forward, there are many other vulnerable people in our community, including people with severe and profound disability, who are nonverbal, who may be the subject of serious abuse that leads to their death and elderly people. In bringing in that element, we do not believe that it is appropriate to then pick one category out of that vulnerable cohort to which to give a higher sentence. We believe that it is a life imprisonment minimum mandatory 20 years and the court has the discretion to go higher if it believes it appropriate.

In relation to the child homicide offence, the LNP has failed to address the issue raised by the Bar Association of Queensland. I respect the views of the member for Noosa who said that this issue has been discussed and answered by the LNP, but it has not. The LNP has said that the accidental death of a child when a pool gate is accidentally left open, or a parent reverses down the driveway, is not meant to be captured. I accept that, but the LNP has not said that in relation to the example that the Bar Association gave of the woman from a non-English-speaking background who has been the subject of domestic violence, who was making multiple calls trying to find alternative accommodation for her and her child and who left that child unattended in a bar. The Bar Association said that that person would be captured by the child homicide offence mandating a 15 years minimum sentence. The LNP has not said whether it disagrees with the Bar Association's analysis of that case—

**An opposition member** interjected.

**Mrs D'ATH:** I take that interjection. It is the Bar Association's submission. The Bar Association has given that example. I also take members to the private member's bill and new section 302A titled 'Definition of child homicide'. In addition to the acts of violence and the offence of a sexual nature, that new section includes 'a breach of a duty stated in section 285 or 286' of the Criminal Code. Section 285 is 'Duty to provide necessities' and section 286 is 'Duty of person who has care of child'. These are negligence offences. The QSAC report referred to what it considered to be low-level negligent cases—

... a female offender who pleaded guilty to manslaughter of her newborn baby on the basis of not seeking medical attention immediately after the child was born was sentenced to 5 years' imprisonment, suspended after 12 months... The offender was diagnosed with a major depressive episode at the time of the offence, and gave birth alone in the bathroom. It was accepted that the offender had believed, though unreasonably, that the child was already dead and she had not intended to harm the baby.

That person is guilty of manslaughter. That person is guilty of a breach of a duty of care and providing the necessities of life. That is captured by the child homicide offence in the private member's bill that would see 15 years imprisonment. That is just a fact on the papers. The other example is as follows—

... in one case the female offender had been subjected to domestic violence by her male co-offender, who had fatally assaulted her baby, and he actively discouraged her from seeking assistance every time she suggested calling an ambulance. When she did take the baby to hospital, it was too late.

It is not that, in these cases, the accused had a defence and were not convicted. They were convicted of manslaughter. Despite those circumstances, they were convicted, because they were still guilty of a breach of duty of care and failing to provide the necessities of life, which are the key arguments in these cases. Most of these cases—and I have had the conversations with the Office of the Director of Public Prosecutions—include failing to provide the necessities of life and a breach of duty of care. They are negligence cases. Putting aside those cases where people deliberately harm their child—and they are the ones we are trying to get here—for whatever reason I still do not know but the opposition included sections 285 and 286 of the Criminal Code in its child homicide offence. That potentially will see those people I referred to being captured. We have not heard from the LNP about those sorts of examples.

We have heard from the LNP that it has included in the defences domestic violence. Domestic violence can be argued as a defence in relation to child homicide. On its face, that seems okay, except the defences are around killing on provocation. Killing on provocation is when a person killed a person who was seeking to harm them. It is not killing a child on provocation. The child is not provoking that person.

In relation to the defence of killing for preservation in an abusive domestic relationship, I want those opposite to understand this: it is using that defence as an example that someone in a domestic violence situation will have a defence, but that defence relates to killing for preservation in an abusive domestic relationship. This is the defence of someone killing the person who is causing harm to them to preserve their life, not killing their child. That is not a defence. This defence does not apply. It is misleading to say that in the private member's bill there is a defence in a domestic violence situation. Sadly, I am saying absolutely categorically that that defence will not apply to the mother referred to in the QSAC report who has been the subject of domestic violence. That defence does not apply, so those people will be captured by that provision.

That is why I argue that there has not been enough work done around this child homicide offence that would sustain the argument that the LNP's bill should be supported at this stage. If there is any doubt that juries will choose this offence over murder, that means that we are not getting the sentences that we want. There is that risk. We are bringing down those really serious offences that we want to capture as murder and we are increasing those lower-end offences that are negligence and we do not want to see those offenders get a minimum 15 years—or murder, for that matter.

The opposition has said that this is consistent with Victoria's child homicide offence in terms of the creation of a separate offence aimed specifically at child homicide. There have been a number of examples used and criticism about our offence in relation to reckless indifference. In their view it has not worked in New South Wales. What they are not talking about is the fact that on page 98 of the QSAC report in relation to the Victorian child homicide offence that it is based on it states that since its introduction in 2008 only three people have been sentenced for this offence in 10 years. In 10 years there have only been three people sentenced under the child homicide offence. It is not getting the results that those opposite are claiming, yet they have made so many guarantees here today.

In relation to reckless indifference, there is commentary that it is too broad and that courts and juries will struggle to interpret it. There is a lot of jurisprudence around this in New South Wales and other jurisdictions. There are bench books. The Judicial College of Victoria has put out an intentional or reckless murder paper that goes through the elements that must be met to meet the term reckless. It is settled in the sense that there are directions there for juries and the courts as to how to interpret that.

In the time I have left I want to take members to other examples. We have heard a small number of examples that those opposite say have not worked in New South Wales. I refer to a Public Defenders New South Wales report on sentencing under section 19A in New South Wales. These are child deaths since 2000. I will skip over the ones that are multiple family members and older teenagers and just concentrate on giving some examples to give members an idea of what we are doing with reckless indifference. All were convicted of murder.

In the first case I will refer to, an adult caused fatal head injuries to a 15-month-old child. The offender admitted abusing the boy physically over the week preceding the death as they were frustrated by the victim's crying and behaviour. It was an unplanned offence. In that particular case the judge actually said he did not believe that the offender intended to kill the child; that he certainly intended to inflict very serious injuries; he was probably recklessly indifferent to the death of the child. The offence was also aggravated because of the position of trust placed in the offender. He was convicted of murder. There was no intent.

Another example involved the severe assault of a three-year-old stepdaughter left at home with the offender and her nine-year-old sister when the mother went to a refuge. She was assaulted all over her head and body. The offender was intoxicated and had no recollection. He was in a position of trust. He was convicted of murder.

Then there was the case of a seven-year-old daughter who died as a result of starvation and neglect. The daughter suffered developmental delay and autism. She was left in a bedroom in unhygienic conditions. It was one of the worst cases of neglect seen by the court. The mother was convicted of murder. Another case involved the bashing of a two-year-old by a de facto partner. There was blunt force trauma that caused massive internal bleeding leading to death. There was a history of assaults on the victim. The offender was convicted of murder.

In another case, a mother and stepfather killed a three-year-old male child. The stepfather was found guilty of extended joint criminal enterprise. The victim was assaulted over a 51-day period before the murder. There was extensive emotional and physical abuse. There were fatal injuries committed by the mother and the stepfather. There were substantial acceleration forces. There was a conviction of murder. Another case involved the killing of a 12-year-old daughter following sustained beatings over several days. There were horrific injuries through blunt force trauma. There was a history of regular and increasingly violent assaults. The victim was tied to a garage beam by her hands and hit with electric cord. There was slapping and punching. She was tied to a bed and whipped. She was tortured. There was gratuitous cruelty. There was the use of a weapon. There was an absence of intention to kill. There was a conviction of murder. We are bringing in reckless indifference to life because we want to see convictions. Those are the same examples those on the other side use in relation to their child homicide offences. It is too complex. We need to put it into murder and make it clear.

In finishing I would like to talk about the guarantees that are being given. The shadow Attorney-General in his introductory speech said that the LNP's child homicide offence guarantees the families of victims that their child's killer will serve a 15-year sentence. In his second reading speech he stated, 'They will serve 15 years imprisonment for the manslaughter of a child. That is a guarantee.' We cannot say that. It is irresponsible. It is cruel for any one of us to stand here in parliament, as a minister, as Attorney-General, as a police minister, and guarantee that someone will get charged with this offence, that they will be prosecuted for this offence and that a court and jury will convict of this offence—guaranteed. None of us can do that. Those on the opposite side say under our bill you can plead down to manslaughter—as can be done under their child homicide offence. It is misleading to say there cannot be any pleas. With a mandatory 15-year sentence they are certainly less likely to plead, leading to more trials and maybe less convictions overall.

A number of those cases I read out from New South Wales were not just guilty on the verdict, some of them were pleas of guilty because they know that reckless intent can be proven. It is not just the element of intent anymore. We have to be honest to those amazing people in the gallery, to the families out there, to everyone in Queensland. We will do everything we can to increase the sentencing,

but ultimately the courts will decide and work within the framework we have set. Let us not make it too complex and let us not pull them in different directions as to how it is supposed to work. We are confident that we have the right model. We do not believe that we should go ahead with a child homicide offence that could see those other negligence cases pulled into the 15-year mandatory sentence—which has not been answered by the LNP—with juries potentially choosing the child homicide offence over the murder offence in high-level offences. Please do not believe what has been said in this debate that in New South Wales it is not working and they are not getting convictions. I have read a number of them since 2000 and they are getting convictions.

I ask members to support the government's bill. This is not a knee jerk reaction to any proposal of the LNP. It was a year-long comprehensive study by the Sentencing Advisory Council. It is well considered, it is evidence based, it is the right thing to do. We oppose the LNP's bill, not because it is the LNP's bill but because we do not think they have the provisions right.

Question put—That the Criminal Code and Other Legislation Amendment Bill be now read a second time.

Motion agreed to.

Bill read a second time.

Division: Question put—That the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill be now read a second time.

**AYES, 41:**

**LNP, 35**—Bates, Batt, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, 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, 2**—Bolton, Costigan.

**NOES, 45:**

**ALP, 44**—Bailey, 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, Pease, Pegg, Power, Pugh, Richards, Russo, Saunders, Scanlon, Stewart, Trad, Whiting.

**Grn, 1**—Berkman.

Pairs: Boyd, Mander; Palaszczuk, Frecklington; Ryan, Bennett.

Resolved in the negative.

## Consideration in Detail

### Criminal Code and Other Legislation Amendment Bill

Clauses 1 and 2, as read, agreed to.

Clause 3—

 **Mr JANETZKI** (6.35 pm): Obviously I do not intend to speak against the clause, because we support the government's bill. However, I want to raise a couple of questions for the Attorney-General. Clause 3 relates to the introduction into the Criminal Code of the reckless indifference principle. I am seeking advice from the Attorney-General. After identifying that reckless indifference would be part of the government's bill and subsequent to the drafting of the bill, and given that it was not a recommendation of QSAC, was any advice taken from QSAC or the Queensland Law Reform Commission in respect of the principle? Was any advice taken or consideration given? The Attorney-General has spoken about some of the New South Wales cases. Was any consideration given to the complexities in dealing with the foresight of probability proposal? Was any advice taken from crown law or anywhere else in relation to those issues?

**Mrs D'ATH:** I thank the member for his question. Certainly I briefed the Chair of the Queensland Sentencing Advisory Council about the government's proposal. In advising them of our position on their recommendations, I advised them that after consideration we were going to go further. In my view, that

was to complement. One of the submissions—and I apologise if I am wrong—that may have been from the shadow Attorney-General stated that we had ignored the recommendations of QSAC. QSAC did not make a recommendation around this. We did not ignore any of QSAC's recommendations. We have adopted all of their recommendations. Certainly they did not make a recommendation that this should not occur nor did they specifically go to it and say that they do not believe this is an appropriate mechanism.

QSAC's report showed that there are different ways that the legislation across different jurisdictions actually deals with these sorts of cases and murder. It highlighted the fact that a number of jurisdictions have these other elements of callous disregard or recklessness in their 'murder' definition. A number of jurisdictions already have that. I am not going to divulge confidential discussions, but certainly I did have discussions around this before making a decision. We did not believe that the circumstance of aggravation on its own was going to be enough.

Despite there not being a specific recommendation, we also took into account that a lot of the submissions to the inquiry talked about the inability to meet the element of intent in murder. Most people morally believe that these people are just as culpable of murder as someone who intentionally sought to take someone's life. We took that very much on board.

When they say, 'We are just listening to the legal profession,' I can assure members—and the shadow Attorney-General said this in his speech—that they do not like either of our bills. We are not doing this to appease the legal profession or the judiciary. We are doing it because we have listened to the community. They want to see convictions of murder and they acknowledge the issue of intent. These people do not intend to kill children but there is certainly intent to cause serious harm to these children. They deliberately and callously punch, sexually assault and harm these children which results in the loss of life. In anyone's mind, that should be murder. In looking at the jurisdictions, we believe bringing in that harm element, that reckless indifference, that callous disregard, was the way to achieve what the community wants to achieve—murder convictions.

**Mr BERKMAN:** I do have a few questions that I would like to put to the Attorney-General while we have the opportunity. Very broadly, can the Attorney-General clarify where precisely this proposal came from? Given that there is no QSAC recommendation to this effect, was it from within the Attorney-General's office? Does the Attorney-General accept that this is, in practical terms, an expansion of the mandatory sentencing regime in Queensland? In respect of the submission from the Women's Legal Service to which I referred in my second reading contribution where they said they had, as I understand, less than a week to comment on the draft bill before its introduction, I ask how long did other organisations that had a concern around these matters have to comment on the bill or to provide feedback to the Attorney-General's office before the bill's introduction?

**Mrs D'ATH:** I thank the member for his question. In relation to the level of consultation, I have already answered that in response to the shadow Attorney-General. I outlined how we came about that consideration. As I say, QSAC did not have any particular recommendation on this, but when one reads the report thoroughly from beginning to end one sees that it was an issue in relation to intent and murder and there are the views of the community in relation to the lower sentences that we are getting in relation to child homicide compared to other homicide in Queensland.

In relation to consultation, the Sentencing Advisory Council went through a comprehensive process for one year. Did we spend another year going out and consulting on our proposal for reckless indifference? No, we did not. We gave opportunities for parties to consider it. They certainly had an opportunity through the full parliamentary committee process to make comments and put their views across. I did not expect the legal profession and those stakeholders to be supportive of this because most of those stakeholders already have made it very clear they do not support any form of mandatory sentencing or the extension thereof. As a party the Labor Party does not either, but we do believe that there are circumstances in which mandatory sentencing should apply, and that includes for murder.

We stand by that and stand by the fact that we are expanding the definition. It is certainly the community's view—it does not have to be the Labor government's view—that when someone deliberately and callously causes harm to a child—physical harm, assault, sexual assault, serious neglect, intentional neglect—and it leads to the awful death of that child, that should be murder. That is what the community expects. That comes with mandatory sentencing. If not, we will get some of the examples that we see in New South Wales, where it is 14 years for murder and people expect more. We would be back here having the same debate about why the courts are providing low sentences for murder if we did not have this mandatory minimum, so we stand by that. We stand by the decision we made, and it is not an easy decision at all. There is nothing easy about this. We can blindly say

'whatever it takes' but a lot of thought and work has gone into developing this and there was a lot of thought and consideration in relation to the LNP's proposals and the decision we took. We believe we have the balance right and that is why we have progressed the bill as it is today.

Clause 3, as read, agreed to.

Clause 4—

**Mr JANETZKI** (6.45 pm): It is just a question of clarification to the Attorney-General in relation to the provision of 'failure to supply necessities' that will take it from a misdemeanour to a crime, from three years to seven years. What evidence had the Attorney-General's department obtained in relation to that particular provision that justified or required that particular amendment?

**Mrs D'ATH:** Very briefly, again, it came out of the evidence and submissions brought forward to the Queensland Sentencing Advisory Council. It came about through discussions between me and the Office of the Director of Public Prosecutions. I am not suggesting that this is its recommendation, but, in talking about and considering the cases that come before the courts and for which it brings prosecutions, the necessities of life is one area that appears time and again and, unfortunately, appears in many of the more recent cases that we have seen. I do not believe that a maximum of three years imprisonment meets community expectations. That is why we believe it should be increased to a crime as opposed to a misdemeanour, and that is why we have placed it that way.

Clause 4, as read, agreed to.

Clause 5—

 **Mr JANETZKI** (6.47 pm): In relation to the insertion of new section 575A in the Criminal Code, I think Legal Aid raised the query but there have been questions about the how the Crown goes about particularising the case in relation to this section. Ultimately, it will determine how the case is defended. It has been argued that, as drafted, it will simply mean that the Crown has to establish that the accused was guilty beyond reasonable doubt of an unlawful killing. There have been questions about how the Crown will particularise that case. Can the Attorney-General describe or articulate how section 575A of the Criminal Code may in fact operate in practice?

**Mrs D'ATH:** I thank the member for his question. In relation to how the charge is to be particularised, the department noted that the charge as particularised is a matter for the prosecution and the bill does not alter the requirements of the prosecution to provide adequate particulars. Certainly, this is the way it applies now, that under section 573 of the Criminal Code the court may direct particulars to be delivered to the accused person of any matter alleged in the indictment and may adjourn a trial for that purpose. I also return briefly to what I referred to earlier around guidance being given to juries in New South Wales with the Judicial College releasing documentation around reckless murder and what is required to be met by that. I hope that addresses the question of the shadow Attorney-General.

Clause 5, as read, agreed to.

Clauses 6 to 8, as read, agreed to.

Clause 9—

 **Mr BERKMAN** (6.49 pm): QSAC very recently flagged in relation to the SVO regime that it had the effect of—and this is a quote from the report yesterday—'exerting downward pressure on head sentences for child manslaughter in Queensland'. This is as a consequence of judges' reluctance in some cases to overstep that 10-year sentencing mark and instead issue sentences at eight or nine years to avoid hitting that threshold. Ultimately, does the government accept this advice that the SVO regime is pushing sentences down and is there a response proposed?

**Mrs D'ATH:** I thank the member for Maiwar for his question. As I said, we have accepted all the recommendations of the Queensland Sentencing Advisory Council. There are recommendations and then there are proposals. One of those is to consult and consider whether there should be changes to the serious violent offenders regime because they believe that it could be putting downward pressure on sentences.

I have written to all of the legal stakeholders and the judiciary asking for their views on this issue. We do have to tread carefully in relation to it. Since this report came down we have started to see some higher sentences that are above the 10-year threshold that are attracting the SVOs. I do not know whether that is a consequence of the findings and the consideration by the courts. Certainly we have

taken that on board. We have committed to consulting and seeing whether in fact it is doing that and what, if any, changes we may make. We have accepted the views of QSAC on this and are doing work on it right now.

Clause 9, as read, agreed to.

Clause 10, as read, agreed to.

### Third Reading

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice) (6.52 pm): I move—

That the bill be now read a third time.

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

Motion agreed to.

Bill read a third time.

### Long Title

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice) (6.52 pm): I move—

That the long title of the bill be agreed to.

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

Motion agreed to.

## HEALTH AND WELLBEING QUEENSLAND BILL

Resumed from 28 February (see p. 538).

### Second Reading

 **Hon. SJ MILES** (Murrumba—ALP) (Minister for Health and Minister for Ambulance Services) (6.53 pm): I move—

That the bill be now read a second time.

I acknowledge the Education, Employment and Small Business Committee report on the bill tabled on 18 April 2019. I thank the committee for its careful consideration of the bill. I also thank the many stakeholders who made submissions to the committee's inquiry.

Queensland is suffering from an obesity crisis—2.5 million adults and almost 225,000 children are overweight or obese in this state. That is two in three adults and one in four children. That is far, far too many people at risk of disease, early death and a poor quality of life.

The Palaszczuk government made a commitment to Queensland at the last election to create a statewide health promotion commission. This bill delivers on that commitment and it demonstrates the level of priority we have given to improving the health of Queenslanders. We have made it one of our top priorities to increase the proportion of Queensland adults and children with a healthy body weight.

Health and Wellbeing Queensland will help us achieve that goal. This new agency will look at the environment in which Queenslanders live—how we live, work and play and what we need to live a healthy life. It will also help reduce health inequity in this state by focusing on the groups experiencing poorer health and places where there are fewer opportunities to be healthy. That includes those in regional communities and Aboriginal and Torres Strait Islander people in our state.

Health and Wellbeing Queensland will be able to use grants for evidence based activities and innovative ideas that will improve health outcomes for Queenslanders. The agency will adopt a new way of working and partnering with local communities, academic institutions and government agencies. It will develop partnerships with public health experts, academics, health professionals and community organisations, as well as with local, state and federal government agencies.

I note that all 33 submissions received by the parliamentary committee expressed their support for establishing an agency like Health and Wellbeing Queensland. These submissions were from peak bodies and key areas of the health, recreation and sport sector. It is clear that health professionals, community groups, researchers and members of the public are on board.

Submissions to the committee's inquiry supported the governance arrangements for the new agency as they are set out in the bill. I am also pleased that Health and Wellbeing Queensland has the support of key health organisations including Diabetes Queensland, the Cancer Council, the Stroke Foundation and the Public Health Association of Australia. It also has the support of recognised health research institutes including QUT and QIMR Berghofer. This is important because it will take all of our shared knowledge, expertise and resources to tackle obesity and chronic disease.

The only recommendation of the committee in its report was that the bill be passed, and I appreciate the committee's support for the bill. The committee noted during its inquiry that clause 45 of the bill is a potential departure from the fundamental legislative principle regarding whether the bill has sufficient regard to the rights and liberties of individuals. Clause 45 provides that a board member or the chief executive officer must give notice to the minister if the person is charged with or convicted of an indictable offence. The Office of the Queensland Parliamentary Counsel has been consulted about the drafting of clause 45, and I propose to move amendments to address this issue. The amendments will ensure that the right to protection against self-incrimination is adequately protected and that the clause does not have unintended consequences.

The Palaszczuk government is committed to making Queenslanders among the healthiest people in the world. We have an opportunity to tackle one of our biggest public health issues—unhealthy weight. We know the causes of this public health challenge are complex and that a person's socio-economic status, whether they are Indigenous and the remoteness of where they live all impact on their health. We are taking on this challenge because we believe everyone deserves to be healthy. I commend the bill to the House.

 **Ms BATES** (Mudgeeraba—LNP) (6.57 pm): I rise to make a contribution to the Health and Wellbeing Queensland Bill introduced by the health minister earlier this year. As many of the public health groups would say in response to this bill, finally this issue is being debated and resolved. From the outset I want to categorically state that the LNP supports preventive health from both a public health and an economic perspective. However, I hold reservations about just how serious this Labor government is about improving the overall health and health outcomes of Queenslanders.

While the establishment of Health and Wellbeing Queensland is not an example of too little too late, it is certainly another example of the Palaszczuk government dragging its feet to put words into actions. Establishing a preventive health commission was a Labor election commitment in 2015 and clearly not a priority. It has taken over four years to deliver. Furthermore, I question this government's commitment to tackling preventive health in Queensland.

Last year Labor actually cut the budget for the preventive health branch of Queensland Health by almost \$300,000, while budgeting to waste around \$500,000 of taxpayers' money ripping Lady Phyllis Cilento's name off our main children's hospital. At the time I called for these cuts to be reversed. I did this on behalf of doctors across our state who are demanding action on our obesity and chronic disease crises in Queensland. It shows once again that, when it comes to health and ensuring that Queenslanders have access to a world-class public health system, the Palaszczuk Labor government's priorities are all wrong. At the same time, our public hospitals are at breaking point and patient care is suffering as a result, promised hospital upgrades are years away from completion and Labor is wasting money on IT upgrades that do not work.

**Mr KELLY:** Mr Deputy Speaker, I rise to a point of order on relevance.

**Mr DEPUTY SPEAKER** (Mr Whiting): Order! There is no point of order at this time, but the member for Mudgeeraba knows quite well to stick to the long title of the bill.

**Ms BATES:** The integrated electronic Medical Record has been bungled, and we have seen corruption allegations being swept under the carpet for too long and the concerns—

**Mr KELLY:** Mr Deputy Speaker, I rise to point of order. I fail to see how this relates to the long title of the bill.

**Mr DEPUTY SPEAKER:** Order! Member for Mudgeeraba, you are straying away from the long title of the bill. I have given you some direction. I am requesting that you stick to the long title of the bill. Before you recommence, I ask that you move that the debate be adjourned.

Debate, on motion of Ms Bates, adjourned.

## ADJOURNMENT

### Palaszczuk Labor Government, Performance

 **Mr CRANDON** (Coomera—LNP) (7.00 pm): I rise to put on record some of the Labor fails that have occurred over the last little while for the state seat of Coomera. Just one example in relation to the ‘rail fail’—

**Mr Krause:** You only have three minutes.

**Mr CRANDON:** I understand. It is going to take a lot longer than three minutes, I can assure you.

**Mr DEPUTY SPEAKER:** Order! Through the chair, member for Coomera.

**Mr CRANDON:** Ninety-three services were put in place by the LNP government. This minister managed to take 10 per cent of those services away.

I have here an email from a constituent headed ‘Rail fail, coast line tonight’, talking about the rail fail on the coast. It states—

This seems to happen every time we get a drop of rain. We got on the train at 6.15 to Ormeau station from Central station, sitting at Park Road until eight o’clock.

This is a disgrace in this day and age. The second one, just as an offset from that, states—

We have the Pimpama Railway Station that was promised before the 2017 election. Where is that? Who would know? Maybe 2023, maybe 2024.

What is the point of making a promise in 2017? There are the hospital fails. Apart from ramping and patients on stretchers, what about the urgent, life-threatening issues? Right at the end of a very sad email from one of my constituents she says—

We are not whingers, I can assure you of that. My mother is enduring a slow death, becoming unable to breathe properly. She is a patient lady and I can assure you both her and I have dealt with them on all occasions completely respectfully.

She has outlined all of those issues to me, but we received the email on 19 November. We wrote to the minister on 20 November 2018 asking for urgent attention. When did the minister respond? He responded on 14 February 2019. When we went back to discuss the matter with this lady, she said that it is too late. Sadly, her mother had passed away. Her last words to me were, ‘Please on my behalf thank the minister for doing absolutely nothing.’ It is sad when you see those sorts of things going on all the time.

I have another case for the health minister to consider. A constituent at Jacobs Well wrote to me. Sadly, her husband had passed away. It was a sad occasion. He had suffered a heart attack, but she was not writing to me about that. She was simply saying to me that she had wanted to know about ambulance services. I put that question to the minister and the minister wrote back to me. We are still waiting for the second response because in the first response he did not answer the specific questions. We will continue this discussion at the next opportunity in the next adjournment debate.

*(Time expired)*

### Kurwongbah Electorate, Anzac Day

 **Mr KING** (Kurwongbah—ALP) (7.03 pm): Every year in the Kurwongbah electorate our Anzac Day commemorations are growing. I am pleased to say that our community’s and, in particular, our schools’ participation is getting stronger and healthier. This year our team managed to get along to five school services in our electorate, and the participation and respect shown by school students continues to fill me with pride. As I am sure we would all agree, it would be great to be able to attend every one of our schools’ Anzac services. However, time and concurrent scheduling of services sadly makes this impossible. This year I was fortunate to attend the services at Genesis Christian College and Lawnton State School, where Doug, the veterans’ liaison to the school, gave a memorable reflection on his service. My staff and my wife attended Narangba State School, Jinibara State School and Burpengary State School, where the Anzac statue proudly constructed by Chris, the school groundsman, forms a major part of the service.

This year I was able to make it for the first time to the Bray Park RSL’s dawn service at Club Pine Rivers and heard a moving story about the nurses who heroically cared for our returned servicemen who had contracted the Spanish flu and, sadly, also became casualties of the war themselves from this

terrible disease. Also for the first time I attended the main service at Burpengary with my friend and colleague the member for Bancroft. The memorial there is spectacular and a tribute to the Burpengary War Memorial Committee which, with help from the state and council, made this amazing memorial happen. I was particularly pleased this year to have attended planning meetings with the Burpengary War Memorial Committee and have seen how this team of volunteers worked so tirelessly behind the scenes to make Burpengary's Anzac and Remembrance Day services work out so well. Our local Anzac comrades from New Zealand performed a haka. It was the first time I had seen one at a ceremony. It was moving and amazing.

The heavy involvement from our local schools in the march at Burpengary shows that our tradition of honouring those who have served in conflict is in safe hands into the future. Once the service was over I ducked down to the RSL subbranch behind Norths Leagues and Services Club, where I am still a member even though it is technically not in the Kurwongbah electorate but in my neighbour Steven Miles's electorate. As always, I was pleased to be able to buy a cold one or two for some of the veterans. Between us, my neighbour Steven Miles and I made sure our service men and women had a drink or two. As I have said before, Anzac Day is always special to me and I know that respect and commemorations will continue to grow as time passes. Lest we forget.

### Water Supply

 **Mr McDONALD** (Lockyer—LNP) (7.06 pm): Imagine if we asked our community to pay for electricity but no electricity was delivered. Imagine if we asked people to pay for petrol but they got no petrol. Imagine if we asked people to pay for water to their house but no water was delivered. There would be riots. People would be angry. Farmers in the Lockyer Valley and Brisbane Valley are angry because that is exactly what this government is asking them to do: pay for water when no water is available.

Anyone who has tried to grow a garden or trees at home knows that you cannot grow anything without water, but no water for our farmers means they cannot grow any crops and they cannot feed us. No crop means no income and no ability to pay. No income means their farm is worthless. No income means families go hungry. No income means farmers sell up. The long-term performance data of our irrigation schemes tells the picture, and I table that long-term performance data.

*Tabled paper:* Table, undated, regarding Bill Gunn Dam, Lake Clarendon and Atkinson Dam [\[681\]](#).

The Bill Gunn Dam system is operating at 30 per cent. That is on average less than one year of water in three. Atkinson Dam is operating at 19 per cent efficiency. That is less than one year of water in five, but it gets worse. Lake Clarendon is operating at less than 11 per cent, and on average that is one year of water in 10. This is just unacceptable. These are three of the worst performing assets in the state. Since the minister's visit almost two years ago, the inflows and performance of these three schemes is zero, zero and zero. Without the minister's intervention, it will get worse.

The Queensland Competition Authority is currently undertaking a review into irrigation prices, and Seqwater rudely suggests that they will charge 95 per cent of their operating cost as a fixed price. This is completely unacceptable. How does a farmer pay their water charges when there is no water available? Simply, they cannot. The current situation is bad enough, but if it is made worse then farmers and their families will go hungry and more farms will be sold up. There is good news. With one good decision the minister can fix this mess. Let us ensure the Queensland Competition Authority recognises these underperforming assets and tells Seqwater to stop charging for water until water is available.

### Algester Electorate, Inland Rail Project

 **Hon. LM ENOCH** (Algester—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (7.09 pm): For over two years now, my electorate of Algester has had to fight to be taken seriously when it comes to the federal government's inland rail project. Nobody in our community wants to stand in the way of a nation-building project, but we want to be properly consulted. One would have thought that consultation would be a top priority for the federal government, but instead I had to formally request that the ARTC—the deliverer of the federal government project—conduct information sessions so the people of Algester could speak directly with them. Unfortunately, those information sessions left residents more concerned than ever.

I have been writing to local residents, holding community barbecues and attending community meetings, and I know how important this issue has become for our community. In addition, I along with the members for Jordan and Logan advocated for the establishment of a community consultative

committee so that residents had a forum to hold the ARTC to account. We had to lobby and agitate for a community consultative committee to be established so that local residents were afforded the same opportunity that every other community along the proposed line had been granted.

I have written to two different federal infrastructure ministers regarding the lack of consultation from the ARTC. In 2017 I wrote to the then minister, Darren Chester, on behalf of hundreds of my constituents who had signed a petition calling for meaningful consultation, only to receive a response from his successor after he was ousted from the job by his National Party colleagues. Since then, I have received correspondence from the Deputy Prime Minister, Michael McCormack, in response to my calling for real consultation for our community. His response was fundamentally to simply declare that the ARTC was tasked with the delivery of the federal government's inland rail project.

This week I unexpectedly received a letter from the Deputy Prime Minister regarding the inland rail project outlining all the 'great' work the coalition government has done for the electorate of Algester—a letter dated 10 April, the day before the federal election was called. How convenient. How convenient, indeed. The people of Algester deserve better, and federal Labor recognises that.

Last week, there was an important announcement for our community. A federal Labor government, a Shorten government, would appoint an eminent Australian to conduct an independent, transparent inquiry into the integrity and efficacy of the route selection process and financing arrangements associated with the delivery of the inland rail project. The inquiry would take public submissions and hold public meetings in affected communities and would report no later than the end of 2019. I welcome this announcement. I know that many people in the Algester electorate will be pleased to hear of this commitment. Inland rail is an important issue for the Algester electorate and it is about time our community was taken seriously.

### Council of City of Gold Coast

 **Mr STEVENS** (Mermaid Beach—LNP) (7.12 pm): I rise to advise the House that, following the taxpayer funded inquiry into possible corrupt activity within the Gold Coast City council and councillors by the Crime and Corruption Commission, I am advised that the chair of the CCC, Mr Alan MacSporrان, has found no case to answer for any of the councillors and mayor. This reinforces my long-held view that this inquiry was predicated on antagonistic and vexatious complaints from failed political candidates and aggrieved political dissidents. I also smell a whiff of Labor Party instigation of an inquiry into a notionally politically conservative council to counteract the stench coming from the Labor-centric Ipswich City Council, which the local government minister has rightly sacked.

This is the third inquiry into the Gold Coast City council since 2005 by the corruption watchdog of the day. Apart from some minor findings and a slap-on-the-wrist penalty from the first inquiry for technical issues, the corruption watchdog has come up empty-handed. As the chief of staff to then mayor Ron Clarke, I had 20/20 vision on what was going on at the council and there was not even a sniff of corrupt activity—even though there were a few dumb decisions made by council. Councillor Peter Young, a well-known Greens activist, lodged a so-called 78-page dirt file to instigate that inquiry which the commission chairman subsequently threw out as supportable evidence. Again, we saw no evidence of corruption from councillors or the mayor.

The Gold Coast has a long-held reputation for being brash and brazen in certain aspects of night-life and colourful characters. However, that is no excuse for the council and councillors to be continually harangued with accusations of impropriety and malfeasance. Three inquiries later with different iterations of corruption watchdogs finding no chargeable corruption activities franks the finding that the Gold Coast City council is run efficiently, effectively and, importantly, on an impartial basis devoid of corruption.

As a result of these inquiries, surely it is time to stop the baseless innuendo, finger-pointing and downright mischief-making accusatory behaviour towards the council and just let the Gold Coast council get on with what it believes is the best way forward for our beloved Gold Coast city. I for one certainly do not agree with every decision the council makes, and I reserve my right to use my democratic power to voice my concern through the ballot box at the next Gold Coast City council election in March 2020, but I am appalled at the whipping-boy status the council has had for state Labor governments and their corruption watchdog arm. I urge the CCC to only ever revisit another inquiry on hard, corroborated evidence.

*(Time expired)*

### **Greenslopes Electorate, Community Groups**

 **Mr KELLY** (Greenslopes—ALP) (7.15 pm): When I was elected, I promised to build community. One of the important ways I do that is to support local groups in my electorate which do that just that. It has certainly been a busy month in the electorate of Greenslopes.

It started at Knowsley Lodge in Stones Corner, where Bruce and Helena and the Knowsley Lodge Tenants Group held a Harmony Day ceremony. Something like 22 different languages are spoken by the people who live in that wonderful complex, which has been recently refurbished by Buranda Housing, and I thank Minister de Brenni for that.

Later on the same day I went to the Holland Park Junior Cricket Club. It is so good to see so many young girls and women participating in cricket because of the work of the Holland Park Junior Cricket Club and particularly because of the work of Andrew Chamberlain, who is recognised for his service to the club.

I also had the great opportunity to attend the Brisbane orchid show and do a tour with the president, Ken Haase. Ken is a keen gardener and he particularly loves his orchids. The work on display there was really something to behold. There was an incredible array. I congratulate all the members of the Orchid Society.

I was also very pleased to attend the Southside Chamber of Commerce, which is run by president Kath Lewis. It is a very sharp organisation. I was really pleased to attend their federal election candidates debate. Without any bias, I do think Jo Briskey and Graham Perrett won the debates hands down. The Southside Chamber of Commerce does a great job supporting local small businesses.

Like all members, last week I turned my mind to Anzac Day. It was wonderful to attend Whites Hill State College, Cavendish Road State High School and Seville Road State School as they celebrated Anzac Day. Karen Kuskey, the principal at Seville Road State School, where many of the students are refugees, could not have put it more beautifully when she said that Anzac Day is about remembering those people who have made sacrifices so we can live in a free country. That really captured for me what Anzac Day is all about.

It was lovely to go to Greenslopes Private Hospital's dawn service the next day. I also went to the Holland Park RSL service, which is well run by Sonja and Alan Hellier. They are mighty community champions who engage in bringing the entire community together. It was lovely to see Seville Road State School there marching for the first time in many years.

I finished out with a sporting weekend. The Stones Corner parkrun turned five. Well done to Ian Hay and the team there. They do a fantastic job. It was great to get along to the Coorparoo Aussie Rules, Easts Rugby Union, Easts Rugby League and the Mustangs day, which is the local touch team. At Coorparoo Aussie Rules, Dennis Bramadat does a fantastic job. He really works so hard for our entire community, giving so many volunteer hours. Commendations also go to Julie Laws from Easts Rugby Union and Brian Torpy from Easts Rugby League who do a great job.

There is so much going on in my electorate. I will always support groups in my community that work hard to build our community.

### **Maiwar Electorate, Mount Coot-tha Zipline**

 **Mr BERKMAN** (Maiwar—Grn) (7.18 pm): I rise tonight to celebrate a major win for my community. On 11 April we learned that Brisbane's new Lord Mayor would bow to pressure and scrap council's short-sighted plan to turn Mount Coot-tha into a zipline adventure precinct. Earlier today, this was made official in the Planning and Environment Court. I could not be prouder of my local community.

I have been fighting against this proposal for more than a year. For many residents, having a local member willing to stand alongside them and organise forums and rallies, coordinate submissions and actively campaign with them was a first. This win belongs to so many people in my electorate and beyond. It belongs to every single person who hosted a fence sign, signed a petition, volunteered their time to campaign against the project, spoke to a neighbour, wrote to a politician, made a submission or attended any one of the events.

There are dozens of residents who deserve to be singled out for their tireless efforts. Every member, organiser and supporter of the Mount Coot-tha Protection Alliance deserves credit and sincere thanks for their ongoing work. I cannot name them all; they know who they are. I do have to single out Di Glynn, Bron Raftery and Peter Hale, who worked very closely with my office and who deserve a huge congratulations.

Privatising one of Brisbane's most loved and treasured green spaces was always a terrible idea. The proposal was ill-conceived, had no sensible business case and underestimated its impact on the local environment and the community. Worst of all, no-one asked the people of Brisbane whether they wanted it. Former Lord Mayor Quirk claimed the 2016 BCC election as a mandate but never actually asked anyone what they wanted, despite the land being held in trust for the people of Brisbane. When residents raised the alarm, the LNP council used every trick in the book to suppress public comment and avoid scrutiny. The so-called consultation was short and shoddy and never gave locals an opportunity to have their questions answered or their concerns meaningfully addressed.

When an unprecedented 3,600 residents made submissions on the project, the then lord mayor said that it was irrelevant how many people were in opposition to it. The whole ordeal was disgraceful. However, this is a common story. Our planning system allows this kind of disdain for residents and shuts communities out every day. Residents with concerns and questions are told to leave it to the experts as if they, the people actually living and working within the community, have no insight or valuable perspective to offer. We are seeing it across the western suburbs and throughout the state. That is exactly why I have called for a review of the planning system.

It is also why this victory is important. It proves that people power works even when coming up against a broken system. In fact, when stacked against governments and big business, it is the only thing that does. We were told from the beginning that this project was a done deal, that the BCC had already spent hundreds of thousands of dollars promoting ziplines, as if it had already been built. We were told again and again that we did not stand a chance of stopping it. This should serve as an important reminder to activists and concerned citizens across our state: never let them tell you that it cannot be done.

Now is the time for deep, meaningful consultation about how we protect Mount Coot-tha into the future. I am so proud of my local community and look forward to working with them all to ensure—

*(Time expired)*

### **Lytton Electorate, LinC Bayside**

 **Ms PEASE** (Lytton—ALP) (7.21 pm): I rise to talk about the wonderful community in which I live on the bayside. I am so proud to be able to represent such a wonderful community. We often compare living in our community to living on an island because we are bordered by the wonderful Moreton Bay—we all get to enjoy the beautiful bay—and we are also surrounded by the Brisbane River, Lota Creek and a little bit of Bulimba Creek. As a consequence, we are very parochial and we look after our own.

We have a wonderful organisation in the bayside called LinC, which actually stands for Love in the Name of Christ. It is an organisation that is made up of all of our area's churches and faith groups. They come together to provide support and care for those in our community. They can provide a lift to a shop, to the doctor or to the hospital. More importantly, recently they have really come to the aid of another wonderful group in my community, our local aphasia group. The aphasia group meets once a month. It is an organisation that comes together for people who have communication disabilities or problems after having a stroke. It has been discovered that quite often singing is very successful in helping people experiencing aphasia and that they can recover from it.

A very good friend of mine, Moira Forrester, who is one of the members of that group, and her mother have spoken to me about a wonderful choir that operates from the electorate of my friend from Logan, Linus Power. They want to be able to travel down to the choir to practise. Unfortunately, many of the members of the group have mobility issues and are unable to drive themselves, and getting to Logan from Wynnum is not always easy. My first thought for them was to contact my wonderful friends at LinC. I received an email today saying that they have formed a very solid and firm friendship with the members of the aphasia group. They are now actually transporting all 10 members of the aphasia group down to Logan. They have set up a roster and each month every one of those members of my aphasia group will be travelling to Logan to join with the Logan choir.

I commend and congratulate them. I am so proud of them, just one of my many community groups. To LinC I say: thank you so much for coming to the party and supporting all of those people in the aphasia group. It means so much to them, their families and carers and also to me and to the greater community. Thank you, LinC. I am so proud of the work they do. I really look forward to working with them into the future.

### Drought Declarations

 **Mr MILLAR** (Gregory—LNP) (7.23 pm): I rise tonight to let people know that, yes, we have had rain in Western Queensland. However, I can tell honourable members that the drought continues. As we say out west, the green grass from this rain is painted on. We have endured over eight years of drought in Western Queensland and we have had some good rain. However, it certainly continues to be a drought economy in Western Queensland and in Central Queensland. The recent rains have not been drought breaking, even in the Central Highlands district.

The southern part of the Central Highlands Regional Council area has now been drought declared, and I thank the minister for that drought declaration. I do have a few issues with that as only half the shire has been declared. The shire has been cut in two along the Capricorn Highway. My concern with that is that someone on the northern side of the Capricorn Highway does not benefit from the drought declaration which they so desperately need. They have to go through an individual drought status process. I understand that and this is what the minister will say. However, that is time consuming and it involves a lot of paper and a lot of confusion.

If we are going to drought-declare the Central Highlands Regional Council area, I call on the minister to drought-declare the whole shire because it has gone through drought like many parts of Western Queensland. In fact, before this rain, things were desperate in the Central Highlands Regional Council area; we had not seen rain for a very long time. In fact, the Fairbairn Dam, which is our major water source, is only at 17 per cent. That reduced capacity has a huge impact on not only the cattle industry but also the valuable irrigation area around Emerald. At the moment producers there are busy planting chickpeas and wheat, but looking for water allocations past the end of this financial year may make it difficult for them to finish off those crops. We certainly need crops to be able to get into the summer season with the cotton crop. We have to remember that the Central Highlands Regional Council area is virtually the size of the state of Tasmania—over 60,000 square kilometres.

Finally, the floods have had a huge impact in North-West Queensland. Again, we are hurting out there at the moment as we have had massive stock losses. We have also had massive stock losses recently, especially sheep, in the Blackall-Tambo area due to Cyclone Trevor. I am calling on both the state government and the federal government to make sure that area has the same access to funding as North-West Queensland. The impact on the Blackall-Tambo area and west of the Landsborough Highway has been devastating. We hear of people who have lost 5,000 or 6,000 sheep and a thousand head of cattle. Those people in the Blackall-Tambo shire need to have the same access to funding as those in North Queensland because they need it desperately.

### National Road Safety Week

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (7.26 pm): Today members of this House have been wearing yellow ribbons to acknowledge National Road Safety Week, which this year will be held from 6-10 May. National Road Safety Week is an annual initiative of Safer Australian Roads and Highways, or SARAH Group, led by president Peter Frazer and supported by the Palaszczuk state government, which encourages all Australians to drive so others survive. Mr Frazer works tirelessly to advocate for improved road safety in Australia following the tragic death of his daughter Sarah, who was killed in 2012 by a passing truck driver as she attended to her broken-down vehicle along with the roadside assistance officer who had come to her aid.

Each May National Road Safety Week aims to shine a light on road safety by lighting prominent landmarks in yellow. In Brisbane, our iconic Story Bridge, Parliament House and other landmarks will glow yellow as a reminder to reflect on this most important issue that affects all of us. Wearing a yellow lapel ribbon is another simple yet salient way to raise awareness and to provoke conversations about the topic with workmates, with family members and with friends. I thank all members for wearing a ribbon today and for all they do to promote road safety in this state. These ribbons are a symbol of our shared goal to improve road safety for all Queenslanders and all people who use our roads.

When crashes happen the communities lose loved ones in tragic circumstances and everybody suffers. The investigations into these terrible crashes are left to the brave emergency services workers, who wish that each visit to each one of these scenes would be their last. Certainly the recent case well reported seemingly involving distraction shows we have a long way to go in terms of getting that safety message across, particularly for that young cohort, who remain a high risk.

The Palaszczuk government's target for Queensland's road toll is zero. That sounds ambitious, but how could we have any other aim? As of today, Queensland's road toll for 2019 stands at 65. That is 65 deaths so far and we are only one-third of the way through this year. So far this has been one of the better years, one of the lowest years to date. We are going to see a lot more tragedy on our roads as the year progresses.

Members of this House have also demonstrated their commitment to road safety today by signing their Fatality Free Friday pledge and visiting the vehicle that was here at Parliament House. Held annually since 2007, Fatality Free Friday is the nation's largest community based road safety initiative. In the lead-up to Friday, 31 May, the ARSF will call on drivers to make a pledge to road safety with the aim of reducing the nation's road toll not just on Fatality Free Friday but every day of the year. Speeding, distraction, alcohol and drugs, fatigue and not wearing a seatbelt continue to be major causes of death on our roads, and I urge every Queenslander to be a part of the campaign.

The House adjourned at 7.30 pm.

## ATTENDANCE

Andrew, Bailey, Bates, Batt, Bennett, Berkman, Bleijie, Bolton, Boothman, Boyce, 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, McMahon, 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