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Phone (07) 3553 6344

FIRST SESSION OF THE FIFTY-SIXTH PARLIAMENT

Wednesday, 23 October 2019

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WEDNESDAY, 23 OCTOBER 2019


 The Legislative Assembly met at 9.30 am.

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

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


SPEAKER'S STATEMENTS

Member's Alleged Failure to Register an Interest

 **Mr SPEAKER:** I have been advised by the Registrar of Interests, who is also the Clerk, that a complaint by the member for Capalaba about the Leader of the Opposition's registration of interest was received in accordance with schedule 2, section 14 of the standing rules and orders.


A complaint in accordance with this section is required to be forwarded to the Ethics Committee by the registrar. Given the current sitting schedule and the risk that this matter may be raised in the House, it is appropriate that the House be formally advised. I draw to the attention of members that standing order 271 now applies to the matter.

Responsibility of Passholders, Suspension of Member's Right to Visitors; Apology

 **Mr SPEAKER:** Honourable members, security on this precinct is a collective matter. All passholders must ensure that procedures regarding security are followed. One of the responsibilities of passholders in signing in guests is to ensure that those guests are accompanied by a passholder at all times. Passholders who sign in and accompany guests are responsible for the behaviour of those guests on the precinct. Passholders must ensure that guests do not go into areas they are not permitted or engage in inappropriate conduct with other members or staff or attempt to access the private papers of other members.

Parliamentary security has provided me with video footage of the member for Mirani and a group of visitors to the parliamentary precinct under his responsibility late in the evening of Saturday, 19 October 2019. The footage indicates that several of the visitors interfered with members' desks in this chamber by opening the compartments under the desk where members store personal belongings and, in some cases, interfering with the contents. Footage showed that in some cases when this occurred the member was standing next to the visitor interfering with the member's desk. A parliamentary security officer on hand had to go to the chamber to request the member and his visitors leave the chamber.


Disappointingly, this is not the first time I have written to the member about the behaviour of visitors he has responsibility for on the parliamentary precinct. I have suspended the member's privileges to bring visitors to the parliamentary precinct for six months under section 50 of the Parliamentary Service Act 1988. I now ask the member to make an immediate apology to the House.

 **Mr ANDREW (Mirani—PHON) (9.33 am):** I wish to apologise unreservedly to this House and all of its members. I have always endeavoured to ensure school groups and the public are given access to their parliament and I am proud to speak about the rich history and cultural heritage this parliament comprises.

Unfortunately, over the weekend I brought a group of people into the House to give them a tour, which they were very excited about. Members who invite visitors into the parliamentary precinct have a responsibility to ensure they are escorted at all times to ensure that they do not cause nuisance or interfere with the rights and privileges of members. I acknowledge that members have the right to privacy of their chamber desks and the contents stored within.

I acknowledge that visitors under my supervision interfered with members' privacy and I must take responsibility for this. The violation of members' privacy is a grave matter and I express to you, Mr Speaker, and to the House, my most sincere apologies. I accept your ruling and will abide by it.


Parliamentary Indigenous Liaison Officer

 **Mr SPEAKER:** As most members are aware, in August this year Mr Brett Nutley resigned from his role as Queensland parliament's first Indigenous liaison officer after 11 years with the Parliamentary Service. Indeed, Brett was the first parliamentary Indigenous liaison officer in Australia and his efforts, his enthusiasm and his achievements have inspired other parliaments to follow our lead. Over the years Brett assisted the House, its committees and its members to better engage with our Indigenous communities. I would like to belatedly take this opportunity to thank Brett for his dedication and for always being approachable, friendly and professional. I am sure all members will join me in thanking Brett and wishing him well for his future endeavours.

Honourable members: Hear, hear!

Mr SPEAKER: It is also an opportune time to welcome Mr Joe Stewart who commences in the role today. Joe is a descendant of the Quandamooka people of the islands and waters of central and southern Moreton Bay and brings with him a wealth of experience which includes consulting and liaising with Aboriginal and Torres Strait Islander communities and the delivery of education and training services. I look forward to working with Joe as we work to continue to improve in this important area.

School Group Tours

 **Mr SPEAKER:** Honourable members, I wish to advise that we will be visited in the gallery this morning by students and teachers from Greenbank State School in the electorate of Jordan and Lockyer District State High School in the electorate of Lockyer.

PETITIONS

The Clerk presented the following paper petitions, sponsored by the Clerk—

Victoria Point, Police Beat

From 287 petitioners, requesting the House to consider the model of a neighbourhood Police Beat and a backup support system for Victoria Point [\[1912\]](#).

Palliative Care

From 18 petitioners, requesting the House to ensure equal access to world class palliative care for every Queenslanders and to not consider legalising euthanasia [\[1913\]](#).

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

Numinbah Valley, Hooning

Ms Bates, from 639 petitioners, requesting the House to permanently install anti-hooning CCTV cameras and other infrastructure at the intersection of Nerang-Murwillumbah Road and Pine Creek Road in the Numinbah Valley [\[1914\]](#).

Petitions received.

TABLED PAPERS

TABLING OF DOCUMENTS (SO 32)

MINISTERIAL PAPERS

The following ministerial papers were tabled by the Clerk—

Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport (Hon. de Brenni)—

[\[1915\]](#) Board of Architects of Queensland—Code of practice, explanatory notes

[\[1916\]](#) Board of Professional Engineers of Queensland—Code of practice for registered professional engineers

MOTION

Citizen's Right of Reply



Hon. YM D'ATH (Redcliffe—ALP) (Leader of the House) (9.37 am), by leave, without notice: I move—

1. That this House notes report No. 191 of the Ethics Committee and the recommendation of the committee that a right of reply be incorporated into the *Record of Proceedings*; and
2. That the House adopt the committee's recommendation and incorporate the right of reply into the *Record of Proceedings*.

Question put—That the motion be agreed to.

Motion agreed to.

RESPONSE BY MR JOHN MURPHY, TO STATEMENTS MADE BY THE MEMBER FOR BURLEIGH, MR MICHAEL HART MP, THE MEMBER FOR KAWANA, MR JARROD BLEIJIE MP, AND THE MINISTER FOR HOUSING AND PUBLIC WORKS, HON MICK DE BRENNI MP, ON 30 OCTOBER, 1 NOVEMBER AND 15 NOVEMBER 2018;

AND TO STATEMENTS MADE BY THE MINISTER FOR HOUSING AND PUBLIC WORKS, HON MICK DE BRENNI MP, MEMBER FOR BURLEIGH, MR MICHAEL HART MP, THE PREMIER, HON ANNASTACIA PALASZCZUK, THE MEMBER FOR BURDEKIN, MR DALE LAST MP AND THE MEMBER FOR MAROOCHYDORE, MS FIONA SIMPSON MP, BETWEEN 12 FEBRUARY 2019 AND 27 FEBRUARY 2019

Between 30 October 2018 and 27 February 2019 various statements were made in the Legislative Assembly by the Member for Burleigh, the Member for Kawana, the Minister for Housing and Public Works, the Premier, the Member for Burdekin and the Member for Maroochydore, that adversely affected my reputation.

I was the General Manager of JM Kelly Builders Pty Ltd (JMK) and JM Kelly (Project Builders) Pty Ltd (JMK PB) as of 20 June 2016 and Director of JM Kelly Builders Pty Ltd from 27 June 2016.

In my position as Director, JMK was not given multiple Queensland government contracts after JMK PB was placed into liquidation in June 2016. As Director, JMK were also not provided with any financial assurances by the Queensland government and even until the exclusion of JMK from any tender opportunities by Building and Asset Services (BAS) arising out of a QCAT matter I have personal knowledge that JMK received little work from the Queensland government.

As Director, I did not demonstrate economic incompetence.

In my time as Director, JMK did not fail any minimum financial requirement requests issued by QBCC.

In June 2016 as Director I resolved that JMK would accept novation from JMK PB of three contracts JMK PB was undertaking prior to being placed into voluntary liquidation, one of which was the Emu Park State School contract. Contract Assumption Deeds and consequently Deeds of Novation transferring these contracts was the most suitable commercial transactions for all creditors, all of whom received their legitimate entitlements from JMK. In my time as Director there was no 'phoenix' arrangement between these entities and there was therefore no approval from the Palaszczuk government and any allegations as such is baseless.

The allegation that there was 'phoenixing' in June 2016, from JMK PB to JMK is untrue. As Director, I resolved that JMK would accept all employee entitlements, partly completed contracts (3 contracts), subcontract payment obligations and all suppliers' costs plus defect management on contracts that had been completed by JMK PB as at 20 June 2016.

I reject all allegations and imputations that I have in any way acted improperly, incompetently or fraudulently in regard to the operations of JM Kelly Project Builders Pty Ltd and JM Kelly Builders Pty Ltd.

Never at any time have I made any financial donation to the Labor party.

I am not a lifelong friend with the former Labor government Minister Mr Robert Schwarten. I know Mr Schwarten but to state that we are lifelong friends is untrue.

I reject any allegations or imputations that I made any payments, or contributed to any gifts, functions or donations, to Mr Schwarten. Further, I reject any allegation or imputation that I engaged in inappropriate or illegal dealings with Mr Schwarten.

PRIVILEGE

Member for Mirani; Responsibility of Passholders, Suspension of Member's Right to Visitors




Hon. YM D'ATH (Redcliffe—ALP) (Leader of the House) (9.37 am): Mr Speaker, in relation to the ruling you have just made in relation to the member for Mirani, absolutely respecting the ruling that you have made, I ask whether you or the member for Mirani can privately advise the individual members, if this has not already occurred, whose desks were actually opened up.

Mr SPEAKER: That will absolutely happen. I can assure you that every step has been taken to ensure that there were no items removed or anything disturbed in that regard. I will very happily do that.

MINISTERIAL PAPER


Revocation of Protected Area

 **Hon. LM ENOCH** (Algerst—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (9.38 am): I lay upon the table of the House a proposal under section 33 of the Nature Conservation Act 1992 and a brief explanation of the proposal.

Tabled paper: Proposal under section 33 of the Nature Conservation Act 1992 and a brief explanation of the proposal [\[1917\]](#).

NOTICE OF MOTION

Revocation of Protected Area

 **Hon. LM ENOCH** (Algerst—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (9.39 am): I give notice that after the expiration of at least 28 days, as provided in the Nature Conservation Act 1992, I shall move—

1. That this House requests the Governor in Council to:
 - (a) revoke by regulation the dedication of part of a national park; and
 - (b) dedicate by regulation the revoked area of the aforementioned national park as part of an existing conservation park,
 under section 33 of the *Nature Conservation Act 1992* as set out in the Proposal tabled by me in the House today, **viz**

Description of area to be revoked

Bellthorpe National Park	An area of about 45 hectares, as illustrated on the attached “Bellthorpe National Park revocation: sketch A”.
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Description of area to be dedicated


Bellthorpe Conservation Park	An area of about 45 hectares, as illustrated on the attached “Bellthorpe Conservation Park addition: sketch B”.
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2. That Mr Speaker and the Clerk of the Parliament forward a copy of this resolution to the Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts for submission to the Governor in Council.

The change in class to ‘conservation park’ is critical to allow ongoing support for the world renowned Woodford Folk Festival, which was established at the site in the mid-1990s.

MINISTERIAL STATEMENTS


Peregian Beach, Bushfire

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.40 am): This morning my thoughts go out to residents of Peregian Beach on the Sunshine Coast who are facing another frightening ordeal as a bushfire flares in the area. We all understand that this latest fire comes just a month after the last fire that saw police and the Queensland Fire and Emergency Services undertake a significant evacuation in the same location. The latest fire may affect properties in the Lorikeet Drive area and QFES has issued a leave-now alert for that area. Approximately 50 homes have been evacuated. An evacuation centre has been set up at the Noosa Leisure Centre. Weather conditions are favourable at the moment and the fire is contained in national park to the east of David Low Way. Parents of students at Coolum State High School are being urged to keep their children at home due to road closures.

Mr SPEAKER: My apologies for interrupting, Premier. Members, there is too much general conversation in the chamber. Please take your conversations outside. I would like to hear the ministerial statement.

Ms PALASZCZUK: I want to assure the residents of this area that QFES is on the scene and will do everything to keep people safe. Currently there are 20 fire appliances at the scene, another 14 en route and air support has been enlisted. I urge people in the affected area to listen to the advice and if you need to leave please take that advice and do so. I know that after the ordeal of September in this area residents will be worried for their properties. However, I urge everyone to please listen to advice, listen to the radio, listen to the media outlets and listen to the police and Fire and Emergency Services personnel. I will be getting further updates during the course of the day.


Works for Queensland

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.41 am): Mayors around Queensland applaud my government's highly successful Works for Queensland initiative. By the end of its third round in 2021, this \$600 million program will have supported more than 21,000 jobs across regional Queensland. Mayors throughout the state go out of their way to thank my minister and members of my government for setting it up, because it has provided security and stability for local workers and their families.

From the footpaths that have been built to the pools that have been fixed and the shade cloths that have been installed over playgrounds, these are important local job-creating projects that need to be done. The program is also able to improve the vitally important water assets across our remote and regional areas, some of which include: \$350,000 to the Longreach Regional Council to replace and upgrade old water mains in Longreach and Isisford town areas; \$315,000 to the Barcoo Shire Council to install a 600-kilolitre storage tank at the Windorah water treatment plant; \$700,000 to the McKinlay Shire Council to conduct repairs on the Julia Creek water tower; and \$1 million to the Cook Shire Council to reinstate the Cooktown Borefields as a backup water supply in the event of a natural disaster. Those are just a few examples.


So far, more than 17,350 jobs have been created or supported through this initiative to deliver 1,350 projects. Councils estimate a further 4,676 jobs will be created or supported by 2021 for another 501 projects. This is an effective job-creating program. Shortly the minister and I will be speaking with councils and writing to the mayors to look at their ideas on how we can further enhance the program.

Office for Veterans

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.43 am): The men and women of our Defence Force have earned our gratitude for their service and our ongoing support when they leave. My government is committed to ensuring that they feel connected to their communities with dignity and respect, and are assisted into new avenues of work when their time of service ends. That is why we have said that we are investing \$9.7 million over five years to establish the dedicated Office for Veterans. Today I am delighted to announce that the new Office for Veterans will be established in Ipswich. I acknowledge the member for Ipswich and her very strong advocacy for having the office based in her region.

The Office for Veterans will be a single port of call for veterans engaging with government. It will oversee the curation of the newly restored Anzac Square, support commemorative activities and deliver the Queensland Veterans' Memorial Grants Program. Importantly, the Office for Veterans will continue and expand the Veterans' Employment Pathways Program that, over the past year, has been supporting the employment of veterans within the Queensland Public Service. The program has been a great success, with 388 veterans employed since it began in July.

Women on Boards

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.44 am): Gender equality means a lot to me. It means a lot to my government and to the people of Queensland. In the modern world, democracy should include gender parity and as a government we have led by example. In Cabinet, it is fifty-fifty women and men. Four out of five of our assistant ministers are women. It was a considered and deliberate decision, and we are the first state in Australia to have achieved it. It is fundamentally important because if Queensland's population is equally made up of men and women then so should the cabinet. Every single person has an equal say.


We must also reach gender parity on our boards and committees, and across all aspects of society. In 2015, my government set a 50 per cent gender equity target for Queensland government bodies, to be achieved by 2020. At that time, only 31 per cent of government board members were women. Through our Women's Strategy and a series of Women on Boards events in Brisbane, Toowoomba, the Sunshine Coast and Townsville we have worked hard to encourage women from right across the state to get on board. I pay great tribute to Minister Farmer and Minister Fentiman, who have been driving this agenda, and every single minister sitting at the cabinet table, who have all played their part in ensuring that there is equal representation on our boards.

Today, I am very pleased to advise the House that we have achieved these targets. As at 30 September this year, the overall gender representation of all in-scope Queensland government bodies and positions is 51 per cent female and 49 per cent male. On this side there is action; on the other side there is inaction.

Mrs D'Ath: No reaction.

Ms PALASZCZUK: I take the interjection from the Leader of the House: no reaction. We made a concerted effort to push the boundaries and make this happen. We have set targets and we have delivered. Targets work. Diversity on boards provides clear economic and social benefits for Queensland and I congratulate everyone on achieving this great milestone.

Economy; Newstart

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships) (9.47 am): The Palaszczuk government is backing Queensland jobs and we are boosting Queensland's growth. Our government's ambitious economic plan has seen more than 226,800 new jobs created since January 2015. Queensland's merchandise exports have hit \$87.4 billion over the past year, which is a near doubling in the value of exports since our government was elected.

Additionally, the latest ABS data shows that Queensland's state final demand grew by 0.3 per cent in the June quarter, faster than the national rate of 0.2 per cent. Under the Palaszczuk government, Queensland's state final demand has now risen for 14 consecutive quarters and Queensland's consumers are leading the way. Our household consumption growth is the strongest in the nation, while growth in Queensland's retail trade is twice as fast as the national rate.


General government investment in Queensland increased by 11.3 per cent over the 2018-19 financial year, but over the same period investment in Queensland by the LNP in Canberra went backwards. It is the Palaszczuk government that is driving investment in Queensland, not the federal LNP. Sadly, the same is true of their state counterparts. Before accounting for exports, Queensland's economy is now almost \$6 billion larger than it was when the Palaszczuk government was first elected in 2015. By contrast, the LNP left Queenslanders with a state economy almost \$2 billion smaller than the one they inherited from Labor in 2012. Of course, despite the Palaszczuk government's strong economic management, Queensland is not immune to global turbulence and federal recalcitrance.

The IMF World Economic Outlook last week revised its forecast of Australia's economic growth to just 1.7 per cent from a forecast of 2.8 per cent a year ago—a downgrade of more than one per cent. Sadly, the federal LNP has simply given up on economic management, driving Australia's economy to its lowest growth rate since the global financial crisis. The federal government has many levers at its disposal to support economic growth, if only it chose to use one of them or all of them. The Morrison government could bring forward infrastructure investment, rather than pulling investment out of Queensland or making promises it will not deliver until after the forward estimates and another federal election.

The Morrison government could raise the rate of Newstart, which would lift hundreds of thousands of Australians out of poverty. Raising Newstart is the most direct and effective form of stimulus available to the federal government today. Newstart recipients are the group most likely to spend an increase in their income back into the economy, boosting consumption, supporting businesses and backing jobs. That is right, it might be anathema to the LNP, with their talk of lifters and leaners and deserving and undeserving, but even those without jobs can be job creators. Raising the rate of Newstart is a stimulus measure that enjoys wide support, not just on this side of the House but from the Business Council of Australia, the Australian Industry Group, KPMG and Deloitte, the Local Government Association of Australia and former Liberal leaders John Howard and John Hewson. Labor understands the importance of a decent, dignified minimum level of income.

The Senate recently passed a Labor sponsored motion to raise the rate of Newstart. Federal Labor has set up a Senate inquiry to examine options for increasing Newstart and busting the myths put forward by the LNP and its acolytes. Raising the rate of Newstart would provide our economy with a much needed boost in current economic conditions and, importantly, it would also provide dignity and opportunity to so many of our fellow Queenslanders living in poverty. Newstart is clearly inadequate and no longer fit for purpose. I encourage the Queensland LNP to join with the Palaszczuk government in calling on the federal LNP to raise the rate.

Qantas, Group Pilot Academy; Morrison Federal Government, Infrastructure Funding

 **Hon. CR DICK** (Woodridge—ALP) (Minister for State Development, Manufacturing, Infrastructure and Planning) (9.51 am): The Palaszczuk Labor government is bringing more jobs and new industries to Queensland. Last month we saw the commencement of the first 12 student pilots at the new Qantas regional pilot training academy at Toowoomba Wellcamp Airport. These students will


be starting their training at the University of Southern Queensland while construction of the new academy is underway. The construction project is already creating up to 100 direct jobs and up to 300 additional jobs for local small and medium sized enterprises in the construction supply chain. When complete, the academy will have capacity to train up to 250 pilots each year and will create up to 160 jobs in training and support roles.

Boeing has estimated the Asia-Pacific region alone will need an extra 248,000 pilots by 2035, and facilities such as this Qantas training academy, supported by the Queensland government through our Advance Queensland Industry Attraction Program, will put Queensland in the cockpit when it comes to servicing that market. While we are investing in regional training, we are seeing a continuing failure by the Morrison government when it comes to regional infrastructure. One half of one per cent—that is what Queensland is worth to Scott Morrison because that is how much he has allocated from his special fund that is meant to connect regions with major business opportunities.

Take for example the Rockhampton Ring Road. As the members for Rockhampton and Keppel know, in the last federal budget Scott Morrison contributed just \$80 million to this project—wait for it—in 2022-23, but the remaining \$720 million is in the onwards forecast for the Morrison coalition government. As the member for Mackay knows, when it comes to the Mackay Ring Road stage 2, nothing has been allocated in the federal government's forward estimates. There is \$280 million listed as onwards. As the members for Aspley and Pine Rivers and other government members on the north side know, the Bruce Highway-Linkfield Road overpass has zero dollars allocated from 2018-19 to 2022-23, with only \$100 million allocated by Scott Morrison in the onwards forecast.

Year after year the Morrison LNP government is plundering Queensland taxpayers and giving nothing back in return. It is time the federal government stopped treating Queensland as a cash machine for southern states and gave Queensland its fair share.

Southern Queensland Country, Tourism Campaign; Cape Tribulation, Zipline Accident

 **Hon. KJ JONES** (Cooper—ALP) (Minister for Innovation and Tourism Industry Development and Minister for Cross River Rail) (9.54 am): Today I can confirm a new tourism campaign has begun to support businesses and the tourism industry in some of the regions hardest hit by drought and bushfire. The campaign launched this week encourages southerners, particularly from Sydney and Melbourne, to take a sneaky short break to the southern Queensland country region in the lead-up to Christmas.


Tourism operators in this part of the world have done it tough over the last 12 months, but one message they are telling us loud and clear is that they are back up and running and open for business. What better way to support small business and tourism operators struggling at the hands of drought and bushfire than to book a holiday in southern Queensland country.

This region west of Brisbane has some of the most beautiful scenery in the country. It is also Queensland's most famous winemaking region. Today we are announcing 50 holiday deals for tourists keen to escape to this part of the world for a pre-Christmas holiday. You can holiday in Queensland everyone! This \$100,000 campaign is funded by the Palaszczuk government and delivered by Southern Queensland Country Tourism in partnership with the Southern Downs Regional Council and Granite Belt Wine Tourism.

The latest data shows a record 2.2 million domestic tourists spent over \$768 million in the southern Queensland country region over the last year. This campaign will ensure that these numbers remain strong. We will continue to invest in marketing to grow our tourism industry and to support local jobs in Queensland.

I also want to take this opportunity to pass on our condolences on behalf of the tourism industry in the wake of the tragedy at Cape Tribulation yesterday. I can assure all members that the tourism operator will comply fully with the police and workplace health and safety investigations. I have spoken directly with the CEO of Tropical North Queensland, Mark Olsen, the tourism organisation in the region. It is providing support to the operators, staff, tourists and industry.

Police Resources

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Minister for Corrective Services) (9.56 am): To borrow a famous line, 'From little things big things grow!'—that is exactly the case with the ongoing, day-to-day minor works and maintenance work the government funds for the Queensland Police Service.

Opposition members interjected.

Mr SPEAKER: Order! Resume your seat, Minister. Members to my left!

Mr RYAN: Every day right across Queensland the work goes on, keeping tradies and other service providers busy. Let us take a milk run around the state to demonstrate, just in the last months, what I am talking about.

Tradies have been busy at the Mount Isa Police Station with refurbishment of the CIB, CPIU, armoury and equipment store. That was a \$14,000 investment completed in September. At Jimboomba Police Station a new carport has been delivered. That was a \$21,000 job also finished in September. On the Sunshine Coast a \$100,000 fitout of the new Mooloolaba Police Beat was finished last month. Also in September, the Moore Police Station residence had a new water tank installed. It is a big tank. It is a \$19,000 investment. The government invested \$28,000 in a new garage for the Browns Plains Police Station. There is a lot more in the pipeline: new water filters for Boulia Police Station; new water tanks for Dajarra Police Station; and a new generator for Mornington Island Police Station, a \$50,000 investment.

These are little things that add up to a big statewide investment. This shows the Palaszczuk government's investment in our police. We are providing our police with the resources and facilities they need to keep communities safe.

I can also advise the House that as of today Townsville police have launched Operation Romeo Seville. The people of Townsville are going to see an escalated police presence out on the streets from today. Monday's events will not be tolerated.

Opposition members interjected.

Mr SPEAKER: Resume your seat, Minister. Members to my left, you may not agree with the ministerial statement being made, but the minister is entitled to be heard. He is not being combative or provocative. You will listen to the ministerial statement or I will start naming members.


Mr RYAN: Mr Speaker, you make a very good point about those opposite not supporting an escalated police presence in Townsville.

Mr SPEAKER: Order! Minister, I would appreciate you not putting words into my mouth. I ask that you continue your statement.

Mr RYAN: Supporting the police operation in Townsville are the State Flying Squad, the State Intelligence Group and the Road Policing Command. Townsville police district resources will also include the Rapid Action and Patrols unit, the Tactical Crime Squad, the Property Crime Squad, the Criminal Investigation Branch, the Child Protection Investigation Unit and general duties officers. The Queensland Police Service will use this operation, Operation Romeo Seville, to detect recidivist offenders and disrupt and prevent their criminal behaviour.

I turn now to the Gold Coast. On the Gold Coast, police have confirmed that two men known to each other who were found dead in separate locations had both suffered gunshot wounds. A team of 20-plus detectives are now working around the clock with the assistance of the State Crime Command, including the Homicide Squad, the Organised Crime Gangs Group, forensic specialists and intelligence officers. Police have advised that they are confident that there is no risk to the broader Gold Coast community, but they will not rest in their pursuit of justice in respect of this matter.

Road Safety

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (10.00 am): Speeding kills. Whether it is five kilometres over the speed limit or 50 kilometres over the speed limit, the evidence is clear. Last year one in every five deaths on Queensland roads was caused by speeding. Countless more Queenslanders were injured—many permanently. As road safety minister, I know the tragedy that can and does happen in crashes when speed is the main factor.

I have listened to victims' families and friends, and first responders. I have witnessed the long-term trauma of losing a loved one or loved ones, and I have read all too many fatality crash summaries on more days than not. Any responsible government or party commits to making Queensland roads safer, and the Palaszczuk government makes no apologies for that.

Speed cameras are there to reduce speeding, crashes and deaths on our roads. When cameras were introduced in the 1990s, the number of fatalities on our roads per year was 11.16 per 100,000 in our population. In 2018, that number was more than halved to 4.89 fatalities per 100,000 Queenslanders—the lowest in 50 years.

Today's policy by the opposition leader to retreat on road safety and scrap covert speed cameras is callous and reckless. Across the nation, communities, motoring bodies and political leaders, regardless of their partisan colour, are united in road safety, except for the Queensland LNP. By deliberately ignoring road safety research and evidence, the opposition leader proposes to go backwards on road safety.

Independent research from the Monash University Accident Research Centre shows that speed cameras prevented 2,500 crashes last year. That is an incredible prevention of trauma and fatalities and misery on our roads. Reducing our road toll should be a bipartisan issue. Regrettably, that clearly is not the case in Queensland. So much for being tough on law and order.

Opposition members interjected.


Mr SPEAKER: Order, members to my left!

Mr BAILEY: The Palaszczuk government is investing more than \$900 million in dedicated road safety projects. We are investing every dollar from camera detected offences into improving road safety—that is the law. Responsible drivers do not speed and they do not get fined. While the number of deaths on Queensland roads so far this year is the lowest in five years, North Queensland and the Sunshine Coast continue to be over-represented in terms of fatalities.

When I speak with police and read the reports, the message is clear: the fatal five continue to be the major cause of deaths, crashes, road trauma and misery on Queensland roads. Speed, distracted driving, fatigue, drink and drug driving, and not wearing a seatbelt are the causes of more than 80 per cent of our crashes.

I urge MPs opposite, especially those with a police background, to stand up for road safety and against this callous and reckless policy of the opposition leader. Saving lives on our roads should be above and beyond politics.

Education, Showcase Awards

 **Hon. G GRACE** (McConnel—ALP) (Minister for Education and Minister for Industrial Relations) (10.04 am): During State Education Week the Queensland government is recognising the important work our educators do every day in teaching our students the skills and lessons to give them the best possible future. The Department of Education Showcase Awards for Excellence in Schools are considered to be Queensland's most prestigious awards program for state education. They highlight the Queensland state schools' efforts in developing innovative practices and recognise excellence in teaching and leadership that improve outcomes for students.


This year is extra special, as we celebrate the 20th anniversary of the annual showcase awards. Many nominations have been received, with 120 high-quality submissions from schools in every corner of Queensland, from Prairie in the outback to Brandon in the north and from Eidsvold in the Burnett to Gatton in the Lockyer Valley.

Congratulations to the 19 finalists across nine categories, which include two great programs—one at Beenleigh State High School in the electorate of Macalister called the Paddock 2 Plate program, which gives students a taste of real world employment opportunities. In August I was fortunate, with the Premier, Minister Fentiman and the member for Macalister, to join hundreds of locals for a lunch prepared by the students with celebrity chef Matt Golinski. This initiative is boosting student engagement and retention rates and the school is proud to report that every student is receiving their QCE. Congratulations.

The other at Mossman State School in the electorate of Cook is engaging with Indigenous and non-Indigenous students through its Indigenous Language Program, which understands the value of language—how it links people to the land and promotes history through story and song, lifting school attendance numbers and boosting academic achievement. Congratulations to them. I see the member for Cook with a big smile on her face, nodding very attentively.

Later today the Premier and I will join school communities from around South-East Queensland at an afternoon tea to celebrate State Education Week. Some of the finalists for the showcase awards will also be there, with winners to be announced at a gala dinner this Friday, coinciding with World Teachers' Day. State schools are great schools, and I would like to acknowledge the great work that is being done in classrooms, art rooms and music rooms all over Queensland every day of the week giving every child a great start.

Solar Energy

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (10.06 am): The Palaszczuk government inspired surge of solar activity in Queensland is continuing in 2019. We already have surpassed our 2020 target of 3,000 megawatts of solar, with more than 4,000 megawatts of total solar connected here in this state. This fantastic outcome underpins this government's renewable energy credentials in making Queensland a world leader in generating solar power and the jobs that come with that.


To August this year, more than 37,000 new solar systems have been installed in Queensland. That equates to a new solar system installed in this state every nine minutes—every nine minutes. Queenslanders clearly recognise the benefits of renewable energy. That is why we boast six of the top 10 solar postcodes in this nation. They include Bundaberg, Hervey Bay, Caloundra and Toowoomba. I reflect that the constituents in these electorates obviously love renewable energy but their local representatives hate renewable energy.

Since 2015, we have delivered a raft of initiatives designed to bring the benefits of solar to all Queenslanders. In Cairns and Rockhampton, our Sunny Savers trial has delivered electricity bill savings of up to \$250 a year to 840 public housing tenants. Our Solar for Rentals trial has paid more than \$600,000 in rebates to landlords so that Queensland renters in Bundaberg, Gladstone and Townsville do not miss out on the benefits that solar energy can provide.

We are following up our award-winning 200-kilowatt rooftop solar farm in the Lockhart River Aboriginal shire, with another 304 kilowatts of solar in Doomadgee. Queensland solar is also replacing expensive, high-emissions diesel power and bringing financial benefits to the Doomadgee council and the local community with more initiatives to come in our remote communities. Watch this space.

The government is also working to usher in the next wave of renewable technology, with more than 3,000 Queenslanders taking advantage of our interest-free loans for solar and battery storage programs. Our Solar 150 initiative has supported the development of four solar farms in Queensland and helped kickstart a renewable energy revolution. There are now 30 large-scale solar projects that have recently become operational, are under construction or are financially committed across Queensland, representing more than \$3.8 billion in investment. That is nearly 4,000 jobs. From rooftop panels to solar farms, the Palaszczuk government's solar surge is reducing emissions, cutting power bills and, most importantly, supporting thousands of jobs in communities right across this great state of ours.

Climate Change

 **Hon. LM ENOCH** (Algeria—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (10.10 am): The Palaszczuk government is committed to taking responsible action on climate change. This commitment is demonstrated by our targets of achieving 50 per cent renewable energy by 2030 and zero net emissions by 2050. This week the *Australian* published reports regarding work in relation to litigation risks associated with a change in climate. Queensland, like other jurisdictions, including the federal government, is not alone in examining all the risks presented by climate change including financial, legal and, of course, insurance. Other organisations that have been considering these risks include Suncorp, the Reserve Bank and international resources company Glencore, to name just a few.


The Department of Environment and Science has been considering how this analysis could be responsibly undertaken by government. Minter Ellison submitted a proposal to government in relation to that potential analysis. I can confirm for the House that no report exists because Minter Ellison has not been commissioned to conduct the work. The government has not paid Minter Ellison for the proposal. The documentation in question, which was mentioned as part of emails released under RTI, is a proposal to government. During the RTI process I am advised that Minter Ellison objected to the release of their proposal as it is commercial-in-confidence. It is not a report, it is not a plan, and it did not include any policy recommendations to government. As the government has not engaged Minter Ellison to conduct legal work, the proposal does not belong to the government and, I am advised, cannot be released by the government. Furthermore, the proposal has never been considered by cabinet and will not be considered by cabinet.

The Palaszczuk government will continue with the important work we have been undertaking: our 50 per cent renewable energy target by 2030; establishing a \$500 million Land Restoration Fund; investing \$12 million in QCoast 2100 to help local councils in coastal areas undertake important climate adaptation work; developing eight sector adaptation plans to help prioritise climate change adaptation

activities across key sectors of the community; investing a record \$330 million to protect the Great Barrier Reef; and delivering responsible vegetation management laws. The Palaszczuk government accepts the science and is committed to responsible action on climate change.


PERSONAL EXPLANATION

Member for Mirani; Responsibility of Passholders, Suspension of Member's Right to Visitors

 **Mr ANDREW** (Mirani—PHON) (10.12 am): Further to the Attorney-General's comments, I do not condone any of the behaviour of the people who were there. It was utterly unacceptable. I did ask those people to stop. I did regain control of those people and I took them straightaway from the House. I would just like to make that perfectly clear. Also, it was a dark evening. There was nothing actually looked at. The flipping of the lids did occur. There was no paperwork or anything looked at. I just want to make that totally clear.

PARLIAMENTARY CRIME AND CORRUPTION COMMITTEE


Report

 **Mr NICHOLLS** (Clayfield—LNP) (10.13 am): I lay upon the table of the House report No. 102 of the Parliamentary Crime and Corruption Committee titled, somewhat inventively, *Annual report 2018-19*. I note in passing that the travel budget was \$25, and I am still trying to find out who spent that money.

Tabled paper. Parliamentary Crime and Corruption Committee: Report No. 102, 56th Parliament, October 2019—Annual report 2018-19 [[1918](#)].

NOTICE OF MOTION

Queensland Health

 **Ms BATES** (Mudgeeraba—LNP) (10.14 am): I give notice that I will move—


That this House—

1. condemns the Palaszczuk Labor government for ongoing health failures and wrong priorities, including:
 - (a) the CEO sacking debacle at the Wide Bay Hospital and Health Service, which has dragged on for more than three weeks;
 - (b) the ongoing sterilisation crisis at the PA Hospital, which has seen hundreds of surgeries delayed and rescheduled;
 - (c) the failed rollout of the \$35 million regional eHealth project in Far North Queensland;
 - (d) skyrocketing ambulance ramping;
 - (e) surgery wait times blowing out;
 - (f) delays in progressing the new drug and alcohol rehabilitation facility in Rockhampton;
 - (g) cutting \$203 million for the hospital building budget for this year, while many of our hospitals are bursting at the seams;
 - (h) overseeing a \$2.1 million reduction in donations to the Children's Hospital Foundation following the removal of the Lady Cilento name;
 - (i) failing to resolve issues with the \$135 million FAMMIS ordering system failures, which has seen nurses having to order medical supplies on the corporate bankcard and extra staff employed just to process ongoing payments;
 - (j) the minister's announcement that 100 complaints per day is 'not a bad thing';
 - (k) refusing to release the investigation report into failures into the integrated electronic Medical Record at 14 hospitals on 10 September 2019; and
 - (l) refusing to release the location of the 16 complaints made at state managed residential aged-care facilities in 2018, that was obtained through RTI; and
2. calls on the Premier to show some leadership and sack the health minister.

QUESTIONS WITHOUT NOTICE

Mr SPEAKER: Question time will conclude at 11.16 am.

Premier and Minister for Trade

 **Mrs FRECKLINGTON** (10.16 am): My first question without notice is to the Premier. Yesterday the Premier was found guilty of committing a contempt of the parliament. With multiple integrity scandals engulfing her government, does the Premier now accept her legacy as the only Premier in Queensland history to be found guilty of contempt?

Ms PALASZCZUK: I thank the Leader of the Opposition for the question. That debate occurred in the House yesterday and members of this House voted on it, so as far as I am concerned the House has accepted my apology.

When we talk about legacies Campbell Newman springs to mind. Losing the largest majority in Queensland's political history was unprecedented. Just to put it in context, when we were in opposition we sat in that little corner plus one over there. Six plus one equals seven. In fact, the LNP government went from here all the way around as far as the eye can see to there. How long did it last? Three years.

Mr Mander: Why was that?

Ms PALASZCZUK: I take the member for Everton's interjection. He was part of the Newman government. He was a senior cabinet minister. As we know, the members opposite—and many of them are still there—who sat around the cabinet table have never once apologised to the Queensland public and the 14,000 people who lost their jobs.

Mrs Frecklington interjected.

Ms PALASZCZUK: I hear the Leader of the Opposition interjecting—the Leader of the Opposition who presided over secret donations.

Mr BLEIJIE: Mr Speaker, I rise on a point of order under 118 and relevance. The question asked was directly about the Premier's legacy and being the only Premier found in contempt of parliament.

Mr SPEAKER: The question contains multiple parts. I am going to ask the Premier to come back to the question asked. However, it is not a simple and direct question in itself.

Ms PALASZCZUK: One great legacy of the Labor government is fixing up the mess that the LNP government left. We are fixing up the mess. I am glad the member for Kawana rose to his feet because we had to fix up a lot of mess there from the worst Attorney-General in Queensland government history. He was the worst—with the boot camps, the tenders, flying on helicopters and not driving, the appointment processes—

Ms Trad interjected.

Ms PALASZCZUK: Yes, there was \$12,500 for political donations and my government brought it down to \$1,000. That is a great legacy; we are fixing up political donations in this state. We are making sure that we have the nurses, doctors, teachers and teacher aides. I am proud of what my government is doing and delivering for the people of Queensland.

(Time expired)

Premier and Minister for Trade

Mrs FRECKLINGTON: My second question is also to the Premier. The Ethics Committee report about the Premier's contempt proves the Premier used advice from the Crown Solicitor and one of Australia's most expensive private barristers. Will the Premier now tell the House how much the Premier slugged taxpayers to fund her legal defence?

Ms PALASZCZUK: I am happy to find out, but let me make it very clear. The matter has been dealt with in this House.

Mr BLEIJIE: Mr Speaker, I rise to a point of order. The Premier has indicated she is happy to find the answer. As we have in the last sitting, I am asking the Premier will she come back on notice as per the standing orders.

Mr SPEAKER: Premier, will you do that under standing order 113?

Ms PALASZCZUK: If the opposition wants me to go through indemnities, it will include those opposite who have sought indemnities—

Mr SPEAKER: No, Premier—

Honourable members interjected.

Ms Palaszczuk: It will be included

Mr SPEAKER: Premier, can I have a simple answer on that and not commentary, please. Will you be accepting that under standing order 113?

Ms Palaszczuk: As I have stated.

Economy and Jobs

Mr SAUNDERS: My question is to the Premier and Minister for Trade. Will the Premier update the House about her government's focus—

Mr Bleijie interjected.

Mrs D'Ath interjected.

Mr SPEAKER: Sorry to interrupt. Member for Kawana, you will cease your interjections. Leader of the House, you will cease your interjections. That is the last warning. During questions being asked, I expect they will be asked and heard in silence.

Mr SAUNDERS: My question is to the Premier and Minister for Trade. Will the Premier update the House about her government's focus on Maryborough and her commitment to economic growth and job creation in all regions of Queensland?

Ms PALASZCZUK: I thank the member for Maryborough for that question. We know how important Maryborough is. It is a great region of Queensland with a great member representing that region.

Ms Trad: It should be included in the regional city deal.

Ms PALASZCZUK: As the Deputy Premier said, it should be included in the city deal that we have—a Hinkler only city deal. I am very pleased to advise the member that, before the end of the year, my cabinet will be having a community cabinet once again in the great city of Maryborough. We are looking forward to going to Maryborough early next month and visiting the Wide Bay region. We are absolutely committed. The money we have put into the Wide Bay has included more than half a billion dollars on infrastructure projects, \$2.7 billion on health and \$46.2 million on education.

The member for Maryborough would be well aware of the \$14 million upgrade to the Maryborough Hospital to be completed in 2020. We have been out and visited Maryborough State High School, where we have \$10.5 million in upgrades. I am looking forward to seeing that when I am there. There is \$1.78 million for the Maryborough March Street Jetty. Design has started on the \$103 million Bruce Highway upgrade project at Saltwater Creek north of Maryborough. As we well know, this is key investment in Maryborough and we will continue with it. Of course, the trains are going to be built back in Maryborough. I am very pleased that later this year Downer will be celebrating its 150th anniversary of building trains in Queensland. I look forward to attending that very important event with the member for Maryborough before the end of the year.

I am also pleased to advise the House that next Monday we will begin the first of our regional community forums that will be held right across regional Queensland. This is a great opportunity for members of the public to be involved speaking to my government—

Mr Costigan interjected.

Ms PALASZCZUK: They will be talking about issues that affect them personally in their local communities, and they will be able to have direct access to my government and my ministers. I thank my ministers for being very supportive of this proposal when they will be right across regional Queensland next Monday. In closing, I thank all of the members of the public who have put forward their names to be a part of these forums. Unfortunately, not everyone can be on them but I am quite sure that the people who have been nominated will—

(Time expired)

Mr SPEAKER: Member for Whitsunday, I was not going to interrupt the Premier as you were intending to do. You are warned under the standing orders.

Crime and Corruption Commission, Funding

Mr MANDER: My question without notice is to the Deputy Premier. On Friday the CCC chair said its investigation into a taxpayer funded grant to a business part owned by the Premier's former chief of staff was undergoing a feasibility study to determine whether to proceed. Given the overwhelming public interest in seeing this matter properly dealt with, will the Treasurer increase the CCC budget to ensure a full investigation of David Barbagallo?

Ms TRAD: I thank the member for the question. The member well knows that there is a budget cycle that we have just completed. We passed a budget in this place in only July this year, so there is a budget process. I am not going to divulge the deliberations of CBRC or any of the submissions that came forward, but let me say this and let me put it on the record. Those opposite want to talk about the CCC, but they have got the most appalling record—

Honourable members interjected.

Mr SPEAKER: Pause the clock. Member for Glass House, you continually do not put your comments through the chair. You are warned under the standing orders.

Ms TRAD: When the Newman LNP government was first elected, it was not very long before the CCC came firmly in their sights. There was the most appalling public campaign against the chair of the CCC at the time, who resigned for health reasons, and then those opposite decided to appoint their yes-man, and we all know how that went. In addition to that, funding was contracted by those opposite. Let us be clear. It all culminated in this chamber in the dead of night when those opposite were in government and they came in here and sacked the entire Parliamentary Crime and Corruption Committee because they dared release the transcripts of hearings they held with the chair of the CCC at that time.

Mr Molhoek interjected.

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

Ms TRAD: Members, including their own members on the PCCC, decided in the interests of transparency, accountability, the truth and getting facts out there to table in this House what all members should have known about the very close relationship between the chair of the CCC and the Premier's office. For that, the entire PCCC was sacked.

Honourable members interjected.

Mr SPEAKER: Order! The House will come to order.

Ms TRAD: No-one will ever forget those opposite and their witch-hunt against the CCC, because ultimately and fundamentally they do not believe in the Crime and Corruption Commission existing in this state. It arose because of their corrupt conduct over 30 years under successive LNP governments in this state and it is here to stay. It is this side of the House that has always fought for and always supported the CCC.

Adolescent Mental Health Services

Mr MELLISH: My question is of the Premier and Minister for Trade. Will the Premier update the House on progress to build a new adolescent mental health centre at Chermside?

Ms PALASZCZUK: I thank the member for Aspley for the question, and what a great member he is for his local community, an outstanding local member delivering and listening—

An opposition member: Here comes Amanda.

Ms PALASZCZUK: She has no chance.

Ms Trad: Remember the last time a Brisbane city councillor came—

Honourable members interjected.

Mr SPEAKER: Order! The Premier has the call.

Ms PALASZCZUK: We know the success of former Brisbane city councillors coming into the House. Does Campbell Newman ring a bell?

Opposition members interjected.

Ms PALASZCZUK: Mark Bailey is excellent and I do not mind Tim Nicholls. I do not mind the member for Clayfield; we came into this House at the same time.

Mr Dick: With friends like that.

Ms PALASZCZUK: That is right.

Mr Mander interjected.

Mr SPEAKER: The member for Everton will refer to members by their correct title. You are warned under the standing orders.

Ms PALASZCZUK: In all seriousness, can I say to the member for Aspley how important it is that we are delivering a brand-new adolescent mental health service for young people who are going through probably the most difficult time in their lives along with their families. This is an issue that is

personal to me, as I met with families and community members who were involved with the former Barrett Adolescent Centre which was formerly in my electorate at Wacol. When the LNP government—and we are talking about legacies—made that decision to close the Barrett Adolescent Centre—

Ms Bates: What did the coroner's report say?

Ms PALASZCZUK:—those young people had nowhere to go and it resulted in tragedy, which I know the member for Mudgeeraba is well aware of. My government made a commitment to build a brand-new centre and I can advise the House that that centre is close to completion. It is a \$41.3 million project. There have been 140 people involved in the construction. There will be 45 staff there when it is open, and it will open next year. I am very excited about next year because so many things are going to be opened in this state—

Ms Jones: New schools.

Ms PALASZCZUK:—new schools and a new adolescent centre.

The families of the former Barrett Adolescent Centre have been invited to suggest a new name for the centre. It will be named by the families, and I think that is the most appropriate course of action. I want to thank the families for being patient and for being involved every step of the way in relation to this new centre. It is a very proud achievement of my Labor government.

Premier and Minister for Trade

Mr JANETZKI: My question is to the Attorney-General. The Crime and Corruption Commission found the Premier's actions may give rise to a bribery offence under section 60 of the Criminal Code. Bribery was specifically excluded by the Speaker from the Ethics Committee investigation. Will the Attorney ask the DPP to consider whether the Premier may have committed an offence against section 60 of the Criminal Code?

Mrs D'ATH: I thank the member for his question. The CCC has comprehensively dealt with this matter. The Ethics Committee has dealt with this matter. The CCC made it very clear that those matters are outside of their purview and should be dealt with by this parliament. This parliament has dealt with the matter. There was an apology and a motion before this House, which was accepted by the opposition yesterday. If the—

Opposition members interjected.

Mr Kelly interjected.

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

Mrs D'ATH: I know those opposite want to keep making slurs against anybody and everybody on this side of the parliament. A week of parliament does not go by now without those on the opposite side making allegations in relation to individuals. As I said, those matters in relation to the Premier have been fully investigated and considered by this parliament and the CCC. There are powers within the Parliament of Queensland Act and under the standing orders for all members to take action; those opportunities are there. This House has dealt with this matter. The Premier has apologised unreservedly. The matter was debated in this parliament yesterday and the motion was supported by the opposition yesterday. However, now they are starting to regret supporting it because they want to keep it going. They will do anything to talk about these issues—

Ms Trad: Because they have nothing else—no economic credentials.

Mrs D'ATH:—because they do not want to ask questions about jobs, the economy, health, education, investment and infrastructure in this state or why they are not standing up to their mates in Canberra about funding cuts or their appalling position on training and skills. 'Let's get kids to ditch school and leave at year 10. Do not even bother finishing your education.' When they talk about legacy, this is their legacy.

Mr BLEIJIE: Mr Speaker, I rise to a point of order under standing order 118 on relevance. The question was not about education or the federal government; it was about the important role the DPP and the Attorney-General play in Queensland.

Mr SPEAKER: Attorney-General, I ask you to come back to the core of the question asked. I believe you are straying from that in terms of relevance.

Mrs D'ATH: I draw to the attention of those opposite and the House recommendation 2 of the Ethics Committee report that makes recommendations in relation to action that they believe the Parliamentary Crime and Corruption Committee should consider in pursuing matters regarding the

assessment by the Parliamentary Crime and Corruption Committee of the referral of the matter, so there are opportunities there. The committee has outlined a recommendation to the PCCC. The PCCC can now make a decision on what they choose to do with that recommendation. That is the proper course in which to deal with these matters.

As I have said, the matter has been dealt with. The Premier has unreservedly apologised. The CCC and this parliament have considered the matters before the House. What we on this side of the House are focusing on is getting on with supporting jobs, the economy and front-line services and not dirt digging like those opposite.

(Time expired)

Jobseekers

Ms PEASE: My question is of the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships. Will the Deputy Premier please advise the House what initiatives the Palaszczuk government has put in place to help jobseekers, and is she aware of any alternatives?

Ms TRAD: I thank the member for Lytton for the question. I note that we both got the memo about wearing black and white today! I know that the member for Lytton, like every member on this side of the chamber, is incredibly passionate about making sure that Queenslanders have a place in our economy, that their place in our economy is secure and that they have opportunities to progress and to prosper. We have our Back to Work program, which has helped more than 20,000 Queenslanders statewide—4,000 in South-East Queensland. We have our Skilling Queenslanders for Work program, which those opposite axed, an employment preparation program for those people who find it the most difficult to find a place in our economy. Of course, we have made TAFE free for those Queenslanders under the age of 21, and we have spent significant amounts of money on infrastructure right across the state.

When we compare our track record to those opposite—and I will interchange the federal LNP with the state LNP because there is no difference. When we look at the issue of vocational education, I was absolutely appalled to read that a billion dollars has been underspent in vocational training across a number of years—a billion dollars. I will table for the benefit of the House that story.

Tabled paper: Article from the *Sydney Morning Herald*, dated 23 October 2019, titled “Looking at the extinction of the tradie”: Vocational education “shortchanged” \$900 million’ [1919].

It is outrageous that in a time when we are seeing a call on governments to do more around skills, the federal LNP short-changes vocational training by a billion dollars. We also see the federal government refusing to budge on raising the rate of Newstart. More than 350,000 Australians live on \$40 a day as they look for work. That is unacceptable.

When asked about this, Senator Anne Ruston, the minister for social services, said that giving people an increase through Newstart would only end in the pockets of drug dealers and pub owners. That is what those opposite think of people on Newstart. Those opposite are so loose with their words, they do not care who they offend. The biggest group on Newstart are those over the age of 55, desperately trying to find a place in the economy.

Mr Minnikin interjected.

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

Ms TRAD: We know the form of those opposite. I was interested to read on Twitter recently words by the US President about his impeachment being something of a ‘lynching’. There has been widespread criticism of his using that term for what he is currently going through, considering the racist elements to that word. There is one person in this chamber who liked what he had to say—the member for Kawana. He really liked that tweet.

(Time expired)

Outlaw Motorcycle Gangs

Mr LANGBROEK: My question without notice is to the Premier. After scrapping the LNP’s tough laws that drove bikies out of the state and reduced crime, Queensland is now suffering a rapid escalation of public violence, with shootings and fire bombings in our communities and on our streets. Will the Premier guarantee that not one more public act of bokie violence will occur before the next election, or does the Premier not back her own laws?

Ms PALASZCZUK: I thank the member for Surfers Paradise for the question. What a ridiculous question. That is an absolutely ridiculous question.

Opposition members interjected.

Ms PALASZCZUK: No, it is an absolutely ridiculous question.

Mr SPEAKER: Pause the clock. Member for Surfers Paradise, on hearing the question I suggest that the question is a hypothetical, which would be ruled out under the standing orders. I offer you the opportunity to rephrase your question, or I will call the next questioner.

Mr LANGBROEK: The latter part or the entire question?

Mr SPEAKER: The part that is hypothetical.

Mr LANGBROEK: Will the Premier adopt the LNP's plans to keep Queenslanders safe?

Mr SPEAKER: I call the Premier.

Opposition members interjected.

Mr SPEAKER: Order! Members, I have given you guidance before about interjecting before a member has even risen to their feet and uttered a word. It is unacceptable; it is unparliamentary.

Ms PALASZCZUK: Unfortunately, as I said in the House yesterday, the LNP's plan saw the sacking of senior police officers in this state. I made that very clear. Members of the Queensland Police Service should be respected in this House, and I respect the work that they do each and every day.

Mr Crisafulli interjected.

Mr SPEAKER: The member for Broadwater will cease his interjections.

Ms PALASZCZUK: What we do in this House is put forward the strongest laws we can come up with, and we have done that through our serious organised crime laws. I am happy to provide this information to the House.

Mr Bleijie interjected.

Mr SPEAKER: Member for Kawana, cease your interjections. The Premier is being responsive to the question asked.

Ms PALASZCZUK: They in the LNP were so successful, how many convictions were there? How many convictions were there, member for Kawana? How did the pink jumpsuits go?

I will talk about a serious issue here and about the facts since our laws were passed, from March 2015 to 30 September 2019. I want these facts on the record: 130 full patched outlaw motorcycle gang members have been formally disaffiliated; 66 matters have been referred by the gangs group to the Crime and Corruption Commission for consideration of proceeds action; there were 48 restraining orders over property worth over \$14.9 million; 2,323 OMCG participants were charged with 11,621 offences including 761 weapons related offences; four people were charged with recruiting to a criminal organisation—

Mr Crisafulli interjected.

Mr SPEAKER: Member for Broadwater, I asked you to cease your interjections. You are warned under the standing orders

Ms PALASZCZUK: Some 1,333 official consorting warnings have been issued; there were two convictions for habitually consorting; 205 people were charged with a serious organised crime circumstance of aggravation; there were 49 convictions for the colour offence; 215 charges were filed and—

Opposition members interjected.

Mr SPEAKER: Members to my left, the Premier is being responsive to the questions asked. You will cease your interjections.

Ms PALASZCZUK: Some 215 charges were filed and 17 convictions were recorded with respect to the circumstances of aggravation for fraud. Five people are on remand for habitually consorting. All of them are OMCG members. They are the facts in terms of the work that the police are doing in relation to our laws—laws that are tough, strong and look at all aspects of serious organised crime, not just one particular aspect. As the police minister said in this House earlier—and I will update the House once again—the police on the Gold Coast have a team of more than 20 detectives working around the clock on the investigation. Operation Romeo—

(Time expired)

Local Government, Transparency

Ms HOWARD: My question is of the Minister for State Development, Manufacturing, Infrastructure and Planning. Will the minister advise how the government is working to improve the transparency of local government and is the minister aware of any other approaches to clarity, openness and transparency in public office?

Mr DICK: I thank the member for Ipswich for her question. I am pleased to advise the member for Ipswich and all honourable members that from January 2020 Queenslanders will have more information about how their local councils collect and spend developer infrastructure charges as we deliver on our election commitment for more transparency in local government. Our government has responded to concerns from residents that, while they bear the brunt of major developments, they are not seeing the improvements that local government infrastructure charges are meant to fund. This will give all residents in local government areas across Queensland clarity and detail around those infrastructure charges. It is of course a typical and regular complaint about the Brisbane City Council, which for too long has become a plaything of the LNP.

I am asked by the honourable member about alternative approaches to public office. Of course, the shadow Treasurer, the member for Everton, weighed in on council matters a few weeks back, including his own unique approach. He said, 'You need to know your detail and you need to have substance.' It has taken some time and it has required some patience, but we have at least arrived at a subject about which the member for Everton has complete authority. When it comes to bumbling interviews, the Deputy Leader of the Opposition is in a class of his own. Who can forget the great 4BC train wreck when the member for Everton declared it was irrelevant and irresponsible to have a debt plan? For years to come they will be rolling out that interview and saying, 'Do not do this.'

It is a pity the member for Everton did not take the chance when at Luna Park to pitch a new ride: the Black Hole, an \$8 billion freefall down the road to nowhere through the tunnel of the magic pudding and off the fiscal cliff. Ride at your own risk! A lecture on substance by the member for Everton has all the credibility of a Jonathan Sri voicemail message—something about which the member for Ipswich knows quite a deal.

It is not just the Deputy Leader of the Opposition; the Leader of the Opposition is no better. Yesterday the Leader of the Opposition said that the Premier's apology was inadequate and 30 minutes later she voted for a motion saying it was adequate. It is hard to keep up with the Leader of the Opposition's constantly changing position. Even she is having trouble. This is a failure of tactics, strategy and policy but, most importantly, it is a failure of leadership by the Leader of the Opposition and the deputy leader—and all the backbenchers know it. Yesterday they were absolutely and entirely hopeless but supported the position of the Ethics Committee, as we all properly did. They are walking into an election blindfolded—

(Time expired)

Townsville, Community Safety

Mr LAST: My question without notice is to the Premier. People in North Queensland are so concerned that the Palaszczuk Labor government has lost control of public safety that they rallied in Townsville yesterday against Labor's soft-on-crime policies. When will the Premier—

Ms Boyd interjected.

Mr SPEAKER: Member for Pine Rivers, you are warned under the standing orders.

Honourable members interjected.

Mr SPEAKER: Order! Members, I am not encouraging that kind of interjection. Please continue your question. Do not start again, member.

Mr LAST: When will the Premier adopt the LNP's plan for a dedicated police helicopter and for breach-of-bail laws to take back our town from the thugs and hooligans holding Townsville to ransom?

Ms PALASZCZUK: I thank the member for Burdekin for the question. My recollection is that yesterday the police government aircraft was utilised, so we actually have two there. Hello! There are two. What was your plan? We have two.

Mr SPEAKER: Premier, your comments will come through the chair.

Ms PALASZCZUK: Sorry, Mr Speaker. In all seriousness—

Mr Bleijie interjected.

Mr SPEAKER: Member for Kawana, you are warned under the standing orders. The Premier has the call.

Ms PALASZCZUK: Thank you very much, Mr Speaker.

Mr Crandon: Lucky they didn't need—

Honourable members interjected.

Mr SPEAKER: Order! I would like to hear where he is going with this.

Honourable members interjected.

Mr SPEAKER: Member for Coomera, you are warned under the standing orders—for not preparing an interjection properly!

Honourable members interjected.

Ms PALASZCZUK: Well, Mr Speaker, there is a reason why they are in opposition!

Mrs Frecklington interjected.

Government members interjected.

Mr SPEAKER: Order! We just had to take it too far, didn't we? Members, the Premier has the call.

Ms PALASZCZUK: I have almost forgotten the question, Mr Speaker. We have talked about the helicopters and then we had the interjection by the member for Coomera. Do not worry, member for Coomera: we have a great candidate coming soon! We are looking forward to Coomera. We are delivering a lot in Coomera and building a lot, so I am looking forward to that announcement, which is imminent. As the police minister said in this House—let us get back to it because it is a serious issue—I understand that the people of Townsville are concerned, and that is why the Police Commissioner has acted very swiftly. That is what the police minister said in the chamber this morning. I also want to acknowledge the fact that the member for Thuringowa personally came to see both myself and the Minister for Police yesterday in relation to this issue.

For the benefit of the member for Burdekin, let me repeat that the Police Commissioner has advised the police minister that a targeted police operation, Operation Romeo Seville, starts in Townsville today. You cannot be any quicker than that. The Police Commissioner has made that decision and it starts in Townsville today and the people of Townsville will see an escalated police presence. Let me say very clearly it is this government—this Labor government—that is delivering for more police in Townsville. We did not sack police. We are putting on more police. We did not charge people to use their police equipment. We gave police the resources that they need to do their jobs. We have also given the police the pay and conditions that they deserve.

Outback Queensland, Tourism Industry

Mrs LAUGA: My question is to the Minister for Innovation and Tourism Industry Development and Minister for Cross River Rail. Will the minister please update the House on the government's commitment to growing the tourism industry in the outback?

Ms JONES: I thank the honourable member for her question and for her advocacy on behalf of outback Queensland which is continuing to do it tough, particularly during the severe drought that we are experiencing right now. Our government is pulling every lever we can to support drought-stricken farmers and the outback. The Premier quite rightly declared that 2019 would be the Year of Outback Tourism and we have seen record numbers of Australians choosing to go to the outback, many for the first time. In actual fact, this year was the first time ever we clocked over to one million visitors, spending hundreds of millions of dollars in these communities at the very time that they need that support most.

In addition to the \$724 million that has been spent in the region to the end of June 2019, today there is new data showing how successful the additional support was that we gave to major events in outback Queensland. The results are just in and the iconic Mount Isa Rodeo had record spectators with 39,933—Robbie, we needed just a few more—and it broke \$12.2 million in value.

Mr SPEAKER: Members will be referred to by their correct titles.

Ms JONES: The honourable member for Traeger. That is half a million dollars more than 2018. I can also confirm that more than 15,000 spectators spent \$5.6 million at the Adina Polocrosse World Cup, generating strong outcomes for local businesses in Warwick and the Southern Downs. Our commitment to the outback and supporting farmers and communities during this drought stands in stark

contrast to those opposite. There has been a lot of speculation this week—and we know that every National Party woman is an endangered species—but we know now that Bridget McKenzie's job is on the line because her own backbench realises what a terrible job the federal government is doing in supporting the outback and drought. When we look at the Future Drought Fund, even the federal government is saying that not one dollar will be drawn down from that until July next year.

Mrs Frecklington: It's a future fund.

Ms JONES: July next year. How does that help a farmer today? I hear the Leader of the Opposition calling out. Why does she not do her job and call out her colleagues? Where is the letter from the Leader of the Opposition or the transcript of the phone call from the Leader of the Opposition—maybe get Jonathan Sri to do it, but get someone to do it—to the Prime Minister to say, 'It is not good enough to commit funding in the never-never to help farmers in drought now'?

Mr Dick: That's right. What did she say at the meeting?

Ms JONES: What did she say at the meeting? In actual fact, the \$5 billion does not even reach \$5 billion until the 2028-29 financial year. This is a serious issue. The LNP likes to say it is friends of the farmers. Here is a very clear opportunity for the Leader of the Opposition to muscle up and show some leadership. Why will she not stand up to her bosses in Canberra and fight for Queensland farmers and fight for the Queensland outback?

SunWater, Paradise Dam

Mr BENNETT: My question without notice is to the Minister for Natural Resources. In the interests of openness and transparency, will the minister order SunWater to release the technical report used to justify releasing the 105,000 megalitres of precious water in the midst of the drought and lowering the Paradise Dam wall?

Dr LYNHAM: I thank the member for the question. Just yesterday I met with representatives from the Burnett region, mainly farming representatives, and we are meeting on a monthly basis to discuss issues around Paradise Dam. The government listens to experts on the important issues of public safety and water security. Experts at Inspector-General Emergency Management and Building Queensland will consider all of the SunWater information and technical reports, including the highly technical GHD report and a further peer review of this by an independent US expert, and Building Queensland will then provide advice to government and the public early next year. We need to give all of these experts time to provide their analysis and advice in context.

Townsville, Community Safety

Mr HARPER: My question is to the Minister for Police and Minister for Corrective Services. Will the minister please advise the House of actions being taken to keep communities safe in Townsville and advise of any risks to the planned rollout of proactive policing measures?

Mr RYAN: I acknowledge the three Townsville MPs on this side of the House for their strong advocacy for community safety. Today we have seen an announcement by the Queensland Police Service of an operation targeting particular behaviour in Townsville—appalling behaviour in Townsville—and I commend the Queensland Police Service for its response in this matter. I can also confirm that our rollout of additional police for Townsville remains on track. We all know that Townsville received an election commit from our government that we would deliver 53 extra police by the middle of 2022, and we are going to deliver that 18 months early. By the end of next year—

Mr Mickelberg interjected.

Mr Hunt interjected.

Mr SPEAKER: Pause the clock. Member for Buderim and member for Nicklin, I have given you both enough guidance today. You are warned under the standing orders. Cease your interjections.

Mr RYAN: Eighteen months early we will deliver that election commitment in full. By the end of next year, this Labor government would have delivered 103 extra police for Townsville.

When it comes to policing resources, we can see what the LNP does. I can imagine what would have happened in the CBRC room when the member for Nanango was sitting there ticking off things. It would have been like an episode of the *Vicar of Dibley*, with Jim Trotter sitting there. They would have said, 'Shall we give the police body worn cameras?' 'No, no, no, no, no, no.' 'Should we give the police QLITE?' 'No, no, no, no, no.' 'Shall we sell the Townsville academy?' 'No, no, no—oh, yes.' 'Shall we cut police resources in Townsville?' 'No, no, no, no—yes.' 'Shall we sack 106 senior police?' 'No, no, no, no—yes.' That would have happened in the LNP's CBRC room.

On a very serious matter, the people of Townsville really need to know what the LNP members think of their city. The people of Townsville really need to know what the member for Toowoomba North said during the regional sitting of parliament. On Thursday, 5 September, the member for Toowoomba North had a meeting. At that meeting, the member for Toowoomba North was presented with some positive information about law and order in Townsville. What did the member for Toowoomba North say in response to that positive information? The member for Toowoomba North said that he did not want to hear that because that is not going to be good for the LNP.

The LNP's plan for Townsville is to wish misery on Townsville. The LNP's plan for Townsville is to escalate crime. The LNP does not want to hear positive news about the efforts of police in Townsville. Shame on the members opposite! Their tour of terror right across the state is all about scaring people and not backing our police and talking down our police effort. We just have to see their track record in government. When it comes to extra police, with extra resources, it is always, 'No, no, no, no, no.'

(Time expired)

Hill Electorate, Road Infrastructure

Mr KNUTH: My question without notice is to the Minister for Transport and Main Roads. I have continuously raised the issue of tar melting on roads in my electorate, with another reoccurring on the East Evelyn Road, causing severe safety issues. Will the minister now commit to use local road contractors for repairs and upgrade work as they understand the region's climate and road construction standards?

Mr BAILEY: I thank the honourable member for the question. I understand that the East Evelyn Road in the range had some drying issues in terms of the seal. We are going back there to look at that issue. I understand that Transport and Main Roads has made a commitment that it will do a reseal there in terms of having a crumbed rubber substance. In terms of texture and surface, we find that the crumbed rubber gives greater flexibility to the road surface. It makes the road surface more durable and it also uses recycled materials. There is some good technology going on in terms of sealing and bitumen in Queensland, where we have extraordinary, extreme weather events and annually intense temperatures and, of course, sometimes with cyclones we also see inundation.

We always try to use local workers wherever we can. It depends a bit on the location. Sometimes we do not get in contractors who apply from that particular region. Sometimes that is not possible, but we certainly try to do that as often as we can. I understand that this matter will be rectified fully over the next month or so with a crumbed rubber seal, which is probably more appropriate given what we have experienced on this road.

Road Safety

Ms RICHARDS: My question is to the Minister for Transport and Main Roads. Will the minister update the House on the Palaszczuk government's plan to improve road safety in Queensland?

Mr BAILEY: I thank the member for Redlands, who is a strong advocate for roads and road safety in the Redlands. She has a very strong record, with commitments already for Cleveland-Redland Bay Road and a range of other intersections in her area that need attention.

This government is committed to roads and road safety: a \$23 billion commitment over the next four years. We are seeing \$900 million going specifically into road safety upgrades over the next four years to keep improving our road network. That means intersection upgrades, passing lanes, wide centre-line treatments—all of those things that make our road network safer.

That money also funds driver safety campaigns, which are very important and ongoing to keep bringing home that message to people that safety is everybody's business every time they drive. I have to report to the chamber that, this year, 178 deaths have occurred already on Queensland roads. If members could imagine 13½ Rugby League teams lined up dressed in black, that is how many Queenslanders have died this year. The shocking thing is that we will see more deaths this year. We all have a responsibility to bring down that road toll. This time last year we had 201 deaths—so we are doing relatively better than we did last year, but it is still 178 deaths far too many.

People are aware of my commitment to greater action on distracted driving. I was very happy to see that the centre for accident research in New South Wales has very innovative and, I think, world-leading technology, which I am very keen for Queensland to benefit from as soon as we can. Trials that have been going on in New South Wales have been very successful. Distracted driving is very much the drink-driving of this era. The risk is similar. That is what the evidence shows.

In Queensland, we need a bipartisan approach to road safety. This is the case across the country, but not in Queensland. Here, we are hearing the opposition members say that they will roll back road safety by getting rid of covert speed cameras in Queensland. This will cost lives in Queensland. That is the inevitable outcome of rolling back the randomness. That randomness means that people can be caught anywhere, anytime and they know it. That changes behaviour and makes safer driving. For the Leader of the Opposition to be exploiting road safety in an attempt for votes is a low point in her leadership. As the minister for road safety, it would be remiss of me not to point that out in this chamber. Let me be very clear on this: it is not just the Leader of the Opposition; it is the Deputy Leader of the Opposition. The member for Chatsworth has also been soft on speeding in his local electorate. We all have to be clear on road safety. It should be a bipartisan issue. It should be beyond partisan politics, because it means that the lives of Queenslanders will be saved. That is what leadership is about.

(Time expired)

New Acland Coalmine, Jobs

Mr WEIR: My question is to the Premier. According to the CCIQ, it can take jobseekers up to 67 weeks to find a job in Toowoomba. Will the Premier offer any support to the 150 workers laid off from the Acland coalmine as they begin what could be a near 18-month search for a new job?

Ms PALASZCZUK: I thank the member for Condamine for the question. Of course, we are very concerned about people's jobs in this state. As I have said, we have created over 200,000 jobs. In relation to the New Hope mine, my understanding—and I will get the minister for mines to correct me—is that the life of that mine is until the end of 2021 at the current status. I am happy to confirm that to the members of the public—

An honourable member: No idea.

Ms PALASZCZUK: No, that is my understanding.

A government member interjected.

Ms PALASZCZUK: Sorry, to the end of 2020. As we know, the Court of Appeal is still considering its next steps to hand down its final determination. We will await that determination. In the meantime, I urge New Hope to keep those workers employed until that court case is resolved.

Buy Queensland, North Queensland Stadium

Mr STEWART: My question is to the Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport. Will the minister advise the House how the Palaszczuk government's Buy Queensland approach has provided jobs and local benefits from the construction of the new North Queensland Stadium, the home of the Cowboys, and whether he is aware of any alternative approaches?

Mr de BRENNI: I thank the member for Townsville, a key player in this Labor team that is 100 per cent behind the North Queensland Stadium and jobs for Townsville. When we invest in sports facilities we do more than deliver important social infrastructure; we also deliver jobs for Queenslanders. Thanks to Buy Queensland, I can announce that our signature sports project has reached some important milestones. I can announce that 1,700 Townsville jobs have been created today on the North Queensland Stadium, including 121 apprentices and 17 trainees. We are about to hit 500 local businesses engaged in the supply chain—even more jobs for Queenslanders living in Townsville.

With the stadium doors about to open, I can announce that Spotless catering will retain all 500 of those jobs from 1300SMILES. I am also pleased to announce to the House that it will employ a further 300 Townsville residents to work on the new stadium when the doors are opened. That is a commitment to a 100 per cent local Townsville workforce—a total of 800 Townsville jobs in catering and hospitality. I can also announce that applications are now open for a further 140 event-day jobs with Stadiums Queensland on offer to assist people to their seats, out of their cars and through the gates. This entire Labor team is united in our push for jobs in regional Queensland. We are 100 per cent behind the North Queensland Stadium.

The LNP though are like a team in the middle of a losing streak. They are a team in disarray. What a shocker of a season the captain has had. It is okay: the season is nearly over. I know the reserves on the LNP backbench cannot wait for that. We all remember the LNP trying to give North

Queenslanders a hospital pass on the stadium. They said, 'Sell the port first, then we will give you the stadium.' Then there was the member for Surfers Paradise. He is like the flashy winger. He looks pretty good in the jersey but do not ask him to make a tackle. He delivers one of the most astonishing turnovers of the stadium story. He goes on local radio and says there is no funding at all for the stadium. The whole LNP team is on a losing streak. They cannot string two passes together for North Queensland. Are any of the front row match fit at all? I look at the member for Everton, who refereed the Cowboys first game, but he dropped the ball on stadium funding. Even still he has his eye on the top job, already signing off in the *Beaudesert Times* as 'Mr T Mander, LNP leader'.

This whole extraordinary episode is one big falcon from the LNP. Here is the scoreboard: the Labor government delivering 1,700 jobs for the people in North Queensland and the LNP's score: 750 jobs cut—a score that Queenslanders will never forget.

Rural Fire Service, Blue Cards

Mr MILLAR: My question without notice is to the Premier. While no-one doubts the importance of protecting our kids, can the Premier explain how a policy about blue cards has been bungled so badly that 18,000 rural fireys are ready to hand in their badge leading into what could be the worst bushfire season?

Ms PALASZCZUK: I thank the member for the question. I am happy to get advice on that. I understand that there is an issue at the moment in relation to blue cards because some of our rural firefighters are actually engaged in community events that do involve children. We will work through those issues. Minister Crawford and the Attorney-General are having discussions about those issues and I or the minister will be happy to update the House about that at a later time once those discussions have happened.

Rural Queensland, Health Services

Ms LUI: My question is to the Minister for Health and Minister for Ambulance Services. Will the minister outline how the Palaszczuk government will continue to provide health care to rural areas of Queensland and is the minister aware of any alternative approaches?

Dr MILES: I thank the member for Cook for what is a critical question for the community that she represents. I have been with her to see the fantastic work of our Queensland Health staff, all the way from Saibai Island near PNG to the western cape towns of Pormpuraaw and others. The hard work of our health staff in regional parts of Queensland is being let down by the lack of access to general practitioners.

The federal government has dropped the ball when it comes to primary health care for Queenslanders in the regions. Its cap on bulk-billing has starved primary health care of funding. There are places now where people are unable to access a bulk-billing doctor, such as Gladstone and Mackay. What that means is that, for too many Queenslanders, when they get sick they cannot get an appointment or they cannot afford to go to a doctor; they get sicker or they go to one of our emergency departments. Last year we saw more than two million Queenslanders in our emergency departments and roughly a third could have received their health care from a GP or at a pharmacy.


It is not just members on this side of the House such as the member for Cook who are concerned about this issue. The member for Glass House, the member for Callide and the member for Gympie have all written to me expressing concern about the lack of GPs available for residents in their communities. While I welcome their correspondence—it is always nice to hear from them—the fact is that primary healthcare access to GPs is a federal matter. I would urge those opposite to ask their leader to raise at her meetings of LNP leaders the fact that the policies of their counterparts in Canberra are leading to Queenslanders in the electorates of Glass House, Gympie, Callide and Cook to not have access to the doctors that they need.

It is another great flaw in their plan to privatise health services. You cannot outsource health services when there are not private doctors to outsource it to. Their grand plan of outsourcing more health services to the private sector will be let down by the fact that their counterparts in Canberra cannot make sure that there are enough doctors in Queensland to do the work that they want to outsource to them. I will be raising these issues at the COAG Health Council and at a Rural Doctors Association conference on Friday.

Mr SPEAKER: The period for question time has expired.

MINISTERIAL STATEMENT

Queensland Fire and Emergency Services, Blue Cards

 **Hon. CD CRAWFORD** (Barron River—ALP) (Minister for Fire and Emergency Services) (11.16 am): I rise to make a ministerial statement. I make no apologies for requiring blue cards for Queensland Fire and Emergency Services personnel before they get into a uniform and on the end of a fire hose. We hold the highest standard for the men and women on the state's front line because we have to. We need to make sure every possible step is taken to ensure the safety of young Queenslanders. Each and every day QFES personnel come into contact with children, whether that is an SES volunteer searching bushland for a missing child, a firefighter evacuating a town or a road crash rescue crew attending a road traffic incident.


QFES already undertakes criminal history checks on new staff and volunteers. Legal advice now indicates the blue card screening should be introduced for all staff and volunteers serving our community as firefighters or rescuers. QFES is a values based organisation and this decision brings it in line with community expectations. We know that some personnel already have blue cards because of their other commitments elsewhere in the community. I realise for some without blue cards obtaining one may be a small inconvenience. QFES is working proactively to support its workforce, its volunteers and its staff in making their applications. QFES has more than 30,000 frontline staff with about one-third having already applied for their blue card. I know for the vast majority of QFES staff there will be no objection to the blue card. I know it will go some way to help recruit young volunteers, particularly in rural areas. As a parent myself, I would have a very clear expectation that my child was safe.

Our firefighters have worked under some very challenging conditions in recent years and rightfully have earned the respect of the Queensland community. It is not an unusual or unreasonable standard, with most other frontline staff already required to hold similar accreditations. As I have mentioned, QFES is working closely with our staff and our volunteers to help them obtain a blue card. Unfortunately, those unable to obtain a blue card for whatever reason may be ineligible to continue frontline work with QFES, but I expect that they will be few in number.

I have filled out the blue card form myself. It is not hard—it only takes a couple of minutes—but the message it sends is significant. Parents teach their children to trust men and women in uniform. This requirement ensures we meet this community standard. When the going gets tough and Queenslanders are in need, they deserve to know that those who wear the QFES uniform are worthy of their trust.

MOTION

Amendment to Business Program

 **Hon. YM D'ATH** (Redcliffe—ALP) (Leader of the House) (11.19 am), without notice: I move—


That, in accordance with sessional order 2B(4) and (5), the Business Program motion agreed to by the House for this week be amended to remove 1(d).

Question put—That the motion be agreed to.

Motion agreed to.

NATURAL RESOURCES AND OTHER LEGISLATION (GDA2020) AMENDMENT BILL

Introduction

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (11.19 am): I present a bill for an act to amend the Cape York Peninsula Heritage Act 2007, the Geothermal Energy Act 2010, the Gold Coast Waterways Authority Act 2012, the Greenhouse Gas Storage Act 2009, the Land Act 1994, the Land Title Act 1994, the Mineral and Energy Resources (Common Provisions) Act 2014, the Mineral Resources Act 1989, the Petroleum Act 1923, the

Petroleum and Gas (Production and Safety) Act 2004, the South Bank Corporation Act 1989, the Survey and Mapping Infrastructure Regulation 2014 and the Transport Infrastructure Act 1994 for particular purposes. I table the bill and the explanatory notes. I nominate the State Development, Natural Resources and Agricultural Industry Development Committee to consider the bill.

Tabled paper: Natural Resources and Other Legislation (GDA2020) Amendment Bill 2019 [[1920](#)].

Tabled paper: Natural Resources and Other Legislation (GDA2020) Amendment Bill 2019, explanatory notes [[1921](#)].

The Natural Resources and Other Legislation (GDA2020) Amendment Bill 2019 supports the adoption of Australia's latest standard for measuring position, the Geocentric Datum Australia 2020 or GDA2020. In addition, it will deliver improved state land decision and land titling processes. Importantly, it also will extend the boundary of the Cape York Peninsula region to include additional land parcels to deliver uniformity in the management of the Cape York Peninsula region protected area estate.

Firstly, I would like to talk about the significance of the provisions of this bill that allow for the adoption of Australia's latest standard for measuring position, known as the Geocentric Datum Australia 2020, or GDA2020 for short. Geographical position descriptions are included in many pieces of existing Queensland legislation. This has been done to either establish the format position information is exchanged in or to regulate activities at a set location or area, such as a marine park. This bill makes the necessary amendments to a number of pieces of legislation across the natural resources, mines and energy and transport portfolios to adopt GDA2020 in Queensland.

The amendments will ensure Queensland's legislation responds to evolving positioning technology and the continued modernisation of Australia's datum. To locate a position accurately, two things are needed: a reference framework that describes the shape and size of the earth, known as the datum, and a coordinate system—the latitudes and longitudes. The coordinates describing the location of a feature on the ground—for example, a road or fence—will be different depending on the datum used. Datums are used where people rely on location information in surveys, mapping, geology, navigation and astronomy.

Since 1966, Australia has had four datums, including the Australian Geodetic Datum 1966, the Australian Geodetic Datum 1984 and the Geocentric Datum Australia 1994, all of increasing accuracy. The GDA2020 better accounts for the movement of Australia's continental plate, evolving positioning technology and will align with global positioning systems. Global positioning systems create coordinates for features, such as a building, by reference to the centre of the earth. Over time, the coordinates for the features will change as a result of continental drift. By contrast, datums such as the Geocentric Datum Australia provide a coordinate system that is fixed to a tectonic plate at a specific point in time. In Queensland, we use the Geocentric Datum Australia 1994.

Australia sits on one of the fastest moving tectonic plates, moving at about seven centimetres per year, which is about 1.8 metres since 1994. While this may seem imperceptible, it is significant when using equipment that relies on accurate, real-time positioning data. Upgrading to GDA2020 ensures that Australia and Queensland can reap the benefits of 21st century positioning technology, such as connected and automated vehicles, smartphone devices and apps, remote controlled mining and agricultural equipment or drone technology.

All Australian jurisdictions have been working together since 2015 to implement our nation's latest datum GDA2020, by 30 June 2020. In 2017, the Australian government legislated GDA2020 as the new national measurement standard for position under its National Measurement Act 1960. With the adoption of GDA2020, previous datums remain valid but will ultimately not be supported by modern geopositioning devices.

The bill makes necessary legislative amendments to support adoption of GDA2020 in Queensland by the Australia and New Zealand Land Information Council's implementation date of 30 June 2020. Further changes to the national standard for position are inevitable as the continental plates will continue to drift. Similarly, as technology improves, more accurate and real-time position information will be demanded, particularly in the digital economy. Legislation must be responsive and allow for efficient datum updates.

The bill achieves this by using a single point of truth under the Survey and Mapping Infrastructure Act 2003 to identify the datum for the future collection and sharing of position information. The Land Act and Petroleum Act 1923 provisions will use the datum defined under the Survey and Mapping Infrastructure Act 2003, ensuring these provisions remain contemporary and consistently apply the

latest standard for position. Coordinates for a given position change depending on the datum used. Therefore, failure to include the datum reference with coordinates can render the coordinate information ambiguous. The bill ensures position references are technically complete, that is, coordinates are provided with the associated datum and, where appropriate, updated to GDA2020.

The amendments to the Transport Infrastructure Act 1994 make it clear that position references for the Logan Motorway facility and Gateway Motorway facility were defined using Geocentric Datum Australia 1994. The bill amends the Mineral and Energy Resources (Common Provisions) Act 2014 and the resources acts to make clear that AGD66 was used to define blocks and sub-blocks. The resources acts include the Geothermal Energy Act 2010, the Greenhouse Gas Storage Act 2009, the Mineral Resources Act 1989, the Petroleum Act 1923 and the Petroleum and Gas (Production and Safety) Act 2004. For resource legislation, the provision clarifies that, while the original division into blocks and sub-blocks was undertaken in AGD66, the chief executive has the ability to display the blocks and sub-blocks in a spatial database using the current datum.

The bill amends the Gold Coast Waterways Authority Act 2012 to update position references for areas near the mouth of Currumbin Creek, the Gold Coast Seaway and the mouth of Tallebudgera Creek from GDA94 to GDA2020. While the coordinates are different when expressed in GDA94 and GDA2020, both refer to the same position or location in Queensland.

Aside from these important datum changes, the bill amends the Land Act 1994 to improve processes for lease renewal, making model by-laws for trust land and determining an appropriate ballot process for competitive state land allocation. Under current provisions of the Land Act, renewal of a term lease is contingent on the lessee lodging an application. The bill amends the Land Act to enable the chief executive to make an offer of a new lease prior to the lessee lodging an application. Providing an alternative pathway to lease renewal will result in efficiency improvements for government and reduce the number of steps a lessee must take to renew their term lease.

A further reform I am bringing forward is to the current way we make model by-laws for trust land. Currently, the Land Act provides that the Governor in Council may, by regulation, make model by-laws for trust land, a process which, by its nature, is time consuming and cumbersome. The bill amends the Land Act to allow the minister to make the model by-laws and publish them on the government website. Under the Land Act, the processes by which an interest in state land may be made by competition include auction, tender or ballot. The ballot process is prescribed in regulation and is outdated—so outdated that it involves the use of marbles and containers for drawing a winner. It has not been used in several decades, with the marbles and containers currently stored in the State Library of Queensland.

The bill amends the Land Act to provide the chief executive with the power and flexibility to adopt an appropriate modern and competitive process. A further amendment to the Land Act is proposed to allow the state to grant unallocated state land without competition where native title exists or otherwise would have existed, but for historical extinguishment. Specifically, the bill amends the Land Act to provide for the grant of land identified within an Indigenous land use agreement to a person as trustee for the identified First Nation people. The amendment eliminates unnecessary cost and time outlaid by native title holders to lodge a native title claim over the unallocated state land to have the prior extinguishment disregarded so that they can meet the priority criteria. The amendment does not affect any existing process or rights of people to apply for the land; it simply provides an additional option for granting land under the Land Act.

The bill amends the Cape York Peninsula Heritage Act 2007 to replace the map identifying the Cape York Peninsula region. The Cape York Peninsula region map will be updated to extend the boundary of the Cape York Peninsula region to include four land parcels added to the Daintree National Park since a significant number of Indigenous land use agreements were established in 2007, plus two parcels of unallocated state land and one road adjacent to the park. The update of the Cape York Peninsula region map ensures these additional parcels of land are able to be transferred to Aboriginal ownership and dedicated as national park—Cape York Aboriginal Land—which is a jointly managed national park. This amendment contributes to achieving uniformity in the management of the Cape York Peninsula protected area estate, most notably for the iconic Daintree National Park, by the Eastern Kuku Yalanji people and the Department of Environment and Science.

I also bring forward some minor administrative amendments. The bill amends the South Bank Corporation Act 1989 to remove any reference to paper certificates of title, which, since 1 October 2019, no longer have any legal effect. Finally, the bill also amends the Land Act 1994 and the Land Title Act 1994 to improve the efficiency of titling processes. I commend the bill to the House.

First Reading

Hon. AJ LYNHAM (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (11.31 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 State Development, Natural Resources and Agricultural Industry Development Committee

Mr DEPUTY SPEAKER (Mr Kelly): In accordance with standing order 131, the bill is now referred to the State Development, Natural Resources and Agricultural Industry Development Committee.

DISTINGUISHED VISITORS

Mr DEPUTY SPEAKER (Mr Kelly): I acknowledge that in the gallery we have a visitation of ambassadors from Latin America. We have the ambassadors of Argentina, Panama, Cuba, Costa Rica, Colombia, Venezuela, El Salvador and Guatemala in the gallery. Welcome. Bienvenidos.


Honourable members: Hear, hear!

CIVIL LIABILITY AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 22 October (see p. 3485), on motion of Mrs D'Ath—

That the bill be now read a second time.

 **Mr LANGBROEK** (Surfers Paradise—LNP) (11.32 am): I rise to speak in the debate on the Civil Liability and Other Legislation Amendment Bill 2018. Page 20 of the committee's report states that this bill is not identical to the legislation that exists in other jurisdictions. Other speakers in this debate have mentioned this issue. I acknowledge the contributions yesterday of the shadow Attorney-General and member for Toowoomba South and the member for Gympie.

This reform was meant to be about implementing national consistency to ensure that survivors of systemic sexual and physical abuse can rely on a nationally consistent process to get their justice. They do not deserve to jump through hoops because the Labor government does not want to implement the commission's recommendations in the same manner they have been implemented in other states. The recommendations made by the commission aim to improve the capacity of the justice system to provide fair access and outcomes to survivors of child sexual abuse wishing to pursue a claim for civil damages for personal injury arising from the abuse. Pursuing damages that arise from abuse is a brave step for those who experienced such treatment as children and it is vital that we implement laws that make this process clear and consistent for those taking these steps.

The bill aims to amend the Civil Liability Act 2003 in response to recommendations 91 to 94 of the *Redress and civil litigation report* of the Royal Commission into Institutional Responses to Child Sexual Abuse. The manner in which the objectives of the bill will be achieved are twofold: firstly, introduce a reverse onus, applied prospectively, under which an institution must prove it took reasonable steps to prevent the sexual abuse of a child in its care by a person associated with the institution to avoid legal liability for the abuse—the statutory duty of institutions; and, secondly, establish a statutory framework for the nomination of a proper defendant by an unincorporated institution to meet any liability incurred by the institution—the proper defendant amendments.


However, it is promising that Labor will adopt our amendment to extend the definition of abuse to include physical abuse and not just sexual abuse. It is of concern that the bill, in its initial form, did not identify this expanded definition of abuse. Nonetheless, this positive result is owed to the lobbying of victims, and I would like to acknowledge their efforts. I will be interested to hear how another LNP amendment relating to non-delegable duty will be addressed.

It is of concern that Labor has ignored major recommendations 89 and 90 which would see certain institutions strictly liable for the criminal acts committed by those associated with the institution. The commission recommended that the non-delegable duty should apply to institutions that operate the

following facilities or provide the following services and be owed to children who are in the care, supervision, control or authority of the institution in relation to the relevant facility or service. These facilities include: a day school or boarding school; a detention centre under the Youth Justice Act 1992; a residential facility; a facility operated by an entity for profit that provides services for children and involves the entity having the care, supervision, control or authority over the children; and for religious organisations a facility operated by the organisation at which a service or activity is provided by a participant of the organisation but does not include a facility at which foster care or kinship care is provided.

Why has Labor ignored the commission's recommendations? It is disappointing that it has taken two years of Labor being dragged kicking and screaming to reach this point in the debate. I mentioned the member for Gympie's contribution and his comments around the concerns expressed by Queensland Cricket, Independent Schools Queensland and the Catholic Education Commission related to the implications for volunteers associated with those organisations and the potential for them being implicated in this bill.

The LNP will always fight for laws that ensure that the process is clear and consistent for survivors of child abuse to get their justice. We will support the amendment Labor has adopted from the LNP relating to the definition of abuse and we will not be opposing this bill.

 **Hon. DE FARMER** (Bulimba—ALP) (Minister for Child Safety, Youth and Women and Minister for the Prevention of Domestic and Family Violence) (11.36 am): I rise to speak in support of the Civil Liability and Other Legislation Amendment Bill 2018. Yesterday I mentioned in the House that that day was the first anniversary of the historic national apology to victims and survivors of institutional child sexual abuse. I was privileged to have members of the Truth Healing and Reconciliation Taskforce in the House to mark that occasion. I acknowledge the contribution of all members of that task force, including some survivors of child sexual abuse, in overseeing the implementation of the recommendations from the royal commission and for giving a voice to many survivors of that abuse.

That apology was an important milestone and a story which started a long time ago. It was a story that was not heard for many years and one which is still being told. On 12 November 2012 then prime minister Julia Gillard announced something which would, for first time, give victims and survivors a voice and platform to tell their stories—the Royal Commission into Institutional Responses to Child Sexual Abuse.

The commission was tasked with looking at all religious organisations, state care providers, not-for-profit bodies, as well as the responses of child service agencies and the police. 'The allegations that have come to light recently about child sexual abuse have been heartbreaking,' Ms Gillard said at the time. She said, 'There have been too many revelations of adults who have averted their eyes from this evil.' The royal commission delivered the *Redress and civil litigation report* in 2015 and the stories it relayed were harrowing. It is not possible to overstate the depths of depravity contained in the pages of that report nor is it possible to adequately quantify the suffering some people experienced as children.

The commission's terms of reference were to examine responses to institutional child sexual abuse, but there were also many who came forward to tell their stories about institutional child physical abuse, which was not covered by the terms of reference—and so the commission's recommendations only covered issues related to child sexual abuse, which is exactly what the commission was tasked to do.

Still, there were so many stories still coming forward, even after the commission had presented its report, of people who had endured horrific abuse from adults who were supposed to care for and protect them. As former royal commissioner Bob Atkinson said yesterday, some of that physical abuse was sadistic and brutal and repeated and almost defied belief. That people who had care for these children, many of whom were in orphanages, could conduct themselves in the way they did, it had a profound, lifelong harmful effect on those kids.

I still hear those stories from victims and survivors, and I see the pain those people still carry with them every single day. This Palaszczuk Labor government will not avert our eyes. Today we are saying to victims and survivors of other forms of institutional child abuse: we see you, we believe you and we support you. That is why the Attorney-General is proposing amendments to the bill before the House today, and two of these are especially important to me.

It is clear that there are Queenslanders who are still suffering as a result of the physical and psychological abuse they endured as children, and they too deserve justice. We are moving an amendment which will expand the application of the bill to include serious child physical abuse and for serious psychological abuse connected to child physical abuse and child sexual abuse. We are also

moving an amendment to remove the limitation periods under the Limitation of Actions Act 1974 and the Personal Injuries Proceedings Act 2002 for commencing a civil action for damages for personal injury resulting from serious child physical abuse and connected abuse. This is because access to justice should not be determined by the kind of abuse someone suffered.

There is nothing which can undo the harm that has been done to people who experienced physical and psychological abuse as children. I acknowledge today that for those people who experienced physical and psychological abuse as children, who felt like their suffering had been ignored or unseen, being excluded from being able to seek damages from those institutions has caused them significant pain. I know that this will not take away their pain, but I want them to know that we see them and we believe them.

These amendments will help move us toward nationally consistent laws. They will bring us into line with Victoria, New South Wales, the Northern Territory, South Australia and Tasmania—all of whom have already expanded their definition of 'abuse' to include physical and connected psychological abuse. Removing time limitations on these kinds of actions is also consistent with how we understand the effects of trauma and stigma.

It is not unusual for people who have experienced abuse as a child to not say anything until well into adulthood. Some people never tell anyone. Part of it is because children may not understand what really happened to them or that it was wrong. They may lack the words to tell the truth, or worse, when they do tell someone, they are not believed. Part of it is also the effects of trauma. It can simply be too hard to speak up. It can take years to find the courage to tell and to find a person or situation in which they feel safe enough to say anything.

Throughout the royal commission it was not unusual to hear people preface their stories with words like, 'I've never told anyone this before.' In fact, earlier this year, the Palaszczuk government undertook a statewide consultation about sexual violence in Queensland which included child sexual abuse. There were people at those forums who told their stories for the first time. One woman told me her story personally, and she said to me, 'You're the first person I've ever told.'

Trauma is a normal response to an abnormal situation, and victims and survivors should not be prevented from seeking justice simply because they have done what they needed to do to survive—or, in fact, have done the only thing they could. Even so, we recognise that there are occasions when so much time has lapsed that it is impossible for a defendant to receive a fair trial. This legislation retains the court's power to dismiss or permanently stay proceedings where, due to lapse of time, a fair trial is not possible.

The bill also amends the Civil Liability Act 2003 to implement a prospective, reverse onus duty on institutions to take all reasonable steps to prevent the sexual abuse of a child by a person associated with the institution while the child is under the care, supervision, control or authority of the institution. This means that it is not enough for an institution to not abuse the children in their care. They have a positive duty to proactively take steps to prevent abuse.


I want to acknowledge that there are many institutions out there who are doing the right thing. There are many institutions who are taking steps proactively to prevent the abuse of children in their care. There are many who have acknowledged that historically they have not prevented abuse of the children in their care and who are engaging with victims and survivors respectfully and, in a spirit of reconciliation, to hear their complaints and, where appropriate, pay compensation.

However, there are some who are exploiting loopholes in current legislation to avoid facing up to their responsibilities. They are not simply averting their eyes; they are dodging their obligations. This bill also establishes a statutory framework that allows institutions to satisfy liability arising from child sexual abuse out of the assets of an associated trust and, for unincorporated institutions, allows for the nomination of a proper defendant to defend a claim and meet any liability incurred by the institution. Put simply, that means that we are tightening a loophole that until now has allowed some institutions to get away with not doing the right thing by victims and survivors.

It is worse than that: refusing to do the right thing further harms people who have already been hurt enough. On that note, there are still institutions who are likely to receive claims for redress—indeed, some who are already the subject of redress claims—who have not yet signed up for the scheme. I urge them to start the process. I say: take up your responsibility. We know it is a process which can take time, and I thank every institution who has commenced or completed the process to join the scheme. The people who are claiming redress payments have waited long enough. For some, the wait has been too long, and I want to acknowledge those who have not lived to see these reforms.

Like the royal commission and its report, like the national apology, the reforms we are debating in the House today are milestones. They are important milestones, and each step marks another chapter in this story—but this is not an ending. As former prime minister Julia Gillard said, ‘I believe we must do everything we can to make sure that what has happened in the past is never allowed to happen again.’ We are resolute in continuing to do exactly that.

Before I finish I want to acknowledge some special people, and some of them are in the gallery today. I want to acknowledge Karen Walsh. I want to acknowledge everyone from Lotus Place and from the Historical Abuse Network. I want to acknowledge the members of the Truth, Healing and Reconciliation Taskforce. I want to acknowledge the magnificent Allan Allaway, who has just not stopped in his quest to see this. I want to acknowledge my friend Brian Lang, who suffered so much himself. I want to thank them because they fought the good fight and we are here today. I commend the bill and the amendments to the House.

 **Dr ROWAN** (Moggill—LNP) (11.46 am): As the Liberal National Party shadow minister for communities, disability services and seniors, I rise to make a contribution to the debate on the Civil Liability and Other Legislation Amendment Bill. Just over a year ago when I addressed the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers Bill) 2018, I stated at the time—

As elected representatives and as legislators, our responsibility, first and foremost, in this parliament should be to ensure safe and prosperous communities and, as such, deliver a safe and cohesive Queensland.

The passage of that legislation saw Queensland finally join the National Redress Scheme for Institutional Child Sexual Abuse, enabling survivors of institutional child sexual abuse to access the redress they so rightly deserve.

Following this, the legislation that is now before this House, as included in the policy objectives of this bill, seeks to implement the recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse in the *Redress and civil litigation report*. The recommendations made by the commission aim to improve the ‘capacity of the justice system to provide fair access and outcomes to survivors of child sexual abuse wishing to pursue a claim for civil damages for personal injury arising from the abuse’. In doing this, the bill includes amendments to the Civil Liability Act 2003 to—

- introduce a reverse onus (applied prospectively) under which an institution must prove it took reasonable steps to prevent the sexual abuse of a child in its care by a person associated with the institution to avoid legal liability for the abuse ... and
- establish a statutory framework for the nomination of a proper defendant by an unincorporated institution to meet any liability incurred by the institution ...

As articulated by my Liberal National Party colleague the shadow Attorney-General and member for Toowoomba South during debate on the bill’s second reading in June, the Liberal National Party opposition, while supportive of this legislation, maintained concerns regarding two of the commission’s recommendations which at the time had not been implemented. The first of these concerns centred around the liability of institutions only relating to sexual abuse but not physical abuse. It was argued that the bill did not go far enough for many survivors and victims given the narrow definition of ‘abuse’ to be only sexual, as opposed to all other Australian jurisdictions that define child abuse for the purposes of institutional liability to mean either sexual or physical abuse.

It is worth noting that such limitations and a narrow definition similarly concerned many relevant stakeholders. Having further considered the commission’s comments, the definition of abuse which has been adopted by New South Wales and Victoria, and after consultation with victims and advocates, the Liberal National Party foreshadowed that it would seek to extend the definition of abuse to include physical abuse. I am pleased to note that common sense and decency have recently prevailed within the Palaszczuk Labor government. The recent announcement by the Attorney-General and the Minister for Child Safety, Youth and Women that the definition of abuse will be extended to include serious physical and psychological abuse as well as sexual abuse is welcome news and a major victory for Queensland’s survivors of institutional abuse.

This change by Labor, which the Liberal National Party welcomes, is also a real credit to the hard work and tireless efforts of our shadow Attorney-General and his advocacy to ensure Queensland’s survivors can seek the justice and redress they rightly deserve. I certainly also acknowledge the previous comments of the Labor Minister for Child Safety, Youth and Women.

The second key concern that the Liberal National Party has with this bill—and is further evidence that the legislation does not go far enough—has been the failure of the Palaszczuk Labor government to adopt the commission’s recommendations to introduce a strict non-delegable duty of certain instructions for institutional child sex abuse as outlined by recommendations 89 and 90. These

recommendations recommend that the non-delegable duty should apply to institutions that operate relevant facilities or provide relevant services and be owed to children in the care, supervision, control or authority of the institution in relation to that facility or service. By ignoring these significant recommendations, which would see certain institutions strictly liable for the criminal acts committed by those associated within the institution, the Palaszczuk Labor government is failing Queensland's survivors of sexual and physical abuse. That is why the Liberal National Party, having listened, consulted, and taken notice of the legislative efforts and changes of other jurisdictions, will be moving amendments to this legislation. Notwithstanding our concerns with regard to Labor's attitude towards the royal commission's recommendations, the Liberal National Party remains committed to supporting Queensland's survivors of institutional abuse. We know that more needs to be done.

I would like to take this opportunity to acknowledge the work of the royal commission, the staff of the royal commission and all those who appeared. I acknowledge the groundbreaking, incredible work the royal commission undertook during its extensive hearings and associated reporting. As such, through this debate I would also like to raise the issue of the recent inclusion of artwork by a problematic artist in the Margaret Olley exhibition at the Queensland Art Gallery and Gallery of Modern Art. At a time when we have had the Royal Commission into Institutional Responses to Child Sexual Abuse with significant findings and recommendations, including recourse for many victims and those who have suffered significant trauma, I still find it extraordinary that the works of problematic artists—in some cases paedophiles—have recently been displayed and potentially continue to be displayed and supported by publicly funded institutions.


A government member interjected.

Dr ROWAN: I hear the interjection from the minister. I am concerned about any displays of these artists under any circumstances and certainly through publicly funded institutions. Whilst I would like to take the opportunity to acknowledge that the Queensland Art Gallery and Gallery of Modern Art has developed a policy following public outrage and questioning of the Labor arts minister which I undertook through estimates as the Liberal National Party's shadow minister for the arts, I am still deeply concerned about this issue.

On 6 September 2019, the Labor Minister for the Arts answered a question that was asked in relation to any profits that may have come from materials sold or any other moneys and whether these moneys could potentially be handed to child victim organisations. However, the minister's response to recent questions on notice appears to indicate that the Queensland Art Gallery and Gallery of Modern Art received at least \$520,000 in donations and merchandise sales as part of the Margaret Olley exhibition. It would still be my view that the Labor government could consider donating either all or a proportion of some of those funds to child victim support groups. Particularly given the legislation that we are talking about today, the significant issue of child trauma and abuse, and that we are also talking about recourse today for some of those victims, perhaps that can be further considered by the government.

As a doctor and specialist physician who treats patients who have had significant alcohol and drug issues, I can say that many of those people unfortunately have suffered with issues of childhood neglect, trauma or abuse, and that can be a precursor to them developing significant drug and alcohol problems. In this place we all acknowledge that those people need to receive apologies, they need to have recourse and they need compensation. In relation to some of the matters I have raised I would ask that the government further consider—and particularly the Gallery of Modern Art through the minister—whether some of the proceeds from that should be allocated towards child victim support groups.

In conclusion, I would like to thank the Legal Affairs and Community Safety Committee for its investigation of, and report on, this legislation and all stakeholders and submitters who contributed to the committee's consideration. It is an important bill for many people here in Queensland, and I commend the legislation to the House.

 **Mr MOLHOEK** (Southport—LNP) (11.55 am): I rise to also speak in support of the Civil Liability and Other Legislation Amendment Bill 2018. This bill seeks to implement recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse in the *Redress and civil litigation report*. These recommendations were made by the commission to improve the capacity of the justice system to provide fair access and outcomes to survivors of child sexual abuse wishing to pursue a claim for civil damages for personal injury arising from the abuse.

I am particularly passionate about this legislation as a survivor myself and a long-term board member of Bravehearts, which I have spoken about many times in this House. In Queensland, too many survivors have experienced extreme difficulties in seeking redress or damages through civil

litigation. Unfortunately, the current system has simply not provided justice for many of these survivors. I will never stop talking about child sexual assault and the amazing work that Bravehearts and so many other organisations do in this state. Awareness is essential to removing stigma, encouraging victims to seek assistance, ensuring vigilance within the community and creating real change in this place in support of victims.

More needs to be done to achieve better outcomes for victims of institutional child abuse and to ensure there are appropriate mechanisms for victims to seek justice. Hetty Johnston and the team at Bravehearts have been advocating for change in this space for some 20 years. For them, changes like what is finally before the House today have been a long time coming. Frankly, I am disappointed that action has not been taken sooner to make these changes. It feels like those on the other side of the House have been dragged kicking and screaming to this point for the last two years. Hetty Johnston said—

These people have carried the burden of the silence, secrecy and the shame, as innocent children to adult life, and have every right to expect governments and institutions to listen to them and demand something is done to ensure organisations and institutions throughout our country are child-safe.

The team at Bravehearts, myself included, want to see real change in the ways that organisations and government agencies prevent and respond to child sexual abuse. We want to see fewer children being harmed, and we want to see real change in the way we support victims when they have been harmed.

I think the most important aspect of this legislation is the definition of child abuse. The proposed statutory duty of institutions is restricted to sexual abuse; however, New South Wales and Victoria include both sexual and physical abuse in the definition of child abuse that applies to the duty of institutions. I am pleased that our shadow Attorney-General and shadow minister for justice and member for Toowoomba South David Janetzki, has played a very active role in discussions with the government on this. I am pleased that the government will be adopting our proposal to extend the definition of abuse to include physical abuse, not just sexual abuse. I am also pleased to hear that the definition has been extended to include psychological abuse, which has been supported by many of the lobby groups.


I would like to take a moment to share some of the statistics from Bravehearts' position paper on the need for a royal commission of inquiry into the sexual assault of children in Australia. I have spoken about some of these before. Every time I reflect on them, I am truly staggered by some of the information. It is estimated that one in four girls between one and seven, and one in 12 boys, are victims of sexual abuse. I think it is important to remind the House of some of these statistics. Also, 45 per cent of females and 19 per cent of males have been the victim of non-contact inclusive child sexual abuse, and 39 per cent of females and 13 per cent of males have been the victim of non-contact exclusive child sexual abuse.

A University of Queensland study found that 10.5 per cent of males and 20.6 per cent of females reported non-penetrative child sexual assault before the age of 16, and 7.5 per cent of males and 7.9 per cent of females reported penetrative child sexual assault before the age of 16. About half of the victims of child sexual assault never report the assault to another person, and many do not disclose until they reach adulthood. A 1998 study involving 400 clients of Family Planning Queensland found 55 per cent of all women in the sample had experienced childhood sexual assault before the age of 16. Only 36 per cent of those who had experienced assault had ever told anyone of those events prior to their disclosure during the study interview. Only eight victims, or 3.5 per cent, had taken legal action against these offenders.

It has been well documented that the sexual abuse of children has a range of very serious consequences for victims. Depression, post-traumatic stress disorder, antisocial behaviours, suicidality, eating disorders, alcohol and drug misuse, post-partum depression, parenting difficulties, sexual revictimisation and sexual dysfunction are some of the manifestations of child sexual abuse amongst victims. In the wise words of Hetty Johnston—

As a nation we can effect real change through legislation, policy, and resourcing that will provide the support and best response for survivors of this crime, and for the prevention and early intervention of child sexual assault in our communities.


I am pleased that the government has seen fit to adopt the proposed amendments in respect of the definition of abuse. I am pleased to stand in the House in support of this legislation.

 **Mr MICKELBERG** (Buderim—LNP) (12.02 pm): I rise to make a brief contribution on the Civil Liability and Other Legislation Amendment Bill 2018. It is a bill which seeks to implement the recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse in relation to redress and civil litigation and it aims to improve the capacity of the legal system to provide fair justice to survivors of child sexual abuse.

At the outset, let me say that I find nothing more abhorrent than the abuse of a child. Our institutions and society as a whole failed when people stood by and let the abuse of children occur without acting. It simply is not good enough and any actions that we as community representatives can take to acknowledge the suffering of the victims of such acts should be pursued.

In speaking to this bill, I had intended to raise concerns which have been addressed by the amendments foreshadowed by the Attorney-General yesterday—specifically, the failure to include physical abuse in the definition of child abuse. I am pleased that the LNP will be supporting these amendments as it is clear that abuse takes many forms. The research is clear that many of those who offend against children escalate their behaviour when grooming their victim. The contribution yesterday by the member for Mirani spoke of the impact that such physical abuse can have not only on the child but also on their family. I also had concerns with respect to the non-delegable duty of institutions, as I feel that institutions should not be able to avoid scrutiny for the actions of those who serve under their banner through their structures.

Before I finish my brief contribution, I would like to acknowledge the brave actions of those who have told their difficult stories of abuse. It is never easy to stand up and address such issues, but it is through the actions of such brave souls that community awareness and, pleasingly, action has improved. I commend the bill.

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice) (12.04 pm), in reply: In summing up this bill, I would like to thank all members for their contributions to this debate. This debate has brought out the best sides of members in this place and also reminded all of us of the very dark aspects of humanity. There are former serving police officers in this chamber and there are other people who have sadly been involved in roles in their previous careers and volunteer work where they have had a lot of exposure to this sort of abuse and to victims and survivors of this sort of abuse. In coming into this role as Attorney-General, I could never have imagined the types of abuse that I would be exposed to on a weekly basis. My job entails sitting and reading briefs about children being raped and physically abused in catastrophic ways and the psychological abuse that comes after that. As we know, sometimes that psychological abuse is just too much to bear and those people take their lives.

Every one of us in this House stands for survivors and victims. We stand up against child abuse in all forms. That is all there is to it. It does not matter what position we take on any individual clause or how we think best to do that. We all have the same objective, and that is to keep our kids safe. That is what this is all about. I truly thank those members who have told their own personal story because I know that cannot be easy to do in a forum like this or in any public forum.

We must always strive to stamp out child abuse regardless of whether it is sexual, physical or psychological, but where it does occur we must always fight to ensure that survivors can obtain justice. Let us be clear. I know this came out of the royal commission in response to institutional child sexual abuse, but sadly and all too often what I have to deal with every week is that a lot of the abuse is at the hands of a family member or a loved one. We must always be vigilant. This is not just about institutions. If any one of us believes there are signs that give us concern that a child is being abused—it may be a family member, it may be your best friend, it may be a neighbour, it may be a work colleague that you think is harming their child—you have to speak up and you have to protect that child first and foremost.

This bill is not just about achieving justice for survivors. This bill is about engendering a cultural shift in the way our institutions and the individuals associated with them address the risk of child abuse. This is about ensuring that institutions can no longer turn a blind eye to abuse. It is about ensuring that all possible safeguards are put in place to ensure abuse does not occur.

I would like to briefly address once more the contents of this bill and then discuss the proposed amendments that I will move in consideration in detail and address some of the issues that have arisen during the course of this debate. As introduced, the bill imposes a new statutory duty on institutions to take all reasonable steps to prevent the sexual abuse of a child by a person associated with the institution while the child is under the care, supervision, control or authority of the institution. This will now be extended to serious physical abuse as well. The new duty is prospective in application, and an institution will be taken to have breached the duty unless it proves it took all reasonable steps to prevent the abuse. While there have been some calls to make the application of the duty retrospective, this was not proposed by the royal commission recommendations and will not be adopted by the government. You cannot retrospectively impose an obligation and say what is required now must have been done in the past. It is just not possible.

I will address the expansion of the application of the duty shortly. The bill also establishes a statutory framework for the nomination of a proper defendant by unincorporated institutions to meet any liability incurred by the institution under a judgement in, or a settlement of, an abuse claim. Survivors will also be able to access trust property associated with an institution to ensure that judgement debts are properly paid. It is unconscionable to think that, despite courts having found that an institution should pay compensation to a survivor of institutional abuse, the institution is able to exploit a loophole to avoid payment.

In my second reading speech I foreshadowed that I would be moving a series of amendments to address some drafting issues raised during the committee process and provide closer alignment between Queensland and other jurisdictions which have also implemented recommendations 91 to 94 of the royal commission. Yesterday it was my pleasure to announce that the Palaszczuk government would be moving further amendments to this bill. In 2017 the Palaszczuk government removed the limitation period that had applied to legal action for survivors of child sexual abuse. Yesterday on the first anniversary of the national apology for institutional child sexual abuse I was honoured to stand with Minister Farmer and Mr Bob Atkinson AO, a commissioner of the Royal Commission into Institutional Responses to Child Sexual Abuse, to announce that we would be extending the removal of the limitation period for actions of serious physical child abuse and psychological abuse connected to child sexual abuse or serious physical child abuse.

Yesterday Mr Atkinson described how in many of the royal commission's closed sessions he heard survivors describe the sadistic physical abuse that victims suffered at the hands of individuals associated with institutions. I want to note and thank—and I apologise because I cannot remember which member said it—the member on the opposite side who yesterday acknowledged Julia Gillard's contribution. I thank them for that because this is beyond politics. Julia Gillard started this royal commission many years ago and I do not think anyone truly understood the depth of how bad it would be but also what good would come of it.

In relation to the type of abuse, the Palaszczuk government has given significant consideration to this issue and has come to the view that the removal of the limitation period for serious child physical abuse and connected psychological abuse is the right thing to do so that all survivors of child abuse can have equality before the law. The removal of the limitation periods will have retrospective effect so that current survivors of historic child abuse can have their day in court. Our changes will also give the court the discretion to set aside a previous settlement made between a survivor and an institution where it is appropriate to do so.

Further to the removal of the limitation period, I can also confirm to the House that I will be moving further amendments to the bill to expand the relevant duty of institutions and the application of the reverse onus of proof that will be imposed upon institutions. Institutions will now have a duty to take all reasonable steps to prevent child sexual abuse and serious child physical abuse being perpetrated by individuals associated with their institution upon children under the care, supervision or control of the institution. Where the duty is breached, the onus will be on the institution to prove to the court that it did take all reasonable steps to prevent that abuse in order to avoid liability for the breach.

The reason the Palaszczuk government has included the word 'serious' as part of the duty applying to institutions for physical abuse is because of the stories we have heard from people like the member for Mirani. While some other jurisdictions have excluded liability for acts that were lawful at the time, the Palaszczuk government is of the belief that where child abuse occurred, the appropriate question is whether there has been abuse and the seriousness of the harm, not the legality of the act or omission that caused the harm. I want to thank the member for Mirani, who shared the story of his father's experience. Those stories and the stories of others in this House and the strength it takes people to share them are the reason we are here today debating this legislation.

One amendment that has received some attention in the course of the debate relates to the admissibility of apologies. The royal commission demonstrated that while civil litigation is one avenue for survivors that they may wish to take, it is not the only one. This amendment ensures institutions are not disincentivised from providing an apology that may make a world of difference to the healing process of a survivor.

Discussions of bills like this one often bring out the best of our parliament. Reasonable minds can differ as to the best way to achieve justice for survivors. However, I know that all members come to this issue with the best of intentions. I do, however, want to provide an explanation as to why it is that the Palaszczuk government differs from the opposition as to how best to achieve that justice for survivors.

The opposition did circulate amendments suggesting that the definition of 'abuse' be expanded to include physical abuse. However, the opposition amendments required the abuse to be an act or omission that at the time it was alleged to have occurred constituted a criminal offence. Such an approach would impose a threshold that may be difficult for the plaintiff to satisfy in many instances. It is our view that the government approach rather than the opposition's will be the best way of achieving justice for survivors.

Some members have articulated their preference that rather than having a direct duty of care applying to institutions, we instead have a statutory codification of the common law doctrine of vicarious liability. It is the view of the Palaszczuk government that in light of the recent common law developments, particularly in relation to the High Court case *Prince Alfred College v the ADC*, the doctrine of vicarious liability be left to the common law. I should also note that the LNP amendments circulated in relation to this bill do not impose vicarious liability upon institutions. One of the stronger advocates for the introduction of statutory provisions relating to vicarious liability in this debate has been the member for Maiwar, and I would like to briefly reflect on his contribution to the debate.

While the member for Maiwar wants to hold himself out as speaking on behalf of survivors, the reality is that his understanding of this issue is skewed. He has previously told the House that the imposition of vicarious liability is the same thing as imposing a non-delegable duty on institutions. It is not. He has told the House that the bill he has before the House imposes strict liability on institutions. It does not as it makes defences available to institutions. If you are going to lecture people about the legislative process, it is advisable to at least be across the detail in the first place. Notwithstanding this misguided critique, I acknowledge the member for Maiwar does want to make a difference for survivors. In future I would encourage him to temper his remarks and focus more on policy than the politics.

The LNP amendments circulated by the member for Toowoomba South suggest a non-delegable duty be imposed on select institutions. In addition to the duty being non-delegable, the LNP seek to make a duty one of strict liability, meaning that an institution would be automatically liable where abuse was committed, even if they had taken all reasonable steps to prevent the abuse from occurring. I have previously explained that while reasonable minds may differ on the merits of adopting a strict liability approach, the government does not propose to adopt it. While I understand that the opposition's proposed amendments in this regard are well intentioned, I do fear that they could have unintended consequences.

There are three key reasons why I do not think it is advisable to introduce a non-delegable duty. The first reason is one that has been raised by numerous MPs from the opposition, which is the burden that it places on smaller institutions. Notwithstanding the definition of 'relevant service' in the opposition amendments, there is significant risk that a strict liability approach would apply to a significant number of institutions including smaller community associations. It is incongruous for LNP members to express reservations about the excessive burden the government bill places on smaller institutions with a reverse onus while also purporting to support amendments that extend that burden without any defence being available to an institution, even where it has taken every reasonable step to prevent abuse from occurring.

Secondly, I can foresee situations where institutions, fearful that they will be caught in the opposition's strict liability provision, could throw inordinate amounts of resources at interlocutory applications, seeking rulings from the court, for example, that they are not a relevant service as per the definition set out in the opposition amendments. This will exhaust the resources of claimants and may make it less likely that they will achieve justice. On this point, I would also observe that, contrary to the assertions of the member for Gympie and others, no other jurisdiction has legislated for the imposition of a non-delegable duty on institutions with strict liability. I think at least three members on the other side said that we should follow other jurisdictions when they have a non-delegable duty with strict liability. It is not true; there is no jurisdiction that has that. To suggest otherwise is misleading, and I would invite the members to correct the record.

Finally, I also fear a more perverse outcome would follow from the opposition amendments. The sad reality is that where a strict liability approach is adopted, the only way that an institution can escape liability is by attempting to prove that the relevant child abuse did not occur. I fear that, if adopted, the opposition amendments will create a perverse incentive for institutions to invest their significant resources to cross-examine and discredit survivors in order to escape liability. The opposition amendments will transfer the focus of litigation from legal argument surrounding the nature of a duty that is owed to the very core of a survivor's integrity.

By contrast, the government bill allows a court to assess all factors it considers to be relevant when determining whether an institution breached its duty to prevent child abuse. Such factors include the nature of the institution, the resources available to the institution, the relationship between the institution and the child, and the position in which the institution placed the person in relation to a child. This approach creates a uniform duty that applies to all institutions while recognising that the question of liability will often turn on the individual facts of the case. Regardless of the stature of the institution, they are obliged to take all reasonable steps to prevent child abuse from occurring.

These reforms make it easier for child abuse survivors to claim civil damages now and in the future. The royal commission revealed a horror that so many survivors have had to endure. It showed that institutions and individuals associated with those institutions used the high esteem in which they were held by the community to commit unspeakable acts against children. It was because of the stature of these institutions that survivors who did speak up were often disbelieved and unfairly discredited. This bill is only one small step to righting those historical wrongs and attempting to prevent these horrors repeating, but it is an incredibly important one. While we will never be assured of justice, we must always fight for it.

For the survivors, the stakeholders who are present in the gallery today—including I believe Allan Allaway, who will join us—members of the Truth, Healing and Reconciliation Taskforce, survivors, all those here today, those watching, those listening, those across the state and especially those who are no longer with us, this House says with one united, unified voice: we believe you and we support you. I commend this bill to the House.

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

Motion agreed to.

Bill read a second time.

Consideration in Detail

Clause 1, as read, agreed to.

Clause 2—



Mrs D'ATH (12.22 pm): I move the following amendment—

1 Clause 2 (Commencement)

Page 4, line 7, 'Part 2 commences'—

omit, insert—

Parts 2, 4 and 5 commence

I table the explanatory notes to my amendments.

Tabled paper: Civil Liability and Other Legislation Amendment Bill 2018, explanatory notes to Hon. Yvette D'Ath's amendments [\[1922\]](#).

Amendment agreed to.

Clause 2, as amended, agreed to.

Clause 3, as read, agreed to.

Clause 4—



Mrs D'ATH (12.23 pm): I move the following amendments—

2 Clause 4 (Insertion of new ch 2, pt 2A)

Page 4, line 16, 'sexual'—

omit.

3 Clause 4 (Insertion of new ch 2, pt 2A)

Page 5, before line 1—

insert—

abuse, of a child—

(a) for division 2—means sexual abuse or serious physical abuse of the child; or

(b) otherwise, means—

(i) sexual abuse or serious physical abuse of the child; or

(ii) psychological abuse of the child perpetrated in connection with sexual abuse or serious physical abuse of the child.

4 Clause 4 (Insertion of new ch 2, pt 2A)

Page 5, line 2, 'sexual'—

omit.

5 Clause 4 (Insertion of new ch 2, pt 2A)

Page 5, after line 25—

*insert—***office of authority**, in an institution, includes—

- (a) a position as a member of a management committee of the institution; and
- (b) a position in which the holder is concerned with, or takes part in, the management of the institution.

6 Clause 4 (Insertion of new ch 2, pt 2A)

Page 5, lines 27 and 28—

omit, insert—

- (1) For this part, a trust is an **associated trust** of an institution if the institution uses the trust to carry out its functions or activities and—

7 Clause 4 (Insertion of new ch 2, pt 2A)

Page 6, after line 20—

insert—

- (2) Also, a reference in division 4 or 5 to an **associated trust** of an institution includes a trust in relation to which an order is in force under section 33H(6) (in relation to any abuse claim against the institution).

8 Clause 4 (Insertion of new ch 2, pt 2A)

Page 6, line 25, 'representative, leader,'—

omit, insert—

office holder, representative, leader, owner,

9 Clause 4 (Insertion of new ch 2, pt 2A)

Page 6, lines 29 to 30, 'or religious leader'—

omit, insert—

, religious leader or member of the personnel

10 Clause 4 (Insertion of new ch 2, pt 2A)

Page 7, line 17, 'sexual'—

*omit.***11 Clause 4 (Insertion of new ch 2, pt 2A)**

Page 7, line 19, 'sexual'—

*omit.***12 Clause 4 (Insertion of new ch 2, pt 2A)**

Page 7, line 25, 'sexually'—

omit.

Amendments agreed to.

**Mr JANETZKI** (12.23 pm): I move the following amendment—**8 Clause 4 (Insertion of new ch 2, pt 2A)**

Page 8, after line 16—

*insert—***33EA Non-delegable duty to prevent child abuse**

- (1) This section applies to an institution that provides a relevant service to, or operates a relevant facility for, a child.
- (2) The institution has a duty to ensure all reasonable steps are taken to prevent the abuse of the child by a person associated with the institution while the child—
 - (a) is receiving the relevant service or at the relevant facility; and
 - (b) is under the care, supervision, control or authority of the institution.
- (3) This section does not limit section 33D.

(4) In this section—

participant, of a religious organisation, includes an officer, representative, leader, member, employee, agent, volunteer, minister of religion or religious leader of the organisation.

relevant facility—

(a) means—

- (i) a day school or a boarding school; or
- (ii) a detention centre under the *Youth Justice Act 1992*; or
- (iii) a residential facility; or
- (iv) a facility operated by an entity for profit that provides services for children and involves the entity having the care, supervision, control or authority over the children; or
- (v) for an institution that is a religious organisation—a facility operated by the organisation at which a service or activity is provided by a participant of the organisation; but

(b) does not include a facility at which foster care or kinship care is provided.

relevant service—

(a) means—

- (i) an approved education and care service under the Education and Care Services National Law (Queensland); or
- (ii) a Queensland education and care service under the *Education and Care Services Act 2013*; or
- (iii) a disability service; or
- (iv) a health service; or
- (v) for an institution that is a religious organisation—a service or activity provided by the organisation, including a service or activity provided by a participant of the organisation; but

(b) does not include a service for, or to arrange, foster care or kinship care.

33EB When institution taken to have breached duty under s 33EA

(1) This section applies if a person associated with an institution that provides a relevant service to, or operates a relevant service for, a child abuses the child while the child—

- (a) is receiving the relevant service or at the relevant facility; and
- (b) is under the care, supervision, control or authority of the institution.

(2) The institution is taken to have breached its duty under section 33EA.

(3) In this section—

relevant facility see section 33EA(4).

relevant service see section 33EA(4).

I join with the Attorney-General and echo her sentiments to survivors. This bill has been one of those issues where there has been bipartisan support but there also may be occasions where, as the Attorney-General said, reasonable minds may differ. This particular amendment is one of those occasions. I hear the Attorney-General's explanations as to why the government decided not to adopt the non-delegable duty, and I accept them. They are good arguments; however, I believe that an approach to adopt a non-delegable duty is wanted by survivors. I believe that there have been occasions where it is clear that this place must step up to make a difficult decision and introduce a non-delegable duty. This is one of those occasions. The royal commission itself, at recommendations 89 and 90, spoke to this duty. It is worth reflecting on that. Recommendation 89 states—

State and territory governments should introduce legislation to impose a non-delegable duty on certain institutions for institutional child sexual abuse despite it being the deliberate criminal act of a person associated with the institution.

Recommendation 90 states—

The commission recommended that the non-delegable duty should only apply to institutions that operate certain facilities or provide certain services such as boarding schools and residential facilities.

They are the amendments verbatim being proposed by the opposition. I take this opportunity to acknowledge the contribution of survivors. I recently received a letter—and I believe it was tabled yesterday during the debate—from a number of stakeholders and survivor groups that talked about this duty and the need for it still to be considered by this House, in particular knowmore, that said—

We support the full implementation of the royal commission's recommendations 89 and 90 for the prospective imposition of a non-delegable duty.

Also, the Australian Lawyers Alliance talked about the bill's failure to adopt any vicarious liability model. There are stakeholders and victims. I too pay tribute to Mr Allan Allaway and to Kelvin Johnson, whom I have spent much time speaking with in relation to these matters. As the Attorney-General said, reasonable minds may differ. We do believe that there are grounds to support a non-delegable duty, and that is what our amendments seek to introduce.

Mrs D'ATH: I rise to speak against the amendment. I have touched on this in my reply, but I just want to expand briefly on that. Again, I absolutely respect the recommendations of the royal commission on this matter but, as often happens with recommendations from inquiries and reviews—even of royal commissions—you then have to look at those recommendations and seek to put them into law and practice. In doing so, we must look at what potentially can be the unintended consequences. As I outlined before, some of those unintended consequences, perversely, could be the way in which institutions will challenge and fight those cases against them. No longer focusing on the duty, their ultimate aim—the only way to avoid that strict liability—is to discredit the victim and to make that whole process as traumatic as possible.


We have great fears of interlocutory processes in terms of trying to prove whether they are one of those institutions inside or outside the strict liability. Victims can find themselves tied up in costly litigation and interlocutory proceedings but also the focus of the substantive case is all about their credibility, because the only way for the institution to be successful in defeating that claim is to prove that the abuse did not occur and to discredit the individual. There are a number of members on the other side who talked about even their reservations in relation to the reverse onus. First and foremost, the institution must prove that it took all reasonable steps to prevent that abuse—that is what our provisions do; that is what the opposition's amendments do—but, having proven that, it is then around other elements of the case.

Every other jurisdiction that has looked at the royal commission recommendations, even when it has said in its government response, 'We adopt the recommendations of the royal commission,' has not actually implemented in law a strict liability. No-one has put that strict liability into law. Victoria said, 'We accept the recommendation of the royal commission—strict liability, non-delegable duty,' but that is not what it implemented. What it implemented is the same as what we are introducing here. We modelled ours on the Victorian model. There is a reason governments, parliaments and parliamentary drafters frame these provisions in this way—that is, to ensure we look ahead at what unintended consequences can be and what is the best way forward.

Debate, on motion of Mrs D'Ath, adjourned.

CRIMINAL CODE AND OTHER LEGISLATION (MINISTERIAL ACCOUNTABILITY) AMENDMENT BILL

Introduction

 **Mrs FRECKLINGTON** (Nanango—LNP) (Leader of the Opposition) (12.30 pm): I present a bill for an act to amend the Criminal Code and the Parliament of Queensland Act 2001 for particular purposes. I table the bill and the explanatory notes. I nominate the Economics and Governance Committee to consider the bill.

Tabled paper: Criminal Code and Other Legislation (Ministerial Accountability) Amendment Bill 2019 [[1923](#)].

Tabled paper: Criminal Code and Other Legislation (Ministerial Accountability) Amendment Bill 2019, explanatory notes [[1924](#)].

Corruption is a toxic force that breaks the trust between the public and the state. To me, there is nothing more important than the trust Queenslanders place in this government to serve on their behalf. To protect that trust, corruption must be prevented. Corruption must be confronted when seen. Queenslanders deserve to have faith in every one of the 93 members elected to this House. The public must have complete confidence in the integrity of the Queensland government as a whole.

The state's corruption watchdog investigated the Deputy Premier earlier this year following allegations of corrupt conduct. It assessed the purchase of a Woolloongabba property and the Deputy Premier's involvement in decision-making relating to the nearby Cross River Rail project and the Inner City South State Secondary College. The CCC said that the Deputy Premier did not break the law but that what she did should be a criminal offence. The CCC recommended that new criminal offences be created. The CCC concluded that failing to declare and properly manage a conflict of interest creates a corruption risk, and it called for improvements to cabinet processes and legislative reform.

In presenting this bill, the LNP is leading by example to strengthen integrity measures in this state. This bill seeks to introduce laws to implement the CCC's recommendations, handed down in its assessment on 6 September. The bill will restore confidence in the integrity of the Queensland government that has been shattered by the Palaszczuk Labor government.

Almost seven weeks have passed since the recommendations were made, and the Premier has failed to introduce laws to implement the CCC's findings. Every day that passes without these laws in place is another day when the Premier shows that action on corruption risk is not a priority. Those opposite have put the laws on a to-do list and think it is all right to worry about them later. It lacks regard for the seriousness of the issue and taking action to restore integrity.

The LNP believes that the corruption risks raised by the CCC in its assessment should be met with decisive action. That is good leadership. The people of Queensland should not have to wait months for key recommendations that would safeguard against corruption to be made law, but delays have become a hallmark of this Labor government—so have secrecy, arrogance and integrity failures. Leadership is about decisions, and the Premier has proved time and time again that she is the weakest premier in Queensland's history. We have waited for the Premier to make a move on the CCC's recommendation, and the Premier has failed to do so.

The Deputy Premier is proof that you cannot trust the Palaszczuk Labor government. The CCC's timeline of events shows that the Deputy Premier blatantly broke the rules. On 27 March 2019 the Deputy Premier made a submission to the Cabinet Budget Review Committee about Cross River Rail, a project the Deputy Premier was responsible for. The education minister also made a submission to the committee concerning the Inner City South State Secondary College. On the same day, 27 March, the contract for the purchase of 48 Abingdon Street, Woolloongabba was signed by the Deputy Premier's husband. Two days later the Deputy Premier received a text from her husband about the property to be purchased and the location. Between 29 March and 5 April the Cabinet Budget Review Committee considered both the Cross River Rail submissions and the Inner City South State Secondary College.

Months passed before the Deputy Premier provided an updated pecuniary interests form to the Clerk of the Parliament, however in incorrect form. This happened on 2 July. The media began reporting about the property purchase on 17 July, the same day the Deputy Premier provided completed forms to the Clerk of the Parliament. It is important to note here that MPs are required to amend their register within one month of their circumstances changing under section 69B of the Parliament of Queensland Act 2001.

Ministers are required to declare their conflicts of interest to cabinet and exclude themselves from cabinet deliberations where they have a conflict of interest. The ministerial charter letters from the Premier direct ministers to comply with those rules. The Deputy Premier broke these rules and ignored the direction of the Premier of Queensland. Rules are rules and no-one should be above them, not even the Deputy Premier.

The CCC said that the Deputy Premier acknowledged that she did not update her statement of interests in relation to the purchase of the property. The CCC said that failing to comply with this section is not a criminal offence and should be, but its recommendations are damning of the behaviour. Recommendation 3 asks parliament to create a criminal offence for occasions when a member of cabinet does not declare a conflict that does or may conflict with their ability to discharge their responsibilities. Recommendation 4 asks parliament to create a criminal offence to apply when a member of cabinet fails to comply with the requirements of the Register of Members' Interests and with the Register of Related Persons' Interests.

Those opposite do not know the difference between right and wrong. Legislation must come into this House to make sure they do and that they do the right thing. They clearly cannot do the right thing unless the law tells them to do so, and the Premier is too weak to enforce the rules. That is why I have decided to move quickly and decisively to present the LNP's bill today. The bill will finally implement key recommendations of the CCC's assessment.

The objectives of the Criminal Code and Other Legislation Amendment Bill 2019 are: to improve ministerial accountability by strengthening the framework and obligations on ministers to ensure disclosure of actual, potential and perceived conflicts of interest occurs; to provide for a means for which a failure to declare a conflict of interest can be considered corrupt conduct; and to align the obligations of elected officials in state government with the obligations on elected officials in local government to implement these aspects of Operation Belcarra.

The objectives will be achieved by creating a criminal offence for occasions where a member of cabinet is aware, or ought reasonably to be aware, that the minister has a declarable conflict of interest in a matter to be discussed at a meeting of cabinet or a cabinet committee but fails to declare the conflict. This will attract a maximum penalty of 100 penalty units or one year's imprisonment. Under the bill, failing to make a declaration could, in certain circumstances, be considered corrupt conduct as defined by the Crime and Corruption Act 2001. These two policies will satisfy recommendation 3 of the CCC's assessment of the Deputy Premier.

The bill also proposes to create a criminal offence to apply to a member of cabinet who fails to comply with the requirements of the Register of Members' Interests and the Register of Members' Related Persons Interests by not informing the Clerk of the Parliament of the particulars of an interest or the change to an interest within one month after the interest arises or the change happens. A maximum penalty of 100 penalty units will apply to this criminal offence which addresses recommendation 4 of the Crime and Corruption Commission's assessment. Recommendations 1, 2 and 5 relate to internal cabinet processes and for that reason are not included in the private member's bill.

Ministers are required to uphold the highest ethical standards. Public interest must always come first. Too often we see those in the Palaszczuk Labor government put their own interests before the interests of Queenslanders. Queensland has not needed the criminal offences outlined in this bill until the Palaszczuk Labor government came to power. They will go down in parliamentary history as the Trad laws. The Deputy Premier has failed to uphold the highest ethical standards. What was the punishment given by the Premier for breaching the Cabinet Handbook and the Ministerial Handbook? The Deputy Premier was promoted to acting Premier, she is still the Deputy Premier, she still holds the purse strings to the Treasury of Queensland and she still manages the state's finances. It shows that integrity means absolutely nothing to the Premier of Queensland. In complete contrast, the LNP believes in integrity, openness and accountability. The public's interest must come first and that is why I am introducing this bill today. I commend the bill to the House.

First Reading

Mrs FRECKLINGTON (Nanango—LNP) (Leader of the Opposition) (12.42 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 Economics and Governance Committee


Madam DEPUTY SPEAKER (Ms Pugh): In accordance with standing order 131, the bill is now referred to the Economics and Governance Committee.

CIVIL LIABILITY AND OTHER LEGISLATION AMENDMENT BILL

Consideration in Detail

Resumed from p. 3547.

Resumed on clause 4, to which Mr Janetzki had moved an amendment—

 **Mrs D'ATH** (12.43 pm), continuing: In finishing off my contribution in relation to the amendment moved by the member for Toowoomba South, I want to reinforce that, although we absolutely acknowledge and respect the position and the recommendation of the royal commission, in practice what it has proposed could lead to unintended consequences that could have a detrimental impact on victims. We believe that the provisions we have put forward with the reverse onus is a better model to go forward with. It is a model reflected in other jurisdictions. Even jurisdictions that said that they accepted the royal commission's recommendation have still gone on to implement provisions such as a non-delegable duty with a defence in relation to where all reasonable steps have been taken. For that reason, we cannot support the amendment put forward by the opposition.

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

AYES, 37:

LNP, 35—Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Frecklington, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McArdle, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Watts, Weir, Wilson.

Ind, 2—Bolton, Costigan.

NOES, 46:


ALP, 45—Bailey, Boyd, Brown, 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, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Stewart, Trad, Whiting.

Grn, 1—Berkman.

Pairs: Butcher, Stuckey; Pegg, Sorensen.

Resolved in the negative.

Non-government amendment (Mr Janetzki) negated.

 **Mrs D'ATH (12.49 pm):** I move the following amendments—

13 Clause 4 (Insertion of new ch 2, pt 2A)

Page 8, line 23, 'sexual'—

omit.

14 Clause 4 (Insertion of new ch 2, pt 2A)

Page 9, lines 16 to 18—

omit, insert—

- (3) The following apply for the purpose of a proceeding started or continued under subsection (2)—
- (a) any liability that the former office holder has or would have had in relation to the cause of action is taken to be a liability of the institution;
 - (b) anything done by the former office holder is taken to have been done by the institution;
 - (c) a duty or obligation that the former office holder would have had in relation to the proceeding is a duty or obligation of the institution;
 - (d) the institution may rely on any defence or immunity that would have been available to the former office holder as a defendant in the proceeding;
 - (e) any right of the former office holder to be indemnified (including under an insurance policy) in respect of damages awarded in an abuse claim extends to, and indemnifies, the institution.

15 Clause 4 (Insertion of new ch 2, pt 2A)

Page 9, line 22, 'sexual'—

omit.

16 Clause 4 (Insertion of new ch 2, pt 2A)

Page 10, lines 14 to 17—

omit, insert—

- (3) The following apply for the purpose of a proceeding started or continued under subsection (2)—
- (a) any liability that the former office holder has or would have had in relation to the cause of action is taken to be a liability of the current office holder;
 - (b) anything done by the former office holder is taken to have been done by the current office holder;
 - (c) a duty or obligation that the former office holder would have had in relation to the proceeding is a duty or obligation of the current office holder;
 - (d) the current office holder may rely on any defence or immunity that would have been available to the former office holder as a defendant in the proceeding;
 - (e) any right of the former office holder to be indemnified (including under an insurance policy) in respect of damages awarded in an abuse claim extends to, and indemnifies, the current office holder.

17 Clause 4 (Insertion of new ch 2, pt 2A)

Page 11, lines 11 to 26—

omit, insert—

- (6) On application by the claimant, a court may order that the trustee of a trust is the institution's nominee if the court is satisfied—
- (a) the trust is, or used to be, an associated trust of the institution; and
 - (b) for a trust that is no longer an associated trust of the institution—a reason for causing the trust to cease to be an associated trust was to try to avoid trust property being applied to satisfy a liability that may be found under a decision on an abuse claim; and
 - (c) the order would be appropriate.

- (7) A court may—
- (a) order the institution to do the following within 28 days or any other period the court considers appropriate—
 - (i) identify to the court any trusts that are, or used to be, associated trusts of the institution;
 - (ii) provide particular information about the financial capacity of the trusts; and
 - (b) make any other orders, and give the directions, it considers appropriate for the purpose of establishing—
 - (i) whether a trust is, or used to be, an associated trust of the institution; or
 - (ii) the financial capacity of a trust mentioned in subparagraph (i); or
 - (iii) whether a nominee of the institution has sufficient assets to satisfy a liability that may be found under a decision on the abuse claim; or
 - (iv) whether it would be appropriate to make an order in relation to a trustee under subsection (6).

18 Clause 4 (Insertion of new ch 2, pt 2A)

Page 11, line 29, 'applies'—
omit, insert—

apply

19 Clause 4 (Insertion of new ch 2, pt 2A)

Page 13, lines 4 to 5, 'that the institution uses to carry out its functions or activities'—
omit, insert—

of the institution

20 Clause 4 (Insertion of new ch 2, pt 2A)

Page 13, lines 23 to 25, 'that the institution uses to carry out its functions or activities'—
omit, insert—

of the institution

21 Clause 4 (Insertion of new ch 2, pt 2A)

Page 14, after line 10—
insert—

- (5) The trustee is not liable for a breach of trust only because of doing anything authorised by this section.

22 Clause 4 (Insertion of new ch 2, pt 2A)

Page 14, before line 11—
insert—

33MA References to liability

A reference in this division to a liability under a judgment in, or settlement of, an abuse claim includes any costs associated with a proceeding for the claim.

Amendments agreed to.

Clause 4, as amended, agreed to.

Insertion of new clause—



Mrs D'ATH (12.50 pm): I move the following amendment—

23 After clause 4

Page 17, after line 7—
insert—

4A Amendment of s 72A (Application of pt 1A)

Section 72A—
insert—

- (3) Despite subsection (2)(c) and (d), this part applies to an apology made by or on behalf of an institution in relation to the abuse of a child by a person associated with the institution.
- (4) In this section—
- abuse**, of a child, means—
- (a) sexual abuse or serious physical abuse of the child; or
 - (b) psychological abuse of the child perpetrated in connection with sexual abuse or serious physical abuse of the child.

associated with, an institution, see section 33C.

institution see section 33A.

Amendment agreed to.

Clause 5, as read, agreed to.

Clause 6—



Mrs D'ATH (12.50 pm): I move the following amendments—

24

Clause 6 (Amendment of sch 2 (Dictionary))

Page 17, after line 21—

insert—

abuse, of a child, for chapter 2, part 2A, see section 33A.

25

Clause 6 (Amendment of sch 2 (Dictionary))

Page 18, after line 10—

insert—

office of authority, for chapter 2, part 2A, see section 33A.

Amendments agreed to.

Clause 6, as amended, agreed to.

Clauses 7 and 8, as read, agreed to.

Insertion of new clauses—



Mrs D'ATH (12.51 pm): I seek leave to move an amendment outside the long title of the bill.

Leave granted.

Mrs D'ATH: I move the following amendment—

26

After clause 8

Page 18, after line 21—

insert—

9 Insertion of new pt 17

After part 16—

insert—

Part 17 Transitional provision for Civil Liability and Other Legislation Amendment Act 2018

112 Application of amended s 64

(1) Section 64, as amended by the 2019 amendment, applies to an award of damages in a proceeding whether the proceeding was started before or after the commencement of the 2019 amendment.

(2) In this section—

2019 amendment means the *Civil Liability and Other Legislation Amendment Act 2018*, section 8.

Part 4 Amendment of Limitation of Actions Act 1974

10 Act amended

This part amends the *Limitation of Actions Act 1974*.

11 Amendment of s 11A (No limitation period for actions for child sexual abuse)

(1) Section 11A, 'sexual'—

omit.

(2) Section 11A—

insert—

(6) In this section—

abuse, of a child, means—

(a) sexual abuse or serious physical abuse of the child; or

(b) psychological abuse of the child perpetrated in connection with sexual abuse or serious physical abuse of the child.

12 Insertion of new s 49

After section 48—

insert—

49 Transitional provision for Civil Liability and Other Legislation Amendment Act 2018

(1) Section 48 applies as if—

(a) a reference in the section to section 11A were a reference to section 11A as amended by the 2019 amendment; and

(b) a reference in the section to the commencement of section 11A were a reference to the commencement of the 2019 amendment.

(2) Subsection (1) does not limit the operation of section 48 apart from this section.

(3) In this section—

2019 amendment means the *Civil Liability and Other Legislation Amendment Act 2018*, section 11.

Part 5 Amendment of Personal Injuries Proceedings Act 2002

13 Act amended

This part amends the *Personal Injuries Proceedings Act 2002*.

14 Amendment of s 9 (Notice of a claim)

(1) Section 9(9C), 'sexual'—

omit.

(2) Section 9(10)—

insert—

abuse, of a child, means—

(a) sexual abuse or serious physical abuse of the child; or

(b) psychological abuse of the child perpetrated in connection with sexual abuse or serious physical abuse of the child.

15 Insertion of new ch 4, pt 8

Chapter 4—

insert—

Part 8 Transitional provision for Civil Liability and Other Legislation Amendment Act 2018**87 Time for lodging notice for existing claims**

(1) Section 9(9C) and (10), as amended by the 2019 amendment, applies to a claim mentioned in the section arising before or after the commencement of the 2019 amendment.


(2) In this section—

2019 amendment means the *Civil Liability and Other Legislation Amendment Act 2018*, section 14.

I want to speak briefly to this amendment. There are many amendments that have been moved today that are important and expand the provisions that were in this bill to include serious physical abuse and connected psychological abuse, however, amendment No. 26 is the most significant. Amendment No. 26 expands the removal of the limitation periods in the relevant acts to define abuse of a child to mean sexual abuse or serious physical abuse of the child, or psychological abuse of the child perpetrated in connection with sexual abuse or serious physical abuse of the child. This means that, in the future, those survivors, those victims of historical child physical abuse and psychological abuse attached to physical and sexual abuse, will now be able to pursue their claims before the courts, to put their case to seek justice and to, in some way, go towards healing in the process. I commend this amendment to the House.

Amendment agreed to.

Third Reading

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice) (12.53 pm): I move—


That the bill, as amended, be now read a third time.

Question put—That the bill, as amended, 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) (12.53 pm): I move the following amendment—

27 Long title

Long title, 'and the *Civil Proceedings Act 2011*'—

omit, insert—

, the *Civil Proceedings Act 2011*, the *Limitation of Actions Act 1974* and the *Personal Injuries Proceedings Act 2002*

Amendment agreed to.


Question put—That the long title of the bill, as amended, be agreed to.

Motion agreed to.

SUMMARY OFFENCES AND OTHER LEGISLATION AMENDMENT BILL

Resumed from 19 September (see p. 3024).

Second Reading

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Minister for Corrective Services) (12.54 pm): I move—

That the bill be now read a second time.

Peaceful protest brings about change—change for the better. Peaceful protest is a cornerstone of democracy. In Queensland, peaceful protest has a long and proud history. In Queensland, peaceful protest is treated with respect and tolerance. Peaceful protest has shaped our collective history for the better. This bill upholds the right to peaceful and lawful protest.

Successive Labor governments have consistently acknowledged the importance of this right. A Labor government enacted the Peaceful Assembly Act and the Palaszczuk Labor government enacted the Human Rights Act. These acts enshrine a person's right to peaceful assembly. These acts set the gold standard for what all peaceful protests should be.

People power has produced a positive force for change. It has protected the Daintree rainforest, the Wet Tropics and the Gordon-below-Franklin, stopped this country's involvement in the Vietnam War, supported Indigenous land rights and protected the rights of workers. People power has led to change for the better.

It is evident when reading through the more than 200 submissions provided to the Legal Affairs and Community Safety Committee in its examination of this bill that there is a common theme—that is, the right to peaceful protest is sacrosanct. This government acknowledges the importance of that right. There is nothing in this bill that will prevent any person from taking part in a lawful peaceful protest. I cannot be any clearer when I state that this bill does not prohibit a lawful protest. This is one of the things that this bill will not do.

This bill, were it law, would have had no application to the vast majority of protests in Queensland over many decades. That is something that this bill will not do. This bill is aimed specifically at the use of dangerous attachment devices and this legislation is needed because dangerous attachment devices represent a real risk of injury or death to protesters, emergency services workers and members of our community.

The Queensland Police Service has a number of officers who are called cutters. A cutter is specifically trained to safely extricate people and get them out of harm's way. Their job is not easy. It can be dangerous. One slip could cause permanent eye damage. One slip could sever an artery. One slip could cause serious injury. One slip could lead to a death. It is dangerous work—dangerous for the cutter, dangerous for the protester, and dangerous for anyone in the vicinity.

Emergency services workers may need to use an assortment of tools, including chisels, hammers and power tools, such as angle grinders and cold-cut saws, to free protesters using these devices. These tools have to be used in very close proximity to the protester. For example, grinding discs rotating at thousands of revolutions per minute may be used to cut through steel millimetres away from the flesh of a protester. Cold-cut saws may need to be operated right next to a protester's body. Great care needs to be taken. Any unexpected movement by a protester, one missed step, one moment of inadvertence, could lead to injury or death.


In some instances, the risk in removing a protester from these devices may be magnified. A very small cohort have intentionally put items in these devices—items that heighten the danger when the cutter tries to remove them. Items such as glass and metal in these devices could cause tools used by emergency services workers to fail. Grinding discs could shatter, saw blades could kick back and that is dangerous for emergency services workers, the protester and anyone in the vicinity. I table a number of photos provided by the Queensland Police Service as examples of some of these devices and their use.

Tabled paper: Bundle of photographs depicting dangerous devices [\[1925\]](#).

The use of these dangerous attachment devices also places a psychological toll on our emergency services workers—a toll they can do without. Then there are the road closures that are required because of the time it takes to carefully, safely and expertly extricate the protesters from the

dangerous attachment devices—road closures that can prevent emergency services from quickly responding to calls for service. I hold the same concerns as raised by the Premier—that our ambulance officers need free movement to attend to the sick.

Sitting suspended from 1.00 pm to 2.00 pm.

 **Mr RYAN:** Prior to the lunch break I tabled some photos. I would like to table a few more photos demonstrating some of the features of the dangerous attachment devices which are the subject of this bill. I note for the interest of members—and members will be able to look at these photos later—that one of the devices, which is known as a sleeping dragon, has a glass sleeve in it, deliberately creating an additional risk. There are also images of tripods being put on train lines, quite clearly at night-time, which again creates an additional risk. There are a number of other images here which I am sure members will be interested in. Of particular concern around the big 44-gallon drums, which are known as dragon's dens, is the unknown when it comes to what is actually inside those devices: pieces of metal, pieces of steel, pieces of glass. All of those objects present a significant risk to our officers when they are removing those devices but of course also to the protesters and people in the vicinity.

Tabled paper: Bundle of photographs depicting dangerous devices [1926].

As I was saying prior to the lunch break, I hold the same concerns as raised by the Premier that our ambulance officers need free movement to attend to the sick, our fire service officers need free rein to attend to fires and our police need to be able to immediately respond to calls for service and not be held back by dangerous attachment devices.

Only recently in North Queensland an officer who was involved in removing one of these devices was injured. Thankfully there have been no other reported injuries to protesters while these devices have been removed. Some commentators have attributed this to good luck, but I would like to acknowledge and attribute this outcome to the professionalism of our police and emergency services workers who are called upon to extricate these protesters from these devices. In large part it has been through the specialist training, care and patience of these officers that injuries to protesters have been avoided. While no-one has been injured when deploying dangerous attachment devices, we must not ignore the real risk of injury or death confronting emergency services workers and the protesters themselves when these devices are used. The bill is about preventing a tragedy.

This leads me to comment upon what the bill will do. This bill will lead to better protections for our emergency services workers from the types of dangerous attachment devices outlined in the bill. This will be achieved through creating offence provisions that deter persons from the inappropriate use of dangerous attachment devices. These offence provisions carry substantial penalties, including a maximum of 50 penalty units or imprisonment for two years, if a person uses a dangerous attachment device to unreasonably interfere with the ordinary operation of transport infrastructure. Police will also be authorised to search a person or vehicle where the police reasonably suspect the person has or a vehicle contains a dangerous attachment device that has been used or is to be used to disrupt a relevant lawful activity.


It is important to note that there will be safeguards in place in relation to any searches. These safeguards will apply to the provisions in this bill. Later during this debate I will circulate amendments. Police will be required to record prescribed information in an enforcement register after the search is conducted. I am mindful of community concerns about police search and seize capabilities, and for this reason the government will make those amendments to the bill to allay concerns. I have also consulted with the Police Commissioner, who supports this government's view that the use of search and seize powers be transparent and that information about their use should be provided to the Legislative Assembly on an annual basis. Therefore, the Police Commissioner will be required to provide a report to the minister which will be tabled as soon as practicable after the end of each financial year. This report will detail the use of the search powers under the proposed sections of the Police Powers and Responsibilities Act and the seizure and disposal of a dangerous attachment device. This report will then be tabled in the Legislative Assembly within 14 sitting days of receipt by the minister. Further, after listening to stakeholders and taking into account concerns, an amendment will also be made to further clarify the definition of a dangerous substance or thing in section 14B of the bill.

Further, this bill will allow the police to deactivate or disassemble any dangerous attachment device they find. Alternatively, a police officer may choose to seize a dangerous attachment device. Upon seizure, the device is automatically forfeited to the state. These powers will be seen to be a preventive measure to allow police to interfere before a dangerous attachment device is deployed, thereby eliminating risk of harm to all involved.

Events have resulted in earlier consideration of this bill by the Legal Affairs and Community Safety Committee so that members of this House may consider this bill sooner rather than later. Unfortunately, we have seen a rise in activism that is based upon a flagrant abuse of the law and complete disregard for the safety of others in the community. This is evidenced by increasing arrest rates because a very small cohort have decided to engage in deliberately unlawful behaviour designed to cause maximum disruption to everyday Queenslanders. Of most concern is the increasing use of these dangerous attachment devices.

Assistant Commissioner Crawford from the Brisbane police region of the Queensland Police Service informed the Legal Affairs and Community Safety Committee that until recently the use of dangerous attachment devices was comparatively rare. Over the last few years about 30 of these devices have been deployed, yet in the last few weeks police have had to deal with a similar number—almost 30 dangerous attachment devices just in the last few weeks. I consider the increasing frequency of the use of these devices is justification for the urgent consideration of this bill.

People who use dangerous attachment devices place themselves at risk. They place the welfare of emergency services workers at risk, and road closures through the use of these devices can cause delays for our emergency services in responding to calls for service which places everyone at risk. Every effort should be made to mitigate the risk of harm caused by the use of dangerous attachment devices. This bill will help meet that objective. Most importantly though, this bill also upholds the right to peaceful and lawful protest, a right that we value and is sacrosanct. I commend the bill to the House.

 **Mr WATTS** (Toowoomba North—LNP) (2.08 pm): I rise to speak on the Summary Offences and Other Legislation Amendment Bill 2019. I too share concern for the safety of our emergency services officers in going about their job and dealing with those devices. Recently there has been an increase in the number of protests that have been held across the state. Many of these protests have gone beyond the means of lawful protest and many protesters have wilfully broken the law while causing mass commuter delays, and disruption to business and wasting valuable emergency services resources. I would like to first make it very clear that the LNP supports the right to peaceful protest and freedom of peaceful assembly provided it is lawful.

Protest is an integral component of democracy. In a democratic country such as Australia, anybody can meet together in small or large groups to voice their opinion on any matter. The right to protest is supported by the Universal Declaration of Human Rights 1948, as well as international human rights conventions and covenants. Australia is a party to the international human rights treaties and supports the rights of freedom of assembly and association contained in articles 21 and 22 of the International Covenant on Civil and Political Rights and article 8(1)(a) of the International Covenant on Economic, Social and Cultural Rights.

An integral component of the right to peaceful assembly is to ensure that there are necessary and reasonable restrictions imposed on this right. Specifically, the right to peaceful assembly provides the right is subject only to such restrictions that are necessary and reasonable in a democratic society in the interests of public safety, public order or the protection of the rights and freedoms of other persons. The LNP believes that civil disobedience for any cause is not a justification for mass public disorder. Restrictions are necessary to ensure a balance is struck between those who wish to voice their views on any cause they feel passionate about and the right to public safety, public order and personal rights and freedoms.

The exercise of a person's ability to protest may be subject to restrictions in the interests of national security or public safety, public order, the protection of public health or morals, or the protection of the rights and freedoms of others. However, too often we have witnessed protesters abandoning the laws that provide them with the freedom to protest by unnecessarily and unreasonably causing as much disruption as they can. For example, on 6 August more than 70 people were arrested. Offences included breach of the peace, obstructing police, obstructing traffic and contravening a direction. One protester received 90 hours of community service and a conviction was recorded. Another protester who was arrested for obstructing a roadway was fined \$450. Another protester who pled guilty to public nuisance and obstructing police was fined \$550. While a permit for peaceful assembly and procession was arranged and organised as per the act, protesters engaged in a sit-down protest in the intersection of William Street and Margaret Street for more than 30 minutes at peak time, which caused gridlock.

There is an abundance of examples in which protesters have acted well beyond the confines of the Peaceful Assembly Act and various other pieces of legislation. The latest of these protests were between 6 and 11 October, during the orchestrated International Extinction Rebellion Week. In that one week, police arrested 125 offenders on a range of offences including assault of a police officer, dangerous operation of a vehicle, obstructing police, wilful damage and contravening a direction or requirement.

Too often we have seen serial protesters receive a slap on the wrist and no consequence for their action. Take the example of well-known Extinction Rebellion activist Eric Serge Herbert. Recently, the serial protester walked away with a \$220 fine for blocking the Victoria Street bridge and causing mass delays, despite the fact that he has accumulated a lengthy charge sheet, including four public nuisance offences and a number of other antisocial charges. These protesters are making a mockery of the Labor government and they continue to do so because they continue to escape with no punishment.

In a bid to crack down on these protesters, the Labor government announced a special task force, Operation Romeo Arrowhead, that received 150 specialist officers to deal with the protesters. While we saw mass arrests, the offenders were back on the streets within hours, committing more offences. To deploy such a significant number of police officers to deal with unlawful protesters only to have the offenders reoffend within hours is wasteful, costly and embarrassing for the state. Our hardworking police officers have gone from babysitting in watch houses to babysitting protesters. It is simply offensive to the police and mind-boggling to the community. The point I would like to make is that if there is going to be a specialist task force there needs to be at least some form of guarantee that their efforts in arresting offenders are without waste and that the offenders will be held to account.

An example of the waste of emergency services resources happened in the most recent protest held during International Extinction Rebellion Week from 6 to 11 October, when 11 police officers and four firefighters were required to deal with just three protesters on one CBD corner. That was a shameful waste of emergency services resources. No-one could have said it better than the Queensland Ambulance Service Medical Director, Dr Stephen Rashford, who attend the Extinction Rebellion protest at the Story Bridge and labelled the protesters 'morons', when he tweeted—

Honestly, enjoying our rights in Australia to safely protest does not give you the right to act like a moron and tie up valuable emergency services ...

In the tweet he tagged @QldPolice and @QldAmbulance.

Businesses are also hard hit at times when there are protests. Queensland's Chamber of Commerce Industry spokesman, Dan Petrie, revealed that the loss of productivity in the city rises significantly when protests occur. It was revealed that on any given day data from TomTom shows that at least \$2.4 million is lost in productivity due to traffic congestion, but this increased to a staggering \$3.5 million when protest occurred. Many of the protesters who interrupt trade do not realise the gravity of their behaviour and the irreversible impact it can have on a person's livelihood and their family budget.

The LNP appreciates the intent of the bill, which is to protect officers and individuals when protesters use dangerous attachment devices that endanger themselves, emergency services workers and members of the public. However, it is clear that this bill is riddled with flaws. For example, the bill will not apply to single items such as glue, bike locks, padlocks and ropes. On their own, chains are not considered attachment devices. Time and time again we have seen extremist protesters use a range of tactics, such as hanging themselves from bridges, gluing themselves to roads or chaining themselves to train tracks. While I understand the intent of the bill is to apply specifically to dangerous attachment devices, I would argue that the bill needs to apply more broadly to all types of unlawful tactics that the protesters use or else there seems little point to it. The wide range of tactics used by Extinction Rebellion and other extremist protesters is highlighted in a recent QPS statement, in which Acting Chief Superintendent Fleming commented—

Protesters used a number of different tactics this week to try and prolong the impact of their protests upon commuters.

The ambit of the bill is too specific and will have minimal impact on serial protesters who have been causing anarchy on the streets of Brisbane and across the nation. On 9 October, the Extinction Rebellion protesters targeted the Bowen Hills train line and an offender chained himself to the tracks. That Extinction Rebellion protester would not be caught under this bill. On 11 October, police commenced negotiations with a protester who was occupying the road on the William Jolly Bridge and a direction was given for all protesters to clear the road. Thirty-four protesters did not obey the direction, including a number who glued themselves to the road. Those Extinction Rebellion protesters will not be caught under this bill.

The second major issue with this bill relates to the punishment, or lack thereof, that offenders will receive under the bill. I note the front page of the *Courier-Mail* on 9 October, which reads 'Straight to jail'. The article states that the Palaszczuk government will fast-track laws aimed at sending Extinction Rebellion protesters to jail. I question the reliability of that statement. There is nothing in the bill that

promotes offenders being sent to jail. Like all current offences that protesters are being charged with, the court has the discretion to impose a fine or imprisonment. At this time, not one Extinction Rebellion person has been sentenced to prison for their unlawful activity.

I cannot help but think that this is another one of Labor's tactics to offer false hope to Queenslanders. In fact, I know that is another one of Labor's attempts to mislead the community by making out they are tough on unlawful protesters when the opposite could not be more true.

The offence in proposed section 14C gives the courts the discretion to order either a fine or imprisonment which means there is absolutely no guarantee of these protesters being sent to prison. The article is simply misleading. We will see, once this legislation comes into force, serial protesters walking out with a fine or community service. Put simply, I have grave concerns the Premier has significantly overplayed the impact of these laws and how they will be applied.

The LNP is of the view that the bill is very limited and will only capture a small percentage of these unlawful protesters. It is likely, upon commencement of these laws, that the protesters will change their strategy and revert to their general tactics such as gluing themselves to the road. To put it another way, the bill simply reinforces to the protesters the type of unlawful protest activities that are not caught under the bill and that do not attract a severe punishment.

That is why the LNP will be introducing two amendments to the bill. The LNP's amendments will provide for stronger penalties for repeat offenders to ensure sentencing is in line with community expectations and will emphasise the need to protect public safety, public order and the rights and freedoms of other persons which are necessary and reasonable.

The amendments provide for a new unlawful assembly offence in section 10A(1a) of the Summary Offences Act 2005. The offence will apply where three or more persons are present together for a common purpose and one or more of the persons is (a) using, or is fastened or otherwise directly or indirectly connected to, a vehicle, device or object that obstructs, or is likely to obstruct, the use of transport infrastructure by an emergency vehicle; (b) fastened or otherwise directly or indirectly connected to transport infrastructure in a way that obstructs, or is likely to obstruct, the use of transport infrastructure by an emergency vehicle; or (c) behaving in a way that would cause a person in the vicinity to reasonably suspect the behaviour is intended to cause traffic congestion or otherwise interfere with the use of a public place by a member of the public.


This means that under the LNP a person who is fastened to a boat trailer that has been stopped or parked in the middle of an intersection will be caught by this new offence. This means that a person who has glued a part of their body to the surface of a road in a way that obstructs the use of the road by a vehicle or a person or who is fastened to a bridge in a way that obstructs the use of the bridge by a vehicle will be caught under this new offence. Any person convicted of this new unlawful assembly offence may face a maximum penalty of 25 penalty units, or one year's imprisonment.

Anyone who breaks the law, particularly on more than one occasion, deserves to have some consequence for their actions. That is why the amendment provides that any person who is twice convicted of the offence must be sentenced to a period of imprisonment of a minimum of seven days. The LNP's amendments send a clear message to repeat offenders who continually break the law. Any protester who commits a protest related offence on more than one occasion will be sent to jail. I emphasise the point that repeat offenders will go to jail. Unlike Labor, this does not mean 'may' or 'could' or 'should'. It means that a repeat offender will go to jail. Unlike Labor, the LNP can guarantee that repeat offenders will go to jail if they are caught breaking the law twice.

The LNP is sick and tired of seeing serial protesters arrested and let back on the street to commit more offences on the same day. This is why the LNP will make it harder for protesters to be granted bail. The LNP will move amendments to section 16 of the Bail Act to provide that a police officer must refuse to grant bail in relation to any person who has been charged with the new unlawful assembly offence and is subsequently charged with a subsequent protest related offence unless the defendant shows cause why that defendant's detention in custody is not justified. The subsequent offences include: serious assault, public nuisance, assault or obstruct a police officer, contravene the direction or requirement of a police officer, pedestrians not to cause a traffic hazard or obstruction, the proposed unlawful assembly offence or the proposed use of dangerous attachment device to disrupt lawful activities offence.

The final major amendment will give effect to the *Courier-Mail* article titled 'Straight to jail'. The LNP's amendments will put truth into Labor's messaging because the LNP's amendments will ensure that any person convicted twice of a dangerous attachment device offence will be sentenced to a minimum of seven days jail.

In conclusion, I cannot stress enough that the LNP supports the right to peaceful protest and freedom of peaceful assembly as it is an integral component of our democracy. However, the LNP will not accept the actions of protesters who make it their mission to break the law and cause as much disruption to the public as possible. No-one is above the law and these unlawful protesters need to show some respect for the safety of the public or face mandatory jail time. Under the LNP repeat offenders will be sent to prison and they will not be roaming the streets while on bail if they commit a second offence.

 **Mr RUSSO** (Toohey—ALP) (2.26 pm): A lot of debate has occurred about this legislation and I have received emails and phone calls to my electorate office regarding this piece of legislation—some people for and some against. I have also had discussions with colleagues and some branch members. There is one theme that was common in the suggestions received for and against the strengthening of these laws. That is that people were concerned that the amendments would stop lawful protests and that there would be a return to the bad old days of Bjelke-Petersen. These laws do not make it illegal to conduct lawful protests. There is a mechanism for lawful protests already enshrined in our law and these laws do not alter that right.

Some of those who contacted my electorate office expressed concern about being disrupted from getting to appointments or to work because the recent protests in the city caused major disruption to commuters trying to get into the city. I was one of those unfortunate commuters trying to get into the city one morning to attend a meeting at Parliament House about this very piece of legislation, ironic as that may seem. I believe it was Extinction Rebellion day. One thing that everyone seems to agree on in relation to these amendments is that the health and safety of our emergency services workers—our police, fireys and paramedics—is paramount and they should not be put in harm's way as a result of the acts of some protesters who when asked to cooperate and remove the lock-on device by an authorised officer refuse that lawful request and then our emergency services workers, be they police or otherwise, have to undertake what could only be described by any sane person as an inherently dangerous exercise for both the emergency services worker and the protester.

I will now deal with the devices that the legislation will make it unlawful to be in possession of. I intend dealing with the photographs and descriptions of the attachment devices that were provided to the committee by the Queensland police at its hearing. These photographs are at appendix C of the committee's report. Exhibit A showed a glass sleeve inside a steel encasement. Exhibit B showed a 44-gallon drum, referred to as a dragon's den, with steel and iron and four-strand twisted wire rope encased in the cement. Exhibit C is similar to the description of exhibit A and is part of a series of photographs which are exhibits D, E, F, G and K.

All of these photographs show heavy-duty steel rope, bolts, strands of wire, steel rods, iron bars and metal. While these objects on their own do not present any danger to either emergency services workers or protesters, a 44-gallon drum encased in cement sitting on a railway line does pose an immediate danger not only to the train drivers but also to the protester and the emergency services worker who has to remove the drum from the rail line.

The idea of inserting objects into drums is to slow down the removal of these items from the demonstration site. The danger is that if the equipment being used to remove the item and the protester from the demonstration site comes into contact with the hidden piece of steel then there is the potential to cause serious injury not only to the emergency services worker but also to the protester.

There was an assertion by some submitters that locking devices did not contain traps or dangerous substances and that it had not been substantiated by evidence given to the committee. The description and photographs of the devices that I have referred to in this debate should put that assertion to rest, in my view.

I will now discuss the inquiry process for the Summary Offences and Other Legislation Amendment Bill. The Summary Offences and Other Legislation Amendment Bill was introduced into the Legislative Assembly by the minister on 19 September and referred to the committee on the same day. On 20 September the committee invited stakeholders and subscribers to make written submissions on the bill. As at the tabling date of the report, 212 submissions had been received. However, I do believe there were some late submissions that have since been published on the committee's web-page.

It is fair to say that not all submitters were in favour of the amendments. Even if you were to take the form submissions, there is a view amongst the public and unions that these amendments are unnecessary and threaten the right to protest in Queensland. I also had to grapple with the question as to whether the amendments were an overreach and whether there is sufficient legislation in place to allow the police to seize the devices before they are deployed.

The question that I asked myself and was asked of me was: what is the alternative? I have been unable to come up with an answer to this question. Time will be the judge as to whether these laws were necessary, but in my view doing absolutely nothing is not available to us in the present climate and with the aggressive tactics that are being used by activists and protesters.

The policy objectives of the bill are to introduce two new offences to address the use of a dangerous attachment device to disrupt lawful activities and to authorise police officers to search a person or vehicle without warrant in relation to dangerous attachment devices and allow police officers to deactivate, disassemble or seize, and dispose of, dangerous attachment devices.

I will now deal with the issue of the truncated time frame for reporting. On 9 October the Minister for Police and Minister for Corrective Services proposed that the date for reporting on the bill be brought forward from 4 November to 21 October. The minister outlined in his letter to the committee that the reason for this truncated hearing process was the safety concern and the minister advised the committee that to bring its hearing forward would be desirable.


I will now deal with the examination of the bill. The main purpose of the bill is to deter people from using dangerous attachment devices that endanger themselves, emergency services workers and members of the public and to assist police officers in minimising the disruption caused to the community through the employment of these devices. It was noted that to achieve these objectives the bill we were examining proposes to amend the following pieces of legislation: the Summary Offences Act, the Police Powers and Responsibilities Act and the State Penalties Enforcement Regulation.

The bill proposes to amend the Summary Offences Act to introduce offences for the use of dangerous attachment devices. The bill defines an 'attachment device' as a device that reasonably appears to be constructed or modified to anchor a person at a place or to a thing so that the person can resist being safely removed from the place or thing. None of the following items by themselves are an attachment device: glue, a bike lock, a padlock, a rope or a chain.

The bill provides a further definition of a 'dangerous attachment device' to mean an attachment device that reasonably appears to be constructed or modified to cause injury to a person who attempts to interfere with the device or reasonably appears to be constructed or modified to cause injury to a person if another person interferes with the device or incorporates a dangerous substance or thing, such as asbestos or poison. A sleeping dragon, dragon's den, monopole and tripod are each a dangerous attachment device.

A sleeping dragon is an anchor point for a person to hold or to which a person's hand can be bound or locked and a casing that shields the person's hand or the binding or lock from being released by another person. An example would be two large steel pipes welded at an angle with a thick pin fixed in the centre. The bill proposes that a device is a dangerous device regardless of whether persons using the device can release themselves from it or the device would automatically deactivate or release itself after a period or protective clothing or other shielding would prevent injury to any person.

(Time expired)

 **Mr LISTER** (Southern Downs—LNP) (2.36 pm): I, too, rise to make a contribution to the Summary Offences and Other Legislation Amendment Bill 2019. I was listening to the minister in his second reading speech when he, in my view, correctly said that this bill will not stop lawful protests, but I would add to that: it will not stop many unlawful ones either. We have already heard the shadow police minister talk about the limitations that this particular law has in terms of its practical effect and the many loopholes there are for those who wish to cause mass inconvenience and disruption for their political cause against law-abiding citizens who want to get on with their daily activities.

When we heard the Premier talk about this in response to yet more disruption in Brisbane and elsewhere, the *Courier-Mail* article did, as I remember, say 'Straight to jail'. I do not know whether 'straight to jail' is an accurate characterisation of the impact that this law will have, because we are relying on the same system which my constituents say to me so often appears to fail them. When protesters interrupt the lawful business of others, they are arrested, they are summonsed, they go to court, they get a slap on the wrist, and they go back and do it again. In fact, there have been cases where protesters have publicly rejoiced in the slightness of the penalty given to them and vow to go back and do more.

We heard about peaceful assembly. This is something I asked the representative from the Bar Association of Queensland about during the hearing, as I am on the Legal Affairs and Community Safety Committee. I asked him what the judicial definition of 'peaceful assembly' was. He took the question on notice and said that there does not appear to be much in the way of judicial precedent on this. He did provide the definition from the Peaceful Assembly Act, an act which was the product of an exhaustive and thorough process by EARC in the post-Fitzgerald environment.

He said that the Peaceful Assembly Act 1992, which simply provides for a right of peaceful assembly, is subject only to three things, and they are in the interests of public safety, public order and—significantly, I think, in this debate—the protection of the rights and freedoms of other persons. If we could focus on the protection of the rights and freedoms of other persons, I think we need to remember that there is a large, perhaps overwhelming, majority of Queenslanders out there who, whatever their views on the protest activity occurring, would much rather get to work, get to their job, make that delivery or get to hospital rather than be held up. We are talking about small businesses and workers who are occasioned cost without having any say in the matter because of the actions of others.

Nobody has the right to break the law, but the suggestion seemed to be implicit in the contributions of some. I note that the Queensland Law Society appeared to equivocate when I put to them their view is that punishments need to be slight in order that those who wish to protest have the option of breaking the law without it having too much of an effect on them. Mr Potts may disagree with me on that matter, but there seemed to be a perception amongst those who contributed to the bill and provided submissions—and we know there were many—that it is okay to break the law if you really believe in the cause and that we have rights and benefits which have stemmed from protests in the past.

We have mechanisms by which people can assemble and register their disapproval or their approval in order to influence governments and elections, and that is quite as it ought to be. Protest and dissent is an essential part of our democracy; I do not disagree with that. I believe in it, and I know that my colleagues on this side of the House do as well. To say it is an axiom that you should be able to break the law in order to promote your cause at the expense of others is folly. It is a fallacy; it is not true. This particular law really does not capture many of the activities we have seen in recent times concerning protests.

We heard from my honourable friend, the member for Toowoomba North, about how certain devices and methodologies of protest and obstruction would not be captured. I say there is no certainty that those who have been found chaining themselves to bridges and so forth would even get to a Magistrates Court and suffer an appropriate penalty. This bill smacks of something that the government has introduced to have a bet both ways: on the one hand, they want the headlines to say they are doing something about these protesters; on the other hand, the bill is full of holes. It is like a colander: everything will fall through. I believe that the protesters will be clever enough to make sure that their activities do not leave them subject to the provisions of this particular bill.

At the hearing I asked the Bar Association of Queensland's representative, Mr Steven Jones, whether he believes this bill is the egregious affront to people's right to free speech so many said in their submissions. As stated in the committee transcript—

MR LISTER: In the course of the hearing today and in a great deal of the written material that has been submitted to the committee this bill has been portrayed as an attack on free speech and a criminalisation of legitimate dissent tactics in a democracy. Would the Bar Association concur with that characterisation?

Mr Jones: No.


I think Mr Jones is spot-on. The foaming at the mouth we have seen from some sections of the community, slamming this as being an attack on their freedom, an attack on the ability of people to legitimately dissent and protest, is not correct. In fact, it misses the point. This bill really is just a wet lettuce, in my view. It needs to be stronger. That is why the LNP is proposing amendments that will impose mandatory jail time for those who are caught obstructing, chaining themselves to things and getting in the way of lawful business on multiple occasions. It is to protect law-abiding citizens—the hundreds of thousands of people whose voices were not heard who have been caught up in disruptions in the city and elsewhere.

The committee heard from Michael Riches, who represented Aurizon at the public hearing a few weeks ago. I asked him his view on the comparative penalties applicable to him as the person conducting an enterprise—in this case Aurizon—and those who wish to protest. If he was found not to have taken enough steps to protect people who come onto the railway line or involve themselves in the rail system, there are very serious penalties, including criminal sanctions, that can be applied to him. Yet those who deliberately go out and chain themselves to railway lines and endanger themselves and the staff of the business he is operating face very little penalty at all. I asked him if that made sense to him, and he said no. Of course he said no; it does not make sense to anyone.

It also occurred to me that the many people who were febrile in their opposition and characterised this as an attack on freedom of speech and the right of people to protest were utterly silent when this government, in the Termination of Pregnancy Bill, made it unlawful to protest in any way whatsoever

near an abortion clinic. Whatever your position is on abortion, it smacks of hypocrisy. It really says to me that the progressive left think they should have it to themselves. They are able to do whatever they want, provided they believe in the cause.

I think that the criticism of this bill is misdirected. We support it because any step in the right direction, which this is, ought to be supported. But it is not strong enough. I am quite certain that I speak for the overwhelming majority of the people in my electorate of Southern Downs who have little time for those who wish to impose their views on others unlawfully at the expense of law-abiding citizens going about their business, our emergency services personnel who are drawn into this, those who need to get somewhere in a hurry, and of course the classic example is the ambulance trying to get to hospital. We will support this bill. It is a step in the right direction, but it is not strong enough. As I say, to me it smacks of the government wanting to have a bet both ways. It wants to appear ostensibly to be tough on protesters, but really it is saying 'mate, it's going to be all right. We'll let you off.'

 **Mrs McMAHON** (Macalister—ALP) (2.46 pm): I rise to contribute to the debate on the bill before the House. The right to peaceful assembly is a cornerstone of democracy. This right is enshrined in Queensland through the Peaceful Assembly Act and now the Human Rights Act. The right to dissent, the right to express views not in accord with the government of the day, is essential in this democracy. I am too young to remember the Joh days which have been invoked in many submissions. I was in primary school at the time, but he was a prominent figure in our house growing up. I grew up going to Labour Day marches and hearing stories of the Springbok and anti-Vietnam protests. Growing up in the western suburbs, I was amused by the running commentary provided by the ever-changing anti-Joh messages scrawled across the side of the Walter Taylor Bridge.

As I remarked in my first speech, I think it was quite a shock for my parents when I opted for a career in uniform. Not that they were disappointed, I don't think, but because the narrative in our house was not particularly positive for the blue uniform, which was often seen as the extension of an autocratic government. To explain my choice in careers is both simple and complex. In essence, it is due to the love of my country and my state. I grew up lucky: I grew up with privilege; I grew up with opportunity; I grew up in Queensland in the 1990s. It was a Queensland that has changed for the better and a Queensland that was worth defending for the rights of Queenslanders to feel safe, to be productive and to access the same opportunities I had. It was something worth preserving and protecting.

Obviously, I have come into this House from a policing background—20 years of uniformed policing—straight into this esteemed role. In my former life I policed major events here in South-East Queensland. I have been a member of the PSRT. I have worn the helmet, padding and other PPE. I have undertaken crowd management roles, including during major events such as CHOGM. I am also someone who has attended protests, marched in the street and waved banners and placards. I have even taken my children to some street marches, but I do not see these two facets of my life as mutually exclusive or at odds with each other.

The rights conferred upon citizens under the Peaceful Assemblies Act, much like those under the Human Rights Act, are not absolute. Let me explain. I will refer back to my committee's scrutiny of the Human Rights Bill when it was presented to the House. In their submissions many stakeholders commented that our human rights, including those under the Peaceful Assemblies Act, are not absolute; that is, some of these rights can be limited by other competing rights and other important interests in society and they may be subject under law to reasonable limits that are justifiable.

Where is this line? What are the limits that are justifiable? When does the right to dissent, the right to protest, collide with the other rights of Queenslanders? I will tell the House where I think it is. It is when exercising those rights injures others or puts others at risk of injury. The committee was repeatedly told during the public hearing by a number of submitters that the devices listed in this bill, the dangerous attachment devices, were harmless and that no-one had been injured using those devices. While the devices, inert and unused, in and of themselves are not inherently dangerous, the actions required to remove persons from them are. Angle grinding through steel or cutting concrete within inches of a person is inherently dangerous. Ask people in the construction industry and they would absolutely consider it dangerous. Their workplace health and safety would not allow it. Our rescue services undertake these actions but only in instances of immediacy and where lives are at risk, and even then they acknowledge the risk.

The reason why injuries are not more common is due to the professionalism of those officers undertaking these duties—the same officers who many submitters were quite happy to denigrate. I do not think anyone joins the Police Service thinking they will be required to undertake specialist training

in concrete and steel cutting, but we are expecting them to have this skill in the name of public safety. Cutting through metal and concrete in close proximity to people's limbs cannot be considered as anything other than risky—to the individuals locked on as well as those operating the machinery.

What surprised me during the hearing was the realisation that those locking on retained at all times the ability to self-release. The use of a self-release device is present in almost all instances of sleeping dragon devices; that is, at any time a protester may release themselves and avoid the risky cutting process, but they opt to stay on. They opt to put police through this inherently dangerous activity. They choose to. I was interested to note that one reason why some do not self-release is that the use of these devices actually caused them to lose feeling in their arms, for their arms to swell and for them to lose the ability to move their fingers. How is that for harmless?


As I stated earlier, when police undertake the process of cutting people free of these devices that does form part of their role in preserving public safety, and that is their job. It is one of the functions of the Queensland Police Service—to keep the community safe. I might add that I find comments from certain sections of the community that those who are protesting should come to some harm as quite abhorrent—specifically those with large media platforms suggesting that protesters should be run over. These are certainly at odds with the many professional oaths I have undertaken in my adult life.

I do have great concerns for instances where deliberate actions of members of the community place our police officers at unnecessary risk. As a society, we rightly condemn the actions of individuals whose foolishness places our first responders at risk. I obviously retain some solidarity with my former colleagues in blue, and I take a dim view of those who would take deliberate actions that place at risk our hardworking officers. This would not be acceptable in any other workplace.

I believe in the right to protest. I do not believe these laws will prevent the operation of the Peaceful Assembly Act. I note words that were said out the front of this House only yesterday: 'These laws are not going to stop protest.' That is right. As commented by many submitters on this bill, civil disobedience and protest have often been the catalyst for long-awaited and needed social change. Marching in the streets, striking and collectively organising to exert influence have all been tactics used and they will continue to be used. Merle Thornton and Rosalie Bogner could still chain themselves to the bar at the Regatta Hotel and not enliven these proposed laws. Muriel Matters, who was referenced in quite a few submissions to this committee, would still be able to chain herself to a grille if one still existed today and not enliven this bill, though I am sure the Speaker would still have a dim view of this and other actions she took in the British parliament.

The proposed bill is silent on the issue to be protested, the reason for the protest. These laws are not about why people protest; they are about the manner in which they protest. I understand that those who are currently protesting climate change feel this is a direct target of their cause, but I have attended climate protests as recently as last month. While I do not disagree with the cause, I do not accept that people operating under that cause have the right to place others at risk. What this bill seeks to do is to ensure that dangerous and unsafe tactics have no place in our peaceful assemblies. As I said earlier, I take my children to various marches and rallies for causes that I believe in. I feel that this is an important part of being brought up in a democracy in Queensland—understanding one's right to protest and demand change, but not at the expense of, or when it endangers, other Queenslanders.

Mr DEPUTY SPEAKER (Mr McArdle): Before calling the next member, I would like to welcome to the gallery students from Lockyer District High School in the seat of Lockyer.

 **Mr MANDER** (Everton—LNP) (Deputy Leader of the Opposition) (2.55 pm): I rise to speak on the Summary Offences and Other Legislation Amendment Bill. When this prospective law was announced by the Premier, it was one of the great misrepresentations that this government have done—and they have done many. The Premier came out talking tough and basically saying that these laws they were proposing had to be fast-tracked because they would solve the problems we have at the moment in Brisbane with these protesters who persistently act illegally.

The government had a real tension here. They had the pressure coming from the public who were saying, 'We've had enough. We are sick of being disrupted as we come into work every day. We are sick of emergency services vehicles being diverted. We are sick of not being able to get to hospitals to attend our surgical appointments.' There was that tension on that side coming to the government and they felt they had to act. The tension on the other side was coming from the left of the Labor Party which was saying, 'Let them go. Let them protest as long as they want and in any way they want.' In fact, I would contend that half the cabinet of this government would love to be out there with those protesters. The Minister for Transport and Main Roads would love to be out in front of those protesters, leading them and talking about the great injustices that are happening in this state at the moment.

Ms Grace: They've got a right to do it if they want to.

Mr MANDER: I will take that interjection from the minister. The whole argument of people coming up here is that they are so worried they are going to violate the rights of those to protest—which no-one disagrees with—rather than stopping the disruption that is happening. This bill will not do that. They have come out and talked tough, saying that this is going to solve the problems. What is going to happen next week? We are going to have people gluing themselves to the road. What is going to happen the week after that? We are going to have people hanging off bridges, waving to people. What is going to happen the week after that? We are going to have people setting up tripods and hanging from the tripods disrupting traffic once again.

These laws are a great misrepresentation. They were thinking, 'What laws can we bring in that sound tough and will have no impact? Let us see if we can think of something imaginative that these laws can address. Let us talk about booby trap devices locked on to people.' I do not agree with the Greens member for Maiwar very often, but I have some sympathy for his argument in this case when he was asking them to come out and give clear evidence of where there were booby trap devices.

Honourable members interjected.

Mr DEPUTY SPEAKER: Stop the clock. The House will come to order or some semblance thereof.

Mr MANDER: What evidence was there of booby trap devices? What evidence was there? None! There was none whatsoever, so they had to confect this issue so they had some sort of law to bring into parliament to make it look like they are tough, to make it look like they are acting with authority, which they are not doing whatsoever. No-one in their right mind would agree with this bill, which seeks to ban booby trap devices. No-one will be against that. Who would be? This side of the chamber is not against that. The point we are making is that this was a misrepresentation. Those opposite talk tough and they cannot back it up. We are going to see people continue to come out and protest and continue to disrupt unlawfully. That is why we will agree with this bill, but we will move amendments which mean there will be consequences for people's actions.

We are not talking about lawful protests; we are talking about unlawful protests. We are talking about people who go out and protest without permits. We are talking about people who go to court, get bail and then breach their bail conditions not once, twice or three times, but time and time again with zero consequences.

Ms Grace interjected.

Mr MANDER: Again I will take the interjection from the education minister. Let it be in *Hansard* that the education minister has no issue whatsoever with these protesters in her electorate every day, every week, disrupting people going to work, disrupting emergency services personnel—

Ms GRACE: Mr Deputy Speaker, I rise to a point of order.

Mr DEPUTY SPEAKER (Mr Stewart): Pause the clock, please. Member for McConnel, you have a point of order?

Ms GRACE: I will not be verbally by the member for Everton.

Mr DEPUTY SPEAKER: No, what is your point of order?

Ms GRACE: I take offence to what he said and I ask that he withdraw.

Mr DEPUTY SPEAKER: Member for Everton, the member for McConnel has taken personal offence. I ask you to withdraw.

Mr MANDER: I withdraw. I look forward to the minister's contribution to this bill and to hearing what she will do to stop the disruption in her electorate day after day, week after week, of people not being able to get to work, police and paramedics' time being wasted—

Ms Grace: You're so tough! What are you going to do?

Mr DEPUTY SPEAKER: Member for McConnel.

Mr Bleijie interjected.


Mr DEPUTY SPEAKER: Order, pause the clock. Member for Kawana, you are not sitting in your assigned seat and you are interjecting. You are now warned under the standing orders.

Mr MANDER: I will take the interjection from the minister that we are tough on crime on this side. We will take that as a compliment. We will bring in amendments that will have consequences. Is it any wonder that those people keep coming back day after day? Is it any wonder they keep breaching bail

conditions? If there are no consequences for their actions, they will continue to break the law. Our laws are all about protecting the people of Brisbane in particular but also right across the state if that is where these people will eventually extend themselves to, which they will. We will do that to ensure we do not have the disruption we have seen day after day and to protect our police and paramedics as well.

I want to commend the amendments to the House that have been brought to us by the shadow police minister. These amendments are commonsense amendments. These amendments are all about consequences for actions. If people do something wrong consistently they will be punished, and it will not be a slap on the wrist. It will not be a \$200 fine so they can go out and do it again and then get a \$250 fine, after which they wave to the crowd as they are put in the back of the paddy wagon once again defiantly telling the people of Queensland, 'We don't give a stuff about the laws. We are just going to keep coming out here breaking the law.' There needs to be consequences.

I want to say this again: when the Premier announced these laws to the public, it was one of the great misrepresentations we have seen for some time from this Labor Party. They are talking tough, trying to make out they are going to solve the problem that everyone wants to see solved, but this will do nothing like that whatsoever. We will support the bill because it is a no-brainer of a bill. Who would not want to protect our police, paramedics and firefighters who are addressing these issues? However, we also expect the government to support our very commonsense amendments—amendments that will have impact and will stop these protests, which is what the people of Brisbane want.

 **Ms McMILLAN** (Mansfield—ALP) (3.04 pm): While I was sitting here listening to the member for Everton I could not help but think about conspiring minds. I thought about a quote from Douglas MacArthur, who once wrote—

The world is in constant conspiracy against the brave. It is the age-old struggle of the roar of the crowd on one side and the voice of your conscience on the other.

I was reminded of that quote while I was listening to the roar of the member for Everton.

Peaceful protest activity has been used as a vehicle by many Australians to advocate for legal and social change. Peaceful assemblies allow interest groups to express their views to the wider public and in particular may allow the concerns of minorities to be voiced, heard and potentially acted upon. However, in recent times there has been an increasing frequency of dangerous protesting activities in our state, jeopardising the safety of protesters, nearby civilians and our emergency services. In light of these occurrences, I rise today to make my contribution to the Summary Offences and Other Legislation Amendment Bill 2019, which is currently before this House. This bill aims to prevent any potential disastrous impacts from these recent protests without compromising the freedoms and rights that our community expects.

Initially, the right to peacefully assemble was recognised in Queensland to be of such significant importance that it was enshrined in legislation through the Peaceful Assembly Act 1992 and in the Human Rights Act 2019 which Queensland Labor governments enacted. The right to peacefully assemble is fundamental in our society, and the government supports this right. What this government does not support and will not support is the potentially dangerous activity that is currently happening on our roads and railways and in our cities and our rural communities.

I commend the government for implementing the safety measures within this bill to protect not only the protesters but also our emergency services and nearby civilians. I make comment particularly about the bill's introduction of new offences under the Summary Offences Act 2005 to prohibit the use of dangerous attachment devices as well as its amendments to the Police Powers and Responsibilities Act 2000.

Primarily, dangerous attachment devices have been utilised by several protesters of late and are constructed in such a way as to potentially endanger the protester, emergency services workers and members of the public. These protesters have reportedly placed glass or aerosol canisters inside devices such as sleeping dragons and metal fragments have been used to lace the concrete found in dragon's dens. This increases the likelihood that injuries may be caused when trying to disassemble these devices.


We all know the dangers of a grinding disc on the angle grinder which may break or shatter while in operation, causing disc fragments to become potential projectiles and cause severe lacerations. The new offences introduced under this bill will have the sole objective of disincentivising protesters from using these potentially dangerous devices.

Proposed new sections 14C(1) and 14C(2) of the SOA make it an offence for a person to use a dangerous attachment device to unreasonably interfere with the ordinary operation of transport infrastructure and to stop a person from entering or leaving a place of business. The maximum penalties

for these offences are two years imprisonment and one year imprisonment respectively, which represents the government's zero tolerance for practices which interfere with the safety of its citizens and lawful protest activities.

In addition to these amendments under the SOA, the bill also amends the PPRA in terms of how a police officer can safely deal with a dangerous attachment device. These amendments allow a police officer who finds a dangerous attachment device that has been used or may be used to disrupt a lawful activity to deactivate or disassemble the device or seize and dispose of the device as considered reasonably necessary. This seizure and forfeiture power can be considered as a preventive measure that allows police officers to intervene before dangerous attachment devices are deployed, thereby minimising the risk of harm to persons and disruption to our community.

As stated previously, peaceful protests are a respected human right within Queensland and in our country; however, the potential threat to any citizen's safety will always be the greatest concern of this government. I believe that the amendments within this bill aim to deter and safely deal with the use of dangerous attachment devices. In the light of the bill's amendments to the SOA and the PPRA, I commend this bill to the House.

 **Mr McDONALD** (Lockyer—LNP) (3.10 pm): Like any democratic nation, Australia was founded on the ideal of protecting the individual, their rights and their freedoms. Included among those rights is the right to assembly and the right to protest. Peaceful protests have been legal for years in Queensland, and anyone who suggests otherwise is just being completely mischievous. In recent weeks we have seen this right exercised by many. Whilst most have done the right thing, others have abused this right, repeatedly breaking the law and placing the lives of our first responders and the general public at risk. We cannot allow this to continue. No individual's right to protest should come at the cost of another's safety. Finding the appropriate balance between the protection of each of these rights will not be easy, but that is the task we are working towards today. I stand to do my part by offering this contribution to the Summary Offences and Other Legislation Amendment Bill.

This bill aims to address incidents of dangerous protest activity, like those we have recently seen across the state, by targeting the use of dangerous attachment devices and providing our state's police officers additional powers to counteract these devices. Under the bill, offenders who make use of dangerous attachment devices could face up to two years imprisonment, depending on the circumstances and the location of the devices used. Under the bill, police officers will also be provided the power to search for, seize and deactivate, disassemble or dispose of these devices if necessary. These are certainly worthwhile objectives. Unfortunately, in my opinion, they do not go quite far enough. That is why the LNP will move amendments to this bill. These amendments will ensure the bill successfully cracks down on extremist protest, ensuring the safety of both protesters and our first responders.

Before I discuss in further detail the bill and other suggestions for improvement, I take a moment to thank the Legal Affairs and Community Safety Committee, the secretariat and the submitters. I particularly thank the member for Southern Downs for our statement of reservation. Over recent weeks our state has experienced organised protesting on a scale not seen since the anti apartheid and uranium marches of the 1970s. While this latest wave of dissent has produced similar peaceful mass marches and demonstrations, it has also seen far more extreme action. This is deliberate tactics by those involved. Protesters have glued themselves to roads, attached themselves to cars using arm-locking devices, suspended themselves both above and below bridges, chained themselves to railway lines and taken canoes and catamarans to places they just do not belong. These protests have caused the public hours of disruption. These protests have tied up valuable emergency services resources. These protests have placed at risk the safety of not only our first responders and members of the general public but also the protesters.

As a former police officer, I assure this House that Queensland police officers spend hours negotiating with extreme protesters, going to all ends to try to resolve disputes without arrest. Unfortunately, more often than not, inevitably our officers are forced to conduct arrests of these extremists, who simply laugh in the face of the law and delight in the media attention their actions receive because the consequences for their actions are just a joke. Over and over again, the fines for serial pests make a mockery of our courts. It comes as no surprise that the Queensland Police Service has expressed its frustration over officers often finding themselves being forced to do it all over again the next day after they find the same protester on our streets or, more likely, glued to them.

Something needs to be done to curb repeat offending and to save emergency responders from the task of removing uncooperative protesters from potentially dangerous devices. That is why the LNP welcomes this bill and the offences it will create. Anybody would. Despite this support, the limitations of this bill still need to be addressed, and that is exactly what the LNP amendments will do.


This bill aims to catch out protesters who use lock-on devices in an effort to cause maximum disruption by making themselves difficult or dangerous for responders to counteract. The bill refers to such devices as 'attachment devices' and defines them as 'a device that reasonably appears to be constructed or modified to enable a person using the device to resist being safely removed from a place or safely separated from a thing'. These devices can be further defined as 'dangerous attachment devices' if the device 'reasonably appears to be constructed or modified to cause injury to a person who attempts to interfere with the device' or if it 'incorporates a dangerous substance or thing'.

While the Queensland Law Society was quick to praise the ambiguity of this definition, I certainly will not be. It is true that some of the devices employed during the most recent protests we have witnessed could be covered under this definition. The use of such devices is only a footnote in the list of tactics employed by extremist protest groups. Many of the tactics employed by these groups will not be covered under this bill. Take for example the tactic we have seen employed recently by the group Extinction Rebellion which involved a protester suspending themselves from the Story Bridge. The protester in question did so using commercially available climbing equipment. While not falling under the definition of 'dangerous attachment device', it did cause the Queensland Police Service enough concern to justify the temporary closure of the bridge to ensure the safety of the public and the ridiculous protester.

I believe that we need to bridge these limitations by creating genuine consequences for those who flout the law. I believe that extremist protesters convicted of multiple breaches of unlawful assembly offences should face a mandatory jail term. A further opportunity exists through tougher bail laws. I suggest that reversing the presumption in favour of bail for offenders charged with unlawful assembly who commit a similar offence would be a good place to start. If amendments like these were implemented, I believe it would be a proper deterrent, curb multiple offences and keep repeat offenders off the street. Under the current laws, offenders are simply being arrested again and again for the same offence with no real consequences. Unamended, this bill will do nothing to stop this trend and it is unacceptable in its current form.

Anyone who breaks the law once, let alone two, three or even 11 times, should face real consequences for their actions. The unamended bill is almost toothless. It will not stop protesters gluing themselves to the road, padlocking or chaining themselves to railway lines or hanging from bridges, and it will not save Queenslanders from undue disruption or disorder. We agree that everyone has the right to free speech and that everyone has the right to demonstrate their opinion through peaceful protest. For generations, many have exercised this right and will continue to do so. Contrary to the claims by some, this bill is not about taking that right away. This bill is about ensuring that those who abuse this right by placing the safety of others at threat face appropriate consequences for doing so.

Unamended, the Summary Offences and Other Legislation Amendment Bill makes small steps towards achieving its goals. The LNP's proposed amendments will give those opposite the chance to bridge the shortcomings of the bill. I call on them to support our amendments. They have the opportunity to make this bill as strong as possible. They should join with the LNP to support our amendments so that together we can ensure no Queenslanders is placed at risk by a selfish individual who chooses to abuse the rights we have fought so hard to protect.


 **Mrs LAUGA** (Keppel—ALP) (3.20 pm): This bill is first and foremost about safety. It is about the safety of our community, the safety of emergency services workers and the safety of the individuals planning to use these devices. The government fully supports the right to protest, but community safety will always be paramount. The changes in this bill will make it easier for police to prevent disruptions to the daily lives of Queenslanders. Anyone who uses one of these devices during a protest will also be subject to a new offence.

We have seen over the past few months that Queensland has entered a new era of extremist action. No-one disputes the right of people to protest peacefully and lawfully. Peaceful and lawful protests are a bedrock principle of our democratic society. The changes to the law we are introducing will have no impact on the ability of anyone to protest lawfully, but the actions we are witnessing now are not protests. I honestly believe that the dangerous actions we are now witnessing completely detract from the purpose of the protests and the message the protests seek to send. What we are seeing now from these extremists is a blatant disregard for the law and the rights of others. These people clearly take the view that their opinions and beliefs override the legal rights of others. These extremists wilfully disrupt the right of others to go about their daily lives without interruption. This is contrary to the shared values of our democratic society. This extreme behaviour will not be tolerated.

This bill will help keep our frontline emergency services workers and the broader community safe. There has been a significant increase in the use of potentially dangerous tactics by a small cohort of individuals which is putting at risk the safety of first responders and the individuals themselves. These tactics include the use of potentially dangerous attachment devices such as sleeping dragons, dragon's dens, tripods and monopoles. Removal or disassembly of these devices often requires the use of specialist tools like angle grinders, cold-cut saws, hydraulic cutters, hammer drills and jackhammers. The use of such equipment in proximity to a person's body represents a real risk of injury. The risk is exacerbated by the way some attachment devices have previously been or may be constructed. This includes where individuals have reinforced the devices with glass, wire, steel and other items.

This bill will make it an offence to use a dangerous attachment device. Police will have the power to deactivate, disassemble and dispose of anything that is a dangerous attachment device. The penalty for using one of these devices will be up to two years imprisonment or a fine of nearly \$7,000. It is both the design of these devices and the manner in which they are used that make them potentially dangerous. For example, devices which are embedded with metal or other items and those which incorporate glass sleeves can result in significant injuries to the individual, police, emergency services and community members if removed incorrectly or hastily. Devices that use trip wires or drums reinforced with concrete to obstruct rail lines and roads could result in serious injury or death if individuals are not removed and the trains or vehicles stopped.

I have participated in a number of rallies and protests in my life, including against John Howard's draconian Work Choices legislation, against plans by the LNP to increase our HECS fees when I was a uni student and in support of women's reproductive rights. All of these protests have been peaceful. Many people take their children to rallies and protests, as I have done in the past. When I speak to school students about the importance of playing an active role in our democracy, I encourage them to get involved peacefully in causes that are important to them. Protests are a cornerstone of our free democracy, but when people turn violent and use dangerous tactics or attachment devices, like we have witnessed in Queensland recently, it should be against the law. I commend the bill to the House.

 **Mr CRISAFULLI** (Broadwater—LNP) (3.24 pm): I rise to speak in support of the Summary Offences and Other Legislation Amendment Bill. Everyone in this House should support it, if for no other reason than that our emergency services personnel—while the police are front and centre, that goes for all emergency services personnel—who turn up to do their work should not be subjected to danger because of the view held by a handful of people who are so extreme in the way they want to put their point of view across that they would bring harm to average, everyday people who are truly our community heroes who go about their work.

This bill is so limited and so narrow that it will not achieve what the vast majority of Queenslanders want it to achieve. The shadow Attorney-General has proposed two excellent amendments—it is great that the shadow police minister is pushing these so hard—that I will explain and discuss in detail. Before I do, I wish to flesh out why this bill—despite all the bluff and bravado and despite the front-page headline about the Premier cracking down and ensuring jail time—is so narrow and so targeted and fails to do what the people of Queensland wish.

Noting which members will not be speaking in this debate highlights the conundrum of those opposite. Let us look at the speaking list that has been provided. With the exception of the committee members, who have to speak to the bill, let us look at those who are making a contribution. On the list do we see the member of McConnel? No. The member for McConnel was in the chamber earlier, but she is not on the speaking list. Also not on the list are the members for Cooper, Aspley and Bulimba. Interestingly, even the member for South Brisbane is not speaking. Regional member after regional member will be making a contribution—Keppel, Rockhampton, Townsville, Mackay, Thuringowa—

Madam DEPUTY SPEAKER (Ms McMillan): Order!

Mr CRISAFULLI: It almost seems as though—

Madam DEPUTY SPEAKER: Order! Thank you. That is the second time. Member, I remind you to come back to the bill. I am not sure that listing members who are speaking is relevant. Let's come back to the bill.

Mr CRISAFULLI: Thank you, Madam Deputy Speaker. I will take your advice.

Mr Harper interjected.

Madam DEPUTY SPEAKER: Member for Thuringowa, just be mindful of my ruling.

Mr CRISAFULLI: Clearly, those who are on the list are looking to improve on their 30 per cent primary vote at the last election. That is why they are looking to get up and speak on bills that contain laws that will impact on seats far away from them. The point I make is simple: these laws are so targeted because the Labor Party is divided. Part of the Labor Party want to do what is right. The other part realise that their survival depends on a group of extreme people whose views do not align with those of the vast majority of Queenslanders, whose views do not align with those held by the constituents, ironically, of the members who are speaking on this bill. I make the point that, unless we get serious about enacting proper laws to deal with this, this will become business as usual in Queensland.

No-one should ever have their right to protest taken away from them. Likewise, no-one should ever have taken away from them the right to turn up and do an honest day's work. That is what this seeks to do. Members of Extinction Rebellion—or whatever they want to call themselves this week—have one target in mind, that is, anarchy.

Mr Watts: Anarchy.


Mr CRISAFULLI: I take that interjection from the shadow minister, because he is right: it is all about anarchy. If they were serious about making a point they would stand on the side of the road not for half an hour but for a few days, and there would be some people who respect them. There are people caught up every day sitting in traffic jams—ironically in vehicles that are idling, pumping carbon dioxide into the environment—who support action on climate change and who want to see something done about the way we manage our environment, but they are equally frustrated with the way this group is conducting itself.

I turn to the two amendments that have been put forward by the LNP—that is, mandatory jail for those who conduct multiple breaches and tougher bail law changes to reverse the presumption for bail for these people. Surely that is fair and reasonable. Surely that is a way of sending a message, because, as the law stands, there are a million ways these people will seek to get around it. I draw the House's attention to just how specific and just how targeted the definition of an 'attachment device' is to know that these anarchists will have a field day with this, because the try-hard with the tripod on Victoria Bridge would not be caught up by these laws. The chap who chained himself to a train line with a traditional lock and a chain will not be caught up by these laws. If nothing else, we must send a strong message to those repeat offenders who are using these devices and who are putting our emergency services personnel in harm's way and ensuring that the message is sent.

I conclude my contribution by pointing out to those opposite the fact that the LNP will be supporting this law and all members in this House should, because the day that the safety of emergency services personnel falls second to that of an anarchist is a sad day for society. I urge those opposite to look at the amendments that we have put forward to realise what the vast majority of Queenslanders are seeking. This has gone on long enough. This nonsense of a very small group of the same faces up to the same tricks in the same window causing chaos and madness to a capital city because of a weak response from the government must end.

The bill that is being proposed today must be strengthened. If it is not strengthened, it will achieve nothing but a short-term political reprieve for the government that needed a front-page headline to show action because of strong demand from the community across the board. The vast majority of Queenslanders will not cop it if this continues. I say to members: have a look at what is being proposed in good faith, get behind them and let us take the first step towards protecting our emergency services and bringing some law back to a group of people who are conducting themselves in a lawless fashion.


Madam DEPUTY SPEAKER (Ms McMillan): Before I call the next speaker, member for Broadwater, I ask you to be cautious about mentioning members' names and those who may or may not be present.

 **Mr ANDREW** (Mirani—PHON) (3.33 pm): I rise to speak in support of the Summary Offences and Other Legislation Amendment Bill. I will acknowledge that this bill has been forced by a growing number of demonstrations that have caused to directly disrupt the two major industries that underpin my electorate—the coal and resources industry and the agricultural and grazing industry. Recent disruptions have maximised inconvenience and imposed a range of financial penalties on members of the wider public. The Peaceful Assembly Act 1992 effectively enshrines the people's right to peaceful demonstration. I will reiterate that the most important word is 'peaceful'. The right to peaceful assembly does not include shutting down major thoroughfares and then completely disregarding public safety and the rights and freedoms of others.

The dismantling of potentially dangerous attachment devices imperils police, fire and other emergency services as well as members of the general public who are in close proximity. Given that many dozens of protests have occurred over the last few years, there have been many hundreds of hours of delays to trains, the forced closures of ports and facilities and more recently a number of businesses have had to abandon entire days of work. The economic losses are not insignificant and for the agricultural industry having farm invaders running all over rural properties opens them up to all sorts of biohazard risks, including the African swine flu virus. Such events serve to do little towards adding credibility to so-called environmental campaigns.

This bill closes several gaps by defining a 'dangerous attachment device' and increasing police powers to search a person or vehicle without a warrant if a person is reasonably suspected by an officer to be in possession of a defined dangerous attachment device. The bill also allows an officer who finds a dangerous attachment device to deactivate, disassemble, seize and dispose of such devices and allows penalty infringement notices to be issued. I support this new legislation wholeheartedly.

As a part of the recent Legal Affairs and Community Safety Committee public hearings, I was advised that there are no other realistic means of achieving the policy objective other than through legislative reform. However, I do recognise that protesters are a highly creative and imaginative lot and I suspect it will not be too long before further reactive legislation may become necessary and a review to this process. Nevertheless, we as legislators have been forced to act and address this rash of unreasonable and dangerous disruptions within our community and it is incumbent that the government takes whatever measures are required to maintain the safety and wellbeing of Queenslanders.

 **Mr MADDEN** (Ipswich West—ALP) (3.36 pm): I rise to speak in support of the Summary Offences and Other Legislation Amendment Bill. Each month I hold community forums in my electorate of Ipswich West. They are my attempt to bring government to the people. In October I had a forum in Rosewood and in November I will have a forum in Yamanto. I always begin these forums by saying that I am happy to admit that governments at all levels are poor communicators and my forums are my attempt at addressing this problem. While I hate to admit it, with the Summary Offences and Other Legislation Amendment Bill 2019 my government could have done a better job explaining why this bill was necessary and what it hopes to achieve by the bill.

Yesterday there were demonstrators out the front of Parliament House. My own union was represented at that demonstration. I have friends contacting me voicing their concerns about the bill, and I note that the Council of Unions has made a submission detailing its concerns about the bill. All members speaking in support of the bill today have a duty to say not just why they support the bill but also why the bill is necessary and to address the concerns of those people, including those people who demonstrated outside Parliament House yesterday, who have a genuine belief that if the bill is passed political street marching in Queensland is over why their fears are unfounded. I want to thank those people who contacted me about this bill and left comments on my Facebook page about the issue, both those in support and those against the bill, and I am pleased that they have contacted me and let me know their views.

Firstly, why is the bill necessary? In recent years there has been a change in the way protesters have been behaving. Some protesters have personally shown a disregard for the rights of others and deliberately caused as much disruption to the community as possible to promote their ideologies. These tactics include deliberately running into oncoming traffic in the Brisbane CBD to block off roadways and cause a real risk of injury or death not just to themselves but to road users and innocent members of the public. These tactics also include the use of dangerous devices such as sleeping dragons, dragon's dens, tripods and monopoles. Removal or disassembly of these devices often requires the use of specialist tools including angle grinders, cold-cut saws, hydraulic cutters, hammer drills and jackhammers. The use of such equipment in proximity to a person's body represents a real risk of injury. Under the proposed laws, it will be an offence to use a dangerous attachment device. Additionally, police will have the power to search a person or vehicle and seize a dangerous attachment device and police will have the power to deactivate, disassemble, seize or dispose of anything that is a dangerous attachment device.

The protests that we have experienced have caused a significant financial impost on legitimate businesses both directly and indirectly. As an example, in April 2019, a lone protester delayed five coal trains, causing \$1.3 million in costs to the freight company that operated the coal trains. Such methods of protesting are new and inventive, which means that our government has been forced to introduce new and inventive legislation to deal with this problem. Our current laws covering peaceful, lawful assembly protesting do not cover these new methods of protesting. The reality is that the right to protest is not absolute. There must be a balance between the right to protest and considerations of public order, public safety and the rights and freedoms of members of the public. The proposed laws will help to

ensure that this balance is maintained. Further, police will be given powers to search persons or vehicles suspected of carrying one of these specific devices and seize the devices to prevent them being used. The current laws do not cover that. These are the only changes proposed to the Queensland laws relating to peaceful, lawful protesting.

The government supports the right to protest and, indeed, encourages people to do so if they feel strongly about an issue. The measures proposed by the government are aimed at preventing actions that potentially put the safety of protesters and others at risk. As well as unlawfully disrupting the lives of Queenslanders who are going about their general business, these laws will protect the protesters themselves.

This bill has the support of the unions, the police, our fire and emergency personnel and the Queensland Law Society. I would like to quote from some of their submissions. Owen Doogan, the state secretary of the Rail, Tram and Bus Union, said—

Let's face it, we've led our fair share of protests, but we've never put people in danger of injury or death. These devices have the potential to derail a train right over.

Stephen Smyth, from the CFMEU Mining and Energy Division, said—

Protecting our workers is paramount—when the operation of heavy machinery, like massive conveyor belts our people work with, is interfered with, it creates all sorts of risks for everyone involved. The risk of serious injury is too high for something not to be done.

Ian Leavers, the president of the Queensland Police Union of Employees, said—

These devices are putting people's safety at risk. These are good laws protecting frontline police.

John Oliver, the state secretary of the United Firefighters Union, said—


These sorts of devices divert frontline resources. These laws will help our firefighters do what they do best—fight fires and rescue people.

Finally, Bill Potts, the president of the Queensland Law Society, said—

We understand the policy rationale behind the proposal for the Bill and support efforts to protect individuals from using dangerous attachment devices that endanger themselves, emergency services workers and members of the public.

First and foremost, the proposed laws are about safety for emergency services workers and the police and the safety of individuals planning to use these devices. The government supports the right of people to protest peacefully and lawfully and, importantly, the changes in the laws that we are proposing will have no impact on the ability to protest peacefully. These laws are very narrowly crafted and specific. They have two aspects. Firstly, it would be an offence to use four types of dangerous devices. Secondly, the police will have the power to search and seize those devices to prevent their use.

In closing, I would like to thank those people who have contacted me about this bill, either directly or indirectly through Facebook posts. I would also like to thank the members of the Legal Affairs and Community Safety Committee for their careful consideration of the bill. I note that the committee made only one recommendation and that was that the bill be passed. I would like to thank the committee secretariat, the submitters and Hansard.

 **Mr JANETZKI** (Toowoomba South—LNP) (3.43 pm): The opposition is supportive of the right of all Queensland citizens to participate in peaceful assembly. Peaceful assembly enhances the citizenry's participation in the democratic process. Our community consists of a plethora of opinion, a melting pot of views and ideas. No-one has a special reserve on the truth. Our democratic system is enhanced by the freedom of expression given voice by peaceful assembly or protest. At the moment in Queensland, the Fitzgerald inquiry, on its 30th anniversary, is on everyone's lips. It is topical, given the Palaszczuk government's integrity scandals, removing optional preferential voting in 18 minutes—

Madam DEPUTY SPEAKER (Ms McMillan): Member for Toowoomba South, can we come back to the bill, please?

Mr JANETZKI:—the appointments of mates and rent-seekers to important roles across the state and, of course, just yesterday the Premier being found guilty of contempt of the parliament

Madam DEPUTY SPEAKER: Member for Toowoomba South, this is your last warning. Could you come back to the bill.

Mr JANETZKI: There is no denying that the law of peaceful assembly has a controversial history in Queensland. This modern history began in February 1991, when the Electoral and Administrative Review Commission, set up post the Fitzgerald inquiry, released its report titled *Report on review of public assembly law*. Key recommendations of that report included a right to peaceful assembly in a

public place being legislatively recognised; authorisation of the notice by the relevant authority, police commissioner or local authority, which would mean that participants were granted legal immunity from traffic laws; and that the court was to be used as an arbiter as to whether an assembly was authorised or unauthorised. That report led to the passing in 1992 of the Peaceful Assembly Act, which was supported by the Liberal-National opposition of the day. That legislation put a line in the sand and, to date, no significant amendments have been made to it.

There is no doubt that any right to participate in public assembly ought to be subject to only those recommendations as are necessary and reasonable in a democratic society. These will unsurprisingly relate to matters of public safety, public order and, importantly, the rights and freedoms of other persons. What are these rights and freedoms? At the very least, I would argue that it is the right of persons to carry on trade and commerce, the right to freedom of movement, the right of Queenslanders to enjoy the natural environment and the right to public safety. These are rights belonging to whom we might call the quiet Queenslanders going about their lawful business. They ought not be unduly inconvenienced by others with opinions they wish to publicise.

The government's bill seeks to address tactics and materials that are dangerous to police and other responders who bear the responsibility of moving them from public locations, including pedestrian crossings, roads and bridges to which they may have affixed themselves. The bill inserts a new division 2A into the Summary Offences Act to be known as the 'Offence involving use of dangerous attachment devices'. An attachment device is a device that reasonably appears to be constructed or modified to enable a person using the device to resist being safely removed from a place or safely separated from a thing.

A dangerous attachment device is an attachment device if it reasonably appears to be constructed or modified to cause injury to a person who attempts to interfere with the device or it incorporates a dangerous substance or thing. The bill includes examples of devices such as a sleeping dragon, a dragon's den, a monopole and a tripod. Such devices are deliberately designed to prevent police from easily reaching either the connection pin or the rope, chains or handcuffs that are used to prevent the person from being safely removed from the device. The use of such devices, where they are unreasonably interfering with the ordinary operation of transport infrastructure, stopping a person from entering or leaving a place of business, or causing a halt to the ordinary operation of plant or equipment, may constitute an offence. Fines and periods of imprisonment are proposed as penalties. The laws are designed to deter protest behaviour that risks the safety of protesters, first responders and the community.

Although the opposition stands ready to support the government's bill, there are question marks against it. Firstly, there is deep disquiet within Labor ranks. As we know, the Palaszczuk Labor government is a deeply divided government and the protest from their array of comrades about their protest laws betrays this division. Recently, the Annerley branch unanimously passed a motion that made clear its strong opposition to the government's proposed laws. That resolution said—

It was chilling to see the mass arrests of people who had been protesting in Brisbane streets in August 2019, and to see the bail conditions imposed on them.

An unnamed MP—but I could take a punt on which MP that might have been given the location of the Annerley branch—said, 'The right to protest or strike is part of what Labor was built on', and 'I shudder to think what happens next if we are saying it is okay to make laws because we don't like someone or don't like their protest tactics.' Across the river at New Farm, the member for McConnell's branch posted on social media that motor vehicles were the type of dangerous device we should be tightening the laws for.

Mr Brown interjected.


Mr JANETZKI: Who would have thought that some anarchists from a little known group known as Extinction Rebellion would cause such consternation within the Labor Party, but Extinction Rebellion has tipped the balance between exercising their right to peaceful assembly and the rights and freedoms of others well in their favour. Hanging from bridges, being glued to roads or chained to railway tracks and locking themselves to barrels with concrete, they have wasted emergency services resources, delivered mayhem on Brisbane's streets, continually delaying people's freedom of movement and impacting on trade and commerce in the city centre. They have even lost the support of perhaps Queensland's most famous protester. In 1978 Harry Akers was frustrated with the protest laws of the day which saw the police commissioner refuse to grant his application for a protest permit. In defiance of the law and this police refusal he took to the backstreets of Bundaberg at 2.30 am with his dog. The only attendees were some police but they did not arrest him.

Recently Akers was asked about Extinction Rebellion and he expressed that he had serious reservations about the tactics of Extinction Rebellion. He said, 'You need people who are prepared to take on the establishment, but what I do think is that this recent spate of protests is possibly alienating people who are onside anyhow.' Questioned whether he would get involved he said he would not and he added, 'That comes from a guy who was arrested several times in relation to street marching.'

The shadow minister has foreshadowed amendments to seek to ensure the balance of these competing interests between minority interests and the majority freedoms. Labor's bill is a first step, but it will not put a stop to the undue disruption and it will not bring balance to these competing interests. That is why the shadow minister's amendments are necessary to properly balance competing rights and freedoms. I strongly support the right of peaceful assembly, which is analogous to the right of free speech and the platform for other liberties in our society. It is a basic common law right dating back to the ancient right of procession. It has held fast in our system of government for centuries and was enshrined in statute in Queensland in 1992. It has been hard fought for in Queensland over the decades and it ought not be changed without serious consideration.

As much as I disagree with the hysteria and alarmism associated with Extinction Rebellion, they have their right to express their opinion and to act peacefully to broadcast their arguments to the attention of the wider community. However, if there is systematic evidence that public safety is jeopardised, the public order seriously and continuously disrupted or the rights and freedoms of others are unduly interfered with then this parliament is duty-bound to act. Parliament is duty-bound to protect the balance and, moreover, remedy any imbalance of competing rights and freedoms. It should do so cautiously, but it is what this bill and, most importantly, the opposition's amendments, seek to achieve.


Madam DEPUTY SPEAKER (Ms McMillan): Member for Capalaba, if you are going to interject, can I ask you to return to your seat.

 **Mr O'ROURKE** (Rockhampton—ALP) (3.53 pm): I rise to speak in support of the Summary Offences and Other Legislation Amendment Bill 2019. Labor is a party of the fair go and Labor will always support the rights of Queenslanders to peaceful assembly and lawful protest. Public expressions of an individual's views and concerns will always be safeguarded under Labor. Recently we have witnessed instances where dangerous lock-on devices have been used. The result of such action causes mass disruption to traffic through major Brisbane intersections and closes some of the important bridges and networks. There have also been instances in North Queensland. I definitely do not want to see it in Central Queensland.

The real risk is that one day an ambulance on an urgent task will be delayed and a person in desperate need of medical assistance will suffer serious harm as a result of the delays where dangerous lock-on devices have been used. Again I repeat that the government will always support the rights of Queenslanders to protest lawfully, peacefully and respectfully. This bill is aimed only at dangerous attachment devices that pose a danger to protesters and first responders.

Penalty infringement notices provide police with additional options in managing offending behaviour. This bill before the House makes two amendments to the State Penalties Enforcement Regulation 2014. It allows infringement notices to be issued for the new offences of using a dangerous attachment device under the Summary Offences Act. The first amendment will allow police to issue a penalty infringement notice where a person uses a dangerous attachment device without reasonable excuse to disrupt the ordinary operation of transport infrastructure. The penalty associated with this infringement notice is five penalty units, which is \$667.25. This is a significant penalty that takes into account the seriousness of the offence which often sees protesters use dangerous attachment devices such as dragon's dens or tripods on roadways and rail lines to disrupt transport services.

The second amendment will allow police to issue a penalty infringement notice where a person uses a dangerous attachment device without a reasonable excuse to prevent a person entering or exiting a place of business or cause a halt to the ordinary operations of plant or equipment because of concerns about the safety of any person. The penalty for this infringement notice is two penalty units, which is \$266.90. Infringement notices do not impact on a person's antecedents which means they will not have a conviction recorded against them if the fine is paid. However, a person who is issued with a penalty infringement notice for using a dangerous attachment device may elect to contest the notice and have the matter heard before a court. A police officer also retains the option to prefer charges against a person where appropriate. This bill offers flexibility to allow police to tailor responses to prevent and disrupt offending behaviours. Labor will always support the rights of Queenslanders to protest peacefully and lawfully. This bill is needed to ensure dangerous devices do not put people at risk of harm. I commend the bill to the House.

 **Mr WEIR** (Condamine—LNP) (3.58 pm): I rise to make a contribution to the debate on the Summary Offences and Other Legislation Amendment Bill 2019. I think all reasonably minded people have been shocked and appalled at the recent behaviour of protesters, both on private properties and public lands, in their attempt to generate publicity and attention for their various causes. I think that all in this place would agree that anyone has the right to protest and have their voices heard as long as it is done within the confines of the law and does not unduly impact the general public's ability to go about their day-to-day activities or impact any legally operating business owners or employees. Indeed, I myself participated in a march upon this parliament in support of landowners' rights, opposing the government's draconian vegetation management laws.

Mr Millar: Good on you, mate!

Mr WEIR: Member for Gregory, you were there!

Unfortunately, what we have seen in recent times has been done to cause the greatest inconvenience and disruption to the general public and to surrounding businesses. Those groups strive only to feature on the nightly news. The greater the disruption, the more publicity they receive, which means that the behaviour of the groups becomes more and more extreme to secure that attention. In turn, that causes more danger to the general public, our hardworking police officers and other emergency services personnel called in to manage the deliberate disruption. Indeed, on occasions the protesters put themselves at risk during some of those actions, sometimes deliberately and sometimes unknowingly. They are protesting in high-density traffic situations, on train lines, in industrial areas and agriculture settings in which they have little to no knowledge of the dangers that may be present. That pattern of behaviour needs to be curtailed and suitable laws and penalties imposed. Both sides agree on this.

The LNP will not be opposing the bill, but we do have concerns that these amendments in themselves will not be enough to deter hardened protesters. The objectives of this bill are to introduce two new offences to address the use of dangerous attachment devices to disrupt lawful activities; authorise police officers to search a person or vehicle without warrant in relation to dangerous attachment devices; and allow police officers to deactivate, disassemble or seize and dispose of dangerous attachment devices.

The bill provides a further definition of 'dangerous attachment device' to mean an attachment device that reasonably appears to be constructed or modified to cause injury to a person who attempts to interfere with the device; or reasonably appears to be constructed or modified to cause injury to a person if another person interferes with the device; or incorporates a dangerous substance or thing, such as asbestos or poisons. A sleeping dragon, dragon's den, monopole and tripod are each a dangerous attachment device. A 'dangerous substance or thing' means anything likely to explode, when struck or compressed, causing injury to a person; or anything likely to cut a person's skin; or any substance or thing that requires a person to wear protective clothing to safely handle, cut or break up that thing.


Section 14C(1) proposes to prohibit a person from using a dangerous attachment device to unreasonably interfere with the ordinary operation of transport infrastructure, unless the person has a reasonable excuse. It is proposed that this offence provision will carry a maximum penalty of 50 penalty units, \$6,672.50 or two years imprisonment.

No-one is immune to that behaviour or the use of those objects, not even in the seat of Condamine. On 28 June 2018, two protesters from Brisbane, from an anti-coal action group, positioned themselves on the rail line just outside the town of Jondaryan. They locked their arms together inside a 44-gallon drum filled with concrete. Their intent was to stop trains loaded with coal from the nearby Acland coalmine, which they did for several hours. That action also stopped all traffic along the rail line, and tied up our police and emergency services personnel for many hours. The two protesters were charged and received a small fine, despite the enormous cost to business and emergency services. The punishment was certainly no deterrent, as the young lady involved in the incident has featured in many of the protests that have been occurring in recent times in the Brisbane CBD and has been arrested many more times.

That brings me to the concern that I have with this bill. The bill addresses one area of the protesters' activities, but it ignores the other dangerous activities of those groups. We have seen those protesters glue themselves to some of the busiest roads in the city. We have seen them erect tripods and suspend themselves from bridges. Surely if you are going to address one area of dangerous protest activity, you should also address those other equally dangerous activities.

I note that amongst the objectors to the bill are the Environmental Defenders Office, Greenpeace and the union movement. Perhaps they see some activities by the protesters that they would like in their next round of protests or industrial action? Why else would you possibly object to the bill?

The only problem with the bill is that it gives false hope, as it does not go far enough. It does not address all the dangers that the protesters' actions cause. At this stage, the actions of the protesters have not resulted in loss of life or serious injury. That is only because of the efforts of our emergency services personnel, and good luck, as this will not last forever. The day is coming when a protester, a police officer or an innocent member of the public will be killed through the irresponsible actions of protesters. It is not a case of if but when. Whilst I do support the bill, I strongly urge the government members to support the amendments to be moved by the member for Toowoomba North.

 **Mr STEWART** (Townsville—ALP) (4.05 pm): As we have already heard, the Palaszczuk government is introducing new laws to ensure the safety of frontline emergency services workers and the broader community. In the interests of safety, this government has proposed new laws to make it an offence to use dangerous attachment devices. The new offences to be added to the Summary Offences Act are aimed at deterring unlawful and unsafe protest activity causing danger to emergency services workers and other members of the community, as well as to the protesters themselves.

I have just been to the Education Week afternoon tea, where I met with student leaders from Kelvin Grove state high school, now known as Kelvin Grove State College.

Ms Boyd: It's a great school.

Mr STEWART: It is a great school. It got me thinking back to the days when I attended that school. In 1982 we protested against Joh's anti-protest laws. It was probably before the member for Pine Rivers was born and probably when the member for Macalister was still in nappies. I remember a couple of friends and I went to see the principal to let him know that it was our intention to protest against Joh's anti-protest laws. He gave us two very clear instructions. The first thing he said was, 'You will not be wearing your school uniform.' The second thing he said was, 'You will not be arrested.' So away we went. In those days, the only device that we had was our voice and, boy, didn't we use it loud and proud.

However, there has been a change. In recent protest activity there has been an increase in the use of potentially dangerous attachment devices, as we all know. Those devices are known as sleeping dragons, dragon's dens, tripods and monopoles. Their removal often requires the use of specialist tools such as angle grinders, cold-cut saws, hydraulic cutters, jackhammers and hammer drills. The member for Macalister talked about how police are not trained in the use of such tools to remove those particular devices, so it can become very dangerous. The use of that equipment close to a person's body presents the real risk of injury to first responders, protesters and everyone else nearby. The risk is exacerbated by the way some attachment devices are now constructed, including where individuals have reinforced the devices with glass, wire, steel and other items.

Under the new laws, it will be an offence to use a dangerous attachment device to unreasonably interfere with the ordinary operation of transport infrastructure, unless a person has a reasonable excuse. Transport infrastructure can include busways, light rail, public marine, rail and road transport infrastructure, transport infrastructure relating to ports and active transport infrastructure such as bikeways. When responding to these proposed changes, the State Secretary of the Rail, Tram, and Bus Union, Mr Owen Doogan, said—


Let's face it, we've led our fair share of protests but we've never put people in danger of injury or death. These devices have the potential to derail or tip a train right over.

The penalty for using one of the devices will be up to two years imprisonment or a fine of nearly \$7,000. Under the Summary Offences Act, it will be an offence for a person to use a dangerous attachment device to stop a person from either entering or leaving a place of business. It will also be an offence to cause a halt to the ordinary operation of plant or equipment because of concerns about the safety of a person. The maximum penalty for that offence will be 20 penalty units or one year's imprisonment. While it will not be an offence to possess a dangerous attachment device, police will be able to seize such a device before it can be used. Police will also be able to deactivate, disassemble and dispose—the three D's—of a dangerous attachment device.

It is both the design of these devices and the manner in which they are used which makes them dangerous. This includes the tools used in order to remove attachment devices—for example, angle grinders and cold-cut saws. They are dangerous pieces of equipment and the lack of injury thus far is due to the care and training of police when these devices are removed. The content of various devices can vary significantly—for example, the steel bars and glass used to reinforce the concrete used to construct a dragon's den. The make-up of these devices is evolving and ever changing. Police cannot

be certain what has been placed in these devices. The location where these devices are used can vary—for example, on a rail line, roadway or other forms of infrastructure. The risk of public injury or death to a protester, a member of the public, emergency services workers or even train drivers is a real risk because of the location of the device.

Let me be clear, this is first and foremost about safety. It is about the safety of emergency services workers and the safety of individuals planning to use these devices. The Labor government will always support the right to protest. We will also act to keep our community safe. Perhaps the best device protesters can use—going back to the good old days—is their voice. I commend the bill to the House.

 **Mr DAMETTO** (Hinchinbrook—KAP) (4.10 pm): I rise to make a contribution to the debate on the Summary Offences and Other Legislation Amendment Bill 2019. The right to protest in this great state of Queensland has been one of the vehicles used by not only the trade union movement but also farmers and others for years to get their point of view across in a peaceful manner.

There have been disruptions of late. People have used lock-on devices to disrupt not only the lives of people living in big cities but also businesses undertaking their everyday work in a lawful manner. People are using these lock-on devices to disrupt the everyday lives of people and it is costing the community a lot of money. It is also putting at risk the lives of the people involved in pulling down the protesters who are hanging from buildings or removing people who are tied to train tracks with lock-on devices. It is very unsafe to cut one of these devices off.

The sleeping dragon device, for example, is made out of steel. There is a bar welded inside the tube section. The person who decides they want to lock on to this device puts their arm in the tube and chains themselves to the intersection and another person chains in from the other side.

I speak with a bit of authority about cutting someone out of this because I am a fitter boilermaker by trade. When in a workplace people undertake work safely using a work method statement or doing it as a planned task. If one were to do a risk assessment on using a seven-inch grinding disc to cut through a piece of steel while someone's hands were locked inside by who knows what means, one would say it is too risky. The hierarchy of control and risk would indicate not to take on that role, but we are asking our emergency services workers—our police and ambulance officers—to cut people out of these devices.

That is not the scariest device being used. There is another device being used by people as a lock-on device. They are filling 44-gallon drums with concrete and using all sorts of things as booby traps or as reinforcement. Imagine trying to cut that device off a protester. We have heard there could be aerosol cans, pieces of glass, steel—

Mr Healy: Butane.

Mr DAMETTO: Yes, butane and other explosive devices. I will take that interjection from the member for Cairns. Let us be honest: if we are asking someone to cut into something when we have no idea what is inside it—

Mr Costigan: Look out.

Mr DAMETTO: Look out, exactly. It is detrimental not only to the person attached to the device but also to the person asked to cut the device off. From a tradesman's point of view, I would not be hanging off a five-inch, seven-inch or nine-inch grinder to cut that off. We should not be asking our emergency services officers to do that.


I want to draw to the attention of the House the fact that we want to protect the rights of people to undertake a peaceful protest. We are pushing against people who are climate alarmists and extinction alarmists. My politics tell me good on those opposite for trying to stop these guys. I make it clear to the House that we have to be careful in this space. If the trend is that we do not want people to protest then we could put ourselves in the situation where farmers are perhaps being kicked off their land and they would not have the opportunity to disrupt the public in public spaces in Brisbane. I stand on the side of—

Mr Costigan: How many devices do they use?

Mr DAMETTO: I am not talking about the devices; I am talking about the policy objective. If we are going to look at this we need to protect people's right to protest in the future. I do not agree with these alarmists gluing themselves to the bitumen, gluing themselves to the top of planes in other countries or holding up the traffic while people are trying to get to work. I am dead against that and that is mainly because I do not believe in what they are protesting about. At some time if 100 farmers wanted to drive down the main street of Brisbane and stop traffic to make the point that they are losing their properties or farms I make it clear that we would be very supportive of that.

I return to the long title of the bill. This bill deals with lock-on devices and makes sure we are doing everything we can to stop people using them. I do not think this proposed legislation goes far enough. I would like to see jail terms or criminal convictions applied to some of these offences.

We will probably support the amendments when we deal with them in consideration in detail. A fine for people using these devices is not going to stop them. A lot of these protesters with green ideologies are being well funded by overseas investors to disrupt our coalmining industry, our agricultural sector and our cities. I do not think we should be looking after any of those people trying to do that. We support the intention of the bill. I commend the bill to the House.

 **Mrs GILBERT** (Mackay—ALP) (4.17 pm): I rise to speak in the debate on the Summary Offences and Other Legislation Amendment Bill 2019. We have already heard a lot about the mechanics of the bill so I will focus purely on how protesting has been affecting my community. Over my lifetime I have been to many rallies and many protests. They have always had an impact and mostly achieved an outcome, but not always. One thing they have had in common is that they have been done in a peaceful and respectful way.

For the 12 years prior to being elected as the member of Mackay I worked as a union organiser for the Queensland Teachers' Union. During this time I organised many rallies and stop-work meetings to improve the working conditions of teachers and advocate for resources for students. It was always a given that our voices would be heard, but no-one was put at risk—not teachers or students or the general public.

To achieve an outcome people need to be able to win over the public's hearts and minds. They need to bring the public along with them in their quest. They need to be able to give notice of their action and make provision for those who may be unfairly impacted. There are always some members of the community who will not agree with the issues but if people do it the right way they do not get them offside any further.

There has always been room in the community for different points of view. There has always been room for peaceful assembly and protest, and that will continue after these laws are passed. There is a need to be able to voice an opinion, and there is at times a need to get together to protest. My region is the backyard for servicing the coal industry. Mackay is a centre where families who drive in and out of the Bowen Basin live. It is our family members who drive the coal trains. It is our family members who operate the conveyor belts. It is our family members who load the ships. It is our family members who drive the heavy machinery that these protesters want to lock themselves to using dangerous devices.


We have already seen an emergency services worker in Bowen injured when taking one of these devices off a protester. Protesters who lock themselves to machinery at Abbot Point and on railway lines and heavy machinery are not only risking their lives but also putting at risk workers going about their legitimate duties. This is not acceptable. People in my community deserve to be able to go to work without their lives being put in danger by the action of protesters who do not think about the safety of others.

It takes many kilometres for a loaded coal train to be able to stop. The operator of a conveyor belt does not always see from one end to the other. They will not see protesters sneaking on to work sites. Why should our family members be traumatised by going to work so that protesters can have their day in the media?

Some protesters presented themselves to my office last week to present protest letters about the laws that are being debated here today. They presented letters to my staff and said that they needed to protest to save the environment and that that was the excuse for their dangerous behaviours. That is an insult to my community because for decades Mackay has produced one-third of its electricity from renewable energy derived from the by-product of our sugarcane crop. In recent years we have seen a sea of solar farms constructed and out west there are wind farms.

These protesters need to go back to their own communities, get renewables built and make sure they have green communities before they come up to my mine. My community was a green community before it became trendy. We have had renewable energy not because we are trying to be trendy but because we are innovative and progressive and we know how to protest peacefully.

The protesters' addresses on the letters were very interesting. My staff asked them to write their addresses on their letters as they dropped them off—Rosebud, Victoria; Redfern, New South Wales; Sunbury, Victoria; Grovedale, Victoria. It is a bit cheeky for them to come into my community, wanting the right to put my community at risk, and protest our state laws. If they do not like it, they should just go home.

 **Mr NICHOLLS** (Clayfield—LNP) (4.22 pm): The Palaszczuk Labor government is weak on crime. It does not matter whether it is bikie crime, robbery and burglary in the suburbs of our cities and towns, hooliganism or indeed illegal protesters: the Queensland community knows that it cannot trust this lefty government and its poor policy decisions; a police minister emasculated by a cabinet and a party room that does not believe in deterrents and appropriate punishment, that does not believe the police can be trusted and that only pays lip-service to the themes of law and order; a government that removed the toughest bikie laws in the land—laws that they actually voted for when in opposition, laws that empowered police to break the back of bikie gangs, laws that allowed the police and the CCC to hunt down the purveyors of misery in the form of methamphetamines and other illicit drugs by holding coercive hearings, and laws that disrupted the culture of outlaw bikie gangs by taking away their symbols and shutting their clubhouses.

Steps were taken by the LNP government that not only gave police the laws they needed but I also provided them with the resources and the authority to enforce those laws. In Queensland under the LNP Coppers knew that they had a government that backed them up. It included increasing the non-parole period for murder of a police officer from 20 to 25 years and the introduction of the 'one punch can kill' laws to ensure cowardly acts causing death and serious harm were properly prosecuted and punished. The LNP backed up our police and our community with more resources such as a police helicopter that for years the Bligh Labor government fought against.

Mr RYAN: Mr Deputy Speaker, I rise to a point of order. I was being very generous to the member. The point of order is on relevance. The bill is very specific about dangerous attachment devices. The member has been going for over a minute and a half on nothing relevant to that at all.

Mr DEPUTY SPEAKER (Mr Weir): Member for Clayfield, I understand that this issue does have implications around police and policing, but I would encourage you to come back to the offences that are in this bill.

Mr NICHOLLS: Thank you, Mr Deputy Speaker. I will do so. Perhaps if I put some context around the clauses for the minister—I am developing, if you like, the argument around the provision of penalties and how penalties are determined and how they take effect. As part of the policy consideration under the long title of the bill, which refers to the Police Powers and Responsibilities Act, I think it is important that we set some parameters, if you like, around the debate that I am going to have, because I will be coming very quickly to the provisions of the legislation.

I will give some details in relation to the attitude taken by government in formulating policy and the policy in relation to this legislation because, quite frankly, the public in and around Brisbane are sick and tired of the protesters who have been gluing themselves to roads and other things, disrupting them—that is, the public—going about their normal lawful business. The policy behind it is important and the resources behind the policy are important as well. It is also important to look at history and put that into context.

What did we do in dealing with breaches of the law, in dealing with people who broke the law? We backed our police and our community with 1,100 more officers over four years. Unlike the Bligh Labor government, of which the current minister was a member, we made arrangements for a police helicopter to be brought into the state. It was a policy that we took to the last election and a policy that we still pursue. Recent events in Townsville—and I referred to hooliganism in our suburbs in our cities—show the need for that more than ever.

We funded our police with a better digital wireless network—\$600 million went into a digital wireless network so that they could have secure communications so that people such as protesters could not listen to their scanners and hear when the police were turning up, coming to break them up—something that had been ignored by the Bligh Labor government for years and years. What else did we do? We put in place a rapid action group for the Gold Coast and later extended that to the north.

Mr HARPER: Mr Deputy Speaker, I rise to a point of order on relevance. This is straying right away from the intent of the bill.

Mr DEPUTY SPEAKER: It is a little bit, but it does deal with penalties. I am going to allow a little bit of latitude.

Mr NICHOLLS: The government's policy failure and lack of action has simply—and this is the point—served to embolden all those who want to thumb their noses at the current law regarding assembly and protest here in Queensland. These protesters thumb their noses at this government because the government has a demonstrated record of incompetence when it comes to law and order in this state, and Queenslanders know it. They know intrinsically almost without having to be told that a Labor lefty government with an emasculated police minister is not going to protect them and is not

going to take the steps necessary to ensure that they can go about their daily business without interference from a bunch of stupid idiots who seek only to gain publicity for themselves. I am not talking about the government; I am talking about the protesters who are out there today.

Queenslanders simply want to know that their kids are safe, that action is being taken to stop drugs being peddled, that they can go shopping without getting caught up in a bikie war, that their cars will not get pinched, that their homes will not be broken into and that they can get to and from work without needless and unlawful protest. In the regions and on farms and in abattoirs, they want to know that protesters will not breach hard-won privacy and property rights which are the very foundations of our modern democratic society, the society in fact that gives people the ability to lawfully protest.

When this bill passes it will be a small step in addressing the previous failures of the Palaszczuk government's policy inaction, but why has it taken so long? We can legitimately ask what has spurred this government into action, when the writing has been on the wall for months. I first called out the stupidity of the protesters this amendment is directed towards following the first act of stupidity on 17 June. I called on the government to recover the costs of the emergency services personnel who were deployed to deal with this offender and his compatriot at the time.

On 20 June I wrote a letter to the minister and Police Commissioner outlining the disruption that was being caused to people in my electorate—the people who could not get to work—and the concerns people had in relation to what would happen if there had been a real emergency. Not a pretend climate emergency, but a real emergency that required the police, fire brigade or ambulance to turn up somewhere to save lives and protect property. I wrote that letter on 20 June. I received a response from the new Police Commissioner on 15 July, and I received a very short response from the minister on 25 July. For the sake of completeness, I table all three of those documents.

Tabled paper: Letters, dated 20 June 2019, from the member for Clayfield, Mr Tim Nicholls MP, to the Minister for Police and Minister for Corrective Services, Hon. Mark Ryan, and the Police Commissioner, Queensland Police Service, Ms K Carroll APM, regarding protest activity [1927].

Tabled paper: Letter, dated 15 July 2019, from the Police Commissioner, Queensland Police Service, Ms K Carroll APM, to the member for Clayfield, Mr Tim Nicholls MP, regarding protest activity [1928].

Tabled paper: Letter, dated 25 July 2019, from the Minister for Police and Minister for Corrective Services, Hon. Mark Ryan, to the member for Clayfield, Mr Tim Nicholls MP, regarding recent protest activity [1929].

No action was taken. Emboldened, a week later the protesters struck again. No action was taken. In early July another series of protests occurred, and again no action was taken. On 15 July the Premier stood up and issued her sternest warning yet. She said, 'Please take no further action. Please stop illegally protesting.' Wasn't that effective! We had the week of protests here in Brisbane and finally there was some action. Is that action effective? I would say not. In fact, just yesterday protesters outside of this place were declaring how they could still cause huge disruption and get around the proposed legislation. The time has come to say—and I say it here today—that this law will not work. It is too little and it is too late. The protesters will get around this law. They will thumb their noses at this government, as they have done for the past four months. This government refuses to put the interests of the broader public ahead of those of a noisy minority.

The idea of legitimate protest is something we should—and I believe we do—all support. Legislation in Queensland, including the Peaceful Assembly Act, reflects the expectations of Queenslanders; that is, causing disruption—which does occur—by marching or assembling after notification of the march is acceptable, and indeed it is accepted. While disruptive—and it is disruptive—it is not unnecessarily so. What is now happening is that the protest is the disruption itself. It is not the assembly or the protest that is the aim of these ratbags: it is the disruption as an end in itself. In effect, the means has become the end. Previously, the end was a gathering, a public meeting, a show of dissent or difference. I am all for that. I am happy to stand out the front there, and I have done it many times with my friends from the ETU and the CFMMEU. They have occasionally asked me to take some far more athletic steps than I would do off the front of the porte cochere, and they are perfectly entitled to and I welcome that, but this is not what we are talking about. This is disruption as an end in itself, not a means to an end of genuine dissent, disagreement or expressing a different point of view.

I believe that, in addition to what we see here today and the amendments moved by my friend the member for Toowoomba North, stronger, faster and bigger financial penalties need to be considered. The cost to the people of Queensland, starting with the cost of emergency personnel and the loss to business and the economy, are large. The loss to protesters should be commensurate. As has been said, we will support this legislation. I urge members to support the amendments moved by the member for Toowoomba North so that this legislation can be effective. I call on the Palaszczuk government to finally grow a spine, take serious action and take on the crims in Queensland.

Mr DEPUTY SPEAKER (Mr Weir): Member for Clayfield, that last sentence about 'growing a spine' is apparently unparliamentary and I ask that you withdraw.

Mr NICHOLLS: In the dignity of parliament, I withdraw.

Mr HARPER (Thuringowa—ALP) (4.33 pm): I rise to speak on the Summary Offences and Other Legislation Amendment Bill 2019. We know that the safety of Queensland's first responders, including police, fire, ambulance and emergency services personnel, is absolutely paramount. I think I can speak with a degree of authority after 28 years with the Queensland Ambulance Service. Whilst I cannot claim to have responded to these particular incidents, I can draw comparisons with some workplace incidents or cutting people out of cars. When have you emergency responders close to cutting tools, you can be put in a situation where you are quite apprehensive. I do feel for the personnel who put themselves in harm's way when responding to calls for service.

The government is taking action to ensure the safety of emergency services workers and individuals planning to use dangerous attachment devices. These laws are important, and they have been specifically designed to protect people who often put themselves in harm's way to protect the community. There has been an increase in the use of potentially dangerous attachment devices in recent protest activities. One of the things I am concerned about during these protests is when an ambulance receives a call for service for a heart attack, a stroke, a person having a seizure or when a child is struck by a car and there are potential delays getting to those jobs. I think these laws are very valid.

The member for Clayfield said we were 'soft on crime'. He rolled out the usual lines and continued in a lengthy contribution about their track record. The track record of the Rapid Action Patrol group in Thuringowa is that it was half staffed at 20. We delivered the other 20 and brought it to a fully staffed 40. We are opening a new police station in the Upper Ross as well. They sacked 300 police operatives in their time under the former Newman government, and I know that many of them had years of policing experience that went out the door. To stand there and say the LNP is able to demonstrate their track record when they have a very poor record and they should be remembered for what they did—

Mrs Frecklington: Eleven hundred police officers.

Mr HARPER: I take your interjection. The LNP has a shocking track record. These devices are known as sleeping dragons, dragon's dens, tripods and monopoles. Their removal often requires the use of specialist tools like angle grinders, cold-cut saws, hydraulic cutters, jackhammers and hammer drills. The use of this equipment close to a person's body presents a real risk of injury to first responders, protesters and anyone nearby.

Ian Leavers, president of the Queensland Police Union of Employees, said, 'These devices are putting people's safety at risk. These are good laws protecting front-line police.' Devices that are embedded with metal or other items can cause serious injury to the person attached to the device, emergency services workers, police and people nearby if the device is removed incorrectly or in haste. During the committee hearing Assistant Commissioner Brian Codd described these risks a little further. He said—

Glass can shatter, cutting or slicing the protester, police or emergency services workers, and wire can fragment and become a projectile. These are the things that we want to prevent from happening. Additionally, the presence of these types of objects may lead to the power equipment failing. Cold cut saws can kick back ...

I have seen what happens when an angle grinder is used and it gets caught up. I attended cases in my former career where they have been embedded in the chest. The actual grinding disc explodes and then you have a major trauma on your hands. He continued—


... presenting significant risk of injury to a protester or an emergency services worker. Alternatively, a grinding disc rotating at thousands of revolutions per minute could fragment ...

Further, police described how devices with trip-wires or drums reinforced with concrete to obstruct rail lines and roads can cause serious injury or death if people are not removed from the rail line or the road. I was listening to the member for Mackay's contribution about what happened at Abbot Point, which is a place where I grew up. Pulling up a coal train is not easy. These are incredibly risky protests, with people putting themselves and those people responding at serious risk.

Unless transport infrastructure is stopped, a train driver faces a real risk of inadvertently running into a protester or a 44-gallon drum filled with reinforced concrete. This represents both a physical and a psychological risk, not only to the protesters but also to the employees and anyone else using transport services. Importantly, these proposed laws are designed to protect emergency services and members of the community without compromising the freedom and rights that our community expects. I will take a moment just to commend our emergency services workers who go out and do their job in often challenging and difficult circumstances.

This Labor government recognises the fundamental rights of every person to peacefully protest. It is one of the hallmarks of our democracy, along with the right to freedom of expression, the right to peacefully assemble and the right to freedom of association. The bill protects our police, our emergency services workers, our transport workers and the people of Queensland by acting to prevent the use of dangerous attachment devices in dangerous locations and situations, while ensuring the right to gather and protest peacefully is not compromised.

I want to take a moment to tackle the comments made by the member for Everton. He said the LNP were tough on crime and have tough laws. History will show that that is completely untrue. Failed boot camps equalled high recidivism rates, and the shadow police minister was quoted in the Toowoomba *Chronicle* just yesterday as saying they want fewer people incarcerated. The LNP are not tough on crime. The LNP pretend to be tough on crime, but in reality they are lightweights. The reality is that they are as soft as marshmallows on law and order and melt the moment they are challenged on any real, alternate policies. I commend the bill to the House.

 **Mrs FRECKLINGTON** (Nanango—LNP) (Leader of the Opposition) (4.41 pm): I rise to make a contribution to the Summary Offences and Other Legislation Amendment Bill 2019. The LNP believes everybody has the right to protest but nobody has the right to disrupt the lives of Queenslanders. Recent protest action has brought this city to a standstill, disrupted lawful work in the resources industry and violated small farming businesses. The impact of this extreme form of protesting must not be understated. Shutting down mines and ports makes Queensland a less attractive place to invest, which simply means fewer jobs for Queenslanders. Blocking major roads prevents Queenslanders from getting to work, taking their kids to school or getting to hospital. Raiding farming businesses hurts the vital agricultural industry of this great state. Destroying job opportunities, causing chaos across our cities and breaking the law must not be tolerated.

The LNP does not oppose the bill put forward by those opposite, but we believe it simply does not go far enough and it will not have the impact Queenslanders have been led to expect. The Premier held a press conference earlier this month where she announced 'Enough is enough'. Her talk was tough—the Premier said she wanted protesters sent to prison. Queenslanders were therefore led to believe that these new laws would be fast-tracked and protesters who threw the city into chaos would be stopped in their tracks, but there was no substance to the Premier's hollow words. Once again, the Palaszczuk Labor government is all talk and no action.


The laws put forward by those opposite simply are not sufficient to crack down on protesters who seek to disrupt the lives of Queenslanders. Queenslanders have spoken very loud and clear and they have had enough of these selfish protesters. They have had enough of the weakest Premier we have ever seen in Queensland. We know that the Premier has allowed these protests to go on and on. They have caused so much frustration on the streets for people getting into the city, and we know it will continue because the bill that has been put forward by those opposite will only catch protesters who actually use the lock-on devices and that is the important point here.

The past few months have shown these protesters do not need the lock-on devices to bring the city to a standstill. The proposed laws do not prevent mass disruption to the public, and they do not target protesters blocking traffic or people hanging from bridges—unless of course they bring with them one of those lock-on devices. That is why the LNP's amendments to the bill must be supported in this House. I thank the shadow minister, the member for Toowoomba North, for the sensible amendments that he has worked through and brought into this House. Those amendments, added to the legislation that is here before the House, will help protect jobs and protect the rights of all Queenslanders to go about their lives.

The amendments that have been foreshadowed deliver tough consequences, with mandatory jail time for repeat offenders and stricter bail laws. That is how the LNP is tough on crime. We are sincerely hopeful that the government will listen to and read those amendments. We hope that the government will take serious this belief that we need to protect the livelihoods of Queenslanders and the people who want to get jobs and get to work. Hopefully, they will support the LNP's very sensible and tough amendments.

Of course the use of dangerous devices that could cause injury to our emergency services workers must be stopped. I do not think there would be anyone in this House who would disagree with that, but those on this side of the House also believe that our police should be out there protecting the community, not babysitting selfish protesters. There has already been a massive waste of police resources and daily disruptions on the streets, particularly here in Brisbane's CBD recently. Simply banning the devices described in the bill is not going to deter the protesters. If the protesters are

prepared to break the law, they should be prepared to face the consequences. There must be tough consequences for anyone who breaks the laws, particularly those who do it time and time again. We know it is only the LNP that is committed to protecting jobs and stopping the mass disruption caused by these activists.

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (4.47 pm): I rise in support of the Summary Offences and Other Legislation Amendment Bill 2019. This bill is, first and foremost, about the safety of emergency services workers and the safety of individuals planning to use dangerous attachment devices. This Labor government supports the right of people to protest peacefully and lawfully. Importantly, the changes to the law we are proposing will have no impact on the ability to protest. In recent times, we have seen an increasing number of tactics from protesters using these dangerous devices—for example, using a sleeping dragon device to attach themselves to conveyor belts at a port or locking on to rail lines. These are dangerous tactics putting themselves and others at risk.

This government takes safety in the mining industry, for example, very seriously. Following a series of safety incidents on mining sites, this government worked with industry for an industry-wide safety reset, where 52,000 workers across 1,200 mine sites and associated infrastructure took time out of their work week to improve safety on their sites. Queensland has a robust mining safety regime, and these resets provide an important opportunity to remind everyone of their obligations to safety procedures.

One such procedure requires anyone entering a mine site to be inducted to the site. This induction ensures that those on mine sites are given the information they need to remain safe on site. This is one reason why this government is implementing measures to allow police to intervene before a dangerous attachment device is deployed at a mine site or associated infrastructure, such as on a rail line. These demonstrators are simply not aware of the risks that exist on these sites and are not only putting themselves in danger but putting workers at ports, mines and rail lines in danger as well—not to mention the danger to the emergency services workers trying to remove them from these devices.

During the committee hearing the chair of Aurizon, Mr Michael Riches, spoke to the dangers of these devices on rail lines. He said—

We are concerned about the safety risk these substances and devices pose when they are used or intended for protest activity. They present a major safety risk to the protesters themselves, police and emergency services personnel, rail employees and the broader community.

In our network there are thousands of kilometres of overhead lines on the electrified network carrying 25,000 volts of electricity. Coal trains can weigh up to 10,000 tonnes and take up to 2½ kilometres to stop after applying the emergency brake. Adding a dangerous attachment device into this mix is an absolute recipe for disaster. We must look at the workplace health and safety of everyone involved in this situation.

A train driver—and we have heard this in speeches presented this afternoon—could find themselves in a situation where they are faced with a protester or a device on a track. Just imagine that a train driver going about his lawful business driving the train sees someone two kilometres away attached to a device. How would that train driver feel knowing that even if he applied the brake there is nothing he could possibly do that would not take this person's life? How would that person be for the remainder of their life—the interaction of that person with family and friends? That would be absolutely devastating for that individual. He or she could have no bearing or any influence on the consequences of that, all because of a person attached to that rail line.

It is imperative that something is done. That is why these laws are so important. The right to peacefully assemble is a fundamental right necessary for the continued operation of any democracy. Queensland Labor governments consistently acknowledge the importance of this right, and this bill does not seek to impact on those rights. It is about safety, and I note the amendments from the LNP—those opposite. Under their amendment the offence would apply where—


3 or more persons are present together for a common purpose; and

...

... 1 or more of the persons is behaving in a way, ... that would cause a person in the vicinity to reasonably suspect the behaviour is intended to cause traffic congestion or otherwise interfere with the use of a public place by a member of the public;

That is three people on a footpath stopping someone from moving along a footpath, and that person could be arrested.

Our bill is about safety. Our bill is about safety of the police and emergency services personnel. Our bill is also about safety of the protester and safety of the broader community. That is what our bill is all about, unlike the LNP amendments. I commend our bill to the House.

 **Mr PURDIE** (Ninderry—LNP) (4.52 pm): I rise today to speak on the proposed Summary Offences and Other Legislation Amendment Bill 2019. As we have heard from other opposition members earlier in this debate, particularly our leader, the member for Nanango; our deputy leader; the member for Toowoomba North; and our shadow Attorney-General, the member for Toowoomba South, the LNP supports the right of all Queenslanders to participate in protests and peaceful assembly. Our democratic system is enhanced by free speech, freedom of expression and people being given a voice by peaceful assembly. There is no doubt that any right to participate in public assemblies ought to be subject to only those limitations as are necessary and reasonable in a democratic society. We need to find a balance between the right to public and peaceful protests and every person's right to go about their lives or their business without unnecessary disruption. These are important freedoms that need to be protected.

Extinction Rebellion protesters have brought Brisbane, along with major cities worldwide, to a screaming halt by hanging from bridges, gluing themselves to roads, chaining themselves to railway tracks or locking themselves to barrels of concrete. The rebellion describe themselves as nonviolent civil disobedience activists. Their so-called nonviolent measures do in fact involve acts of violence to themselves and to infrastructure and risk the lives of people around them. Our communities are suffering, local businesses are suffering and our already stretched police resources are suffering. The protesters have wasted emergency services resources, delivered mayhem on Brisbane's streets, continually delayed people's freedom of movement and impacted on trade and commerce. As our shadow Attorney-General said earlier, Extinction Rebellion have tipped the balance between exercising their right to peaceful assembly and the rights and freedoms of others well in their favour.

The government has been talking tough about the introduction of these new amendments which attract a maximum penalty of two years in prison, but do these amendments go far enough? The Summary Offences Act already has an offence in section 10A for unlawful assembly. This offence when coupled with violence is punishable by two years imprisonment, but the vast majority of people charged with this offence receive a small fine with no conviction recorded. These fines often go unpaid and then are referred to SPER, and we all know how that goes—no doubt the same punishment they will receive for this new offence we are debating today.

The bill inserts a new division 2A, 'Offence involving use of dangerous attachment devices'. The bill states that the definition of 'attachment device' is 'a device that reasonably appears to be constructed or modified to enable a person using the device to resist being safely removed'. However, the bill states that glue, bike locks, padlocks, ropes and chains are not attachment devices. What really is an attachment device covered under this bill? It includes sleeping dragons and dragon's dens. These are things which involve pipes and concrete essentially which are makeshift barriers between the protesters and police.

Clearly Labor's proposed lock-on device laws are overly specific and will have minimal effect on the majority of Extinction Rebellion protesters that have been causing anarchy on the streets of Brisbane. Protesters do have the right to free speech, but no-one has the right to break the law, or injure or threaten the safety of innocent Queenslanders and/or our emergency services. The bill simply reinforces to protesters that their unlawful activities do not attract severe punishments, essentially giving them the green light. Under Labor's bill, if protesters use a dangerous attachment device as defined by the bill which causes disruption to roads or railways, they can be jailed for up to two years. Similarly, if a dangerous attachment device stops a person from entering a business or stops the ordinary operation of a plant, the protester could be fined 20 penalty units, or jailed for one year. As we have seen repeatedly in this state and as I highlighted earlier, maximum penalties are rarely imposed.

Earlier today in his contribution we heard the police minister outline how dangerous some of the actions taken by these protesters are to themselves, to the police and to the community. He outlined how there is a real risk of death. He said that one slip could result in the death of a police officer, the protester or a member of the public. The question is: does this bill go far enough to protect our police, to protect our community and to protect the protester from themselves?

The Summary Offences Act is essentially an act for minor offences—offences like public nuisance, urinating in a public place, begging in public, wilful exposure, being drunk in a public place or throwing things at a sporting event. Most of the offences in this act are dealt with by way of a ticket. Rarely does anyone get sentenced to a term of imprisonment under this act. If the government were serious about stopping these life-endangering acts, this offence would be in the Criminal Code.

The Extinction Rebellion protesters must be stopped, and I applaud our shadow police minister, the member for Toowoomba North, for his considered and practical amendments that will address this issue that is adversely impacting on Queenslanders and Queensland businesses all too often. These

amendments include mandatory jail sentences for a new unlawful assembly offence to ensure anyone convicted of multiple breaches of the new offence will face mandatory jail time; and tougher bail laws, reversing the presumption of bail for offenders charged with unlawful assembly who commit an offence of a similar nature while on bail. I appreciate the frustration of the Queensland Police Service, who see protesters back on the streets within hours of their arrest, often before police have even finished the required paperwork for the arrest. Under the proposed LNP laws, those protesters would face mandatory jail, which would create a genuine deterrent.

All steps towards addressing the disruption caused by these extremists are necessary and are to be applauded. With more time, more consultation and due process, parliament could have worked together to produce more robust laws to ensure a balance is struck between the civil liberties of a minority and the safety of the majority.

Debate, on motion of Mr Purdie, adjourned.

MOTION

Queensland Health



Ms BATES (Mudgeeraba—LNP) (4.59 pm): I move—

That this House—

1. condemns the Palaszczuk Labor government for ongoing health failures and wrong priorities, including:
 - (a) the CEO sacking debacle at the Wide Bay Hospital and Health Service, which has dragged on for more than three weeks;
 - (b) the ongoing sterilisation crisis at the PA Hospital, which has seen hundreds of surgeries delayed and rescheduled;
 - (c) the failed rollout of the \$35 million regional eHealth project in Far North Queensland;
 - (d) skyrocketing ambulance ramping;
 - (e) surgery wait times blowing out;
 - (f) delays in progressing the new drug and alcohol rehabilitation facility in Rockhampton;
 - (g) cutting \$203 million for the hospital building budget for this year, while many of our hospitals are bursting at the seams;
 - (h) overseeing a \$2.1 million reduction in donations to the Children's Hospital Foundation following the removal of the Lady Cilento name;
 - (i) failing to resolve issues with the \$135 million FAMMIS ordering system failures, which has seen nurses having to order medical supplies on the corporate bankcard and extra staff employed just to process ongoing payments;
 - (j) the minister's announcement that 100 complaints per day is 'not a bad thing';
 - (k) refusing to release the investigation report into failures into the integrated electronic Medical Record at 14 hospitals on 10 September 2019; and
 - (l) refusing to release the location of the 16 complaints made at state managed residential aged-care facilities in 2018, that was obtained through RTI; and
2. calls on the Premier to show some leadership and sack the health minister.

Queenslanders have endured almost five years of failed health policies and wrong priorities from the Palaszczuk Labor government. Our hardworking nurses, doctors, midwives and paramedics are struggling to cope on the front line, while Labor wastes money on digital disasters from Cairns to Coolangatta and on renaming hospitals. Our public hospitals are literally bursting at the seams at a time when Labor is cutting Queensland Health's capital budget by \$203 million this year. As a nurse and someone from a nursing family, I was deeply offended on behalf of every nurse in Queensland by the health minister's claims about the \$135 million FAMMIS failures being due to 'user error'. On 9 August, just over a week after the system failure, the minister said—

The concerns I'm aware of relate to the usage of the system, not the system itself.

Unbelievably, the minister blamed hardworking nurses for his own IT stuff-up and failed to take responsibility for policy failures and his constant IT bungles.

In an article published in the *Brisbane Times* on 19 September 2019 titled 'Queensland Health headaches continue as suppliers aren't paid on time', the minister was forced to defend the \$135 million ordering software upgrade following concerns from suppliers about not being paid on time. In subsequent media articles it was revealed that Queensland Health suppliers had lodged around 850 complaints in less than two weeks as changes were made to the trouble-prone medical ordering system.

The health minister admitted that extra money had to come out of hospital budgets to pay for extra staff to handle the troubled rollout, although he did not know how much—absolutely clueless. In that same train wreck of an interview, the minister also went on to say—


The fact the phone line was still receiving about 100 calls a day two-and-a-half months after the rollout wasn't necessarily a bad thing.

It just goes to show how out of touch this minister and the Palaszczuk Labor government are. The businesses chasing money for supplies and invoices should not waste their time with chase-up phone calls for money that is actually owed to them. While the minister presides over digital disasters that not only waste precious taxpayers' money but also put added and unnecessary pressure on frontline staff, the statistics speak for themselves. This is the Palaszczuk Labor government's legacy on patient care.

Ambulance ramping across the state is at levels that are close to if not the worst on record. For August—the most recent data released—32 per cent of patients arriving at public hospitals for emergency care were stacked and waited in ambulances for longer than 30 minutes, the clinically recommended time. In some hospitals the numbers were even worse. In my town, at the Gold Coast University Hospital 41 per cent of patients were ramped in ambulances in August, an increase of 12 per cent since the last state election. At Robina in my electorate, 41 per cent of patients were also ramped for longer than 30 minutes, an increase of nine per cent since the last state election. At Logan, 50 per cent of patients were ramped, one in every two for longer than 30 minutes, an increase of 15 per cent since the last state election. At Cairns, ramping increased by 14 per cent in this term under Labor. In Rockhampton, ramping increased by 23 per cent in this term under Labor. In Mackay, ramping increased by 16 per cent in this term under Labor. At Caboolture and PA hospitals, ramping increased by 21 per cent since the last state election. At Redlands, 41 per cent of patients in August were ramped longer than 30 minutes. At the Sunshine Coast University Hospital, in August 45 per cent of patients were ramped for longer than 30 minutes, an increase of 21 per cent. So much for the Premier's promise at the last state election to provide better local health services.

Surgery wait times are blowing out under Labor. For August, the median wait time for surgery was 38 days, an increase of 35 per cent. That is despite a decrease of eight per cent in surgeries across Queensland in the last 12 months. It is no wonder Labor scrapped performance targets for emergency departments and surgery wait times in the annual reports—trying to hide from scrutiny. This minister is a fraud, a phony and a failure. Queenslanders are sick and tired of his 'dog ate my homework' excuses. They want a world-class public health system. They do not want to see petty political games of wasting millions on the wrong priorities like failed IT projects and renaming hospitals instead of providing better patient care for our sickest children.

(Time expired)

 **Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Employment and Small Business and Minister for Training and Skills Development) (5.04 pm): I rise to oppose the motion moved by the member for Mudgeeraba and to condemn the track record of the Newman government in which she served. How dare the member for Mudgeeraba have the gall to move the motion when it was her government that sacked 4,400 health staff, including 1,800 nurses and midwives? The member for Mudgeeraba sat around the cabinet table for only one year, but the member was there to make those decisions to cut all those nurses and midwives.

Let us not forget the Newman government's unprecedented attack on doctors' pay and conditions. The LNP picked a fight with doctors so severe that highly trained specialists were left feeling they had no choice but to resign. Before election to this House I served as a lawyer for senior medical officers and represented doctors who spoke out against their unfair contracts. I also spoke in this House on the restoring fairness bill that our government had to pass to undo the health mess of those opposite. The medical community was clear: the attacks on frontline staff would blow out wait times. What did we see when the Palaszczuk government came to government? There were more than 104,000 Queenslanders on the wait list for the wait list

Mr SPEAKER: Minister, I apologise. Members to my left, I am having difficulty hearing the minister. She is not taking interjections. I will start naming members for not putting their comments through the chair. The members for Scenic Rim and Glass House are guilty of the same error.

Ms FENTIMAN: What about mental health support? Under the LNP government, mental health support did not fare much better. In its first year alone it gutted \$45 million from mental health spending, reducing spending on mental health to the lowest level per capita in this country. Let us not forget its appalling record in terms of the closure of the Barrett Adolescent Centre and the innocent lives lost due

to its reckless handling of the situation—another decision for which the member for Mudgeeraba sat around the cabinet table. How dare those opposite talk about a health crisis when their legacy is clear for all to see?

In my community of Logan, the Palaszczuk government is investing almost half a billion dollars in a massive expansion of Logan Hospital. While we are investing in infrastructure to expand capacity and keep up with demand at Logan Hospital, those opposite will not even commit to match a single hospital infrastructure project. In fact, during the 2017 election campaign the member for Surfers Paradise attacked our election commitments to expand the Logan, Caboolture and Ipswich hospitals, saying that they were not needed and had nothing to do with meeting the future needs of Queensland's hospital system. It is absolutely outrageous just how out of touch they are with our communities and their health needs.


Earlier this month I joined the health minister at Logan Hospital—along with the members for Macalister, Logan and Springwood—to watch as a new rapid expansion medical ward was craned in, signalling the start of our massive expansion at Logan Hospital. This new ward will provide 28 additional beds—a major boost for capacity at Logan Hospital. Of course, the record of members opposite was clear: they slashed doctors and nurses at Logan Hospital, and there was not one cent in infrastructure. Of course, the doctors at Logan Hospital were absolutely appalled at the attack on their conditions.

Mr Power: What about the midwifery services?

Ms FENTIMAN: I take that interjection from the member for Logan. They closed community midwifery services in Logan. The Palaszczuk government has brought them back. We are incredibly proud of that. An additional 73 new, full-time employees will be hired at Logan, including doctors, nurses, health professionals and support staff for the new wards. This is in stark contrast to the record of those opposite. That is not all. By early next year we will deliver on our commitment to add a new mental health decision unit to the emergency department which will provide a safe and quiet area for patients experiencing a mental health crisis to be triaged and treated.

Work is also expected to start next year on the new Logan maternity area—a major refurbishment of the hospital's maternity inpatient unit, birthing suites and a special care nursery—because we recognise what a growing community we have in Logan. We are hiring more staff and providing the infrastructure that our community needs. Unlike those opposite, we are committed to delivering the health services Queenslanders need. They cut, sack and sell.

(Time expired)

 **Mr KRAUSE** (Scenic Rim—LNP) (5.10 pm): I rise to speak in support of the motion moved by the member for Mudgeeraba, especially the part about sacking this hopeless health minister. We have seen a lot of hopeless ministers in this place over the past five years or so. Who could forget the former member for Bundaberg, who was minister for agriculture? Her experience in that field was growing herbs in her backyard. Then we have the 'minister for foodlots'. He does not even know what a feedlot is and calls it a 'foodlot'. Then we have the Minister for Police, who shamefully tricked the Pullen family about the no-body no-parole rule.

Mr Minnikin: What about mangocube?

Mr KRAUSE: He is 'foolish'! He is hopeless as well. We have seen a lot of hopeless ministers, but this Minister for Health certainly takes the cake in terms of being absolutely hopeless. It was just six months ago that I spoke on a motion similar to this one and I asked why the member for Stafford was not the minister for health. At least he has a bit of skill, being a doctor. He is a doctor, so why do they not give him the job? He could do a better job than the Minister for Health. The Minister for Health surely should be sacked for being so hopeless.

Mr SPEAKER: Member for Scenic Rim, I have let you have a bit of a go. I think you need to find some other words that are less unparliamentary in your description of the minister.

Mr KRAUSE: I do not know which one is unparliamentary, Mr Speaker. Fancy the Minister for Health saying that 100 complaints a day about the service of Queensland Health is okay! That is absolutely outrageous. When that is the standard of leadership shown by this Minister for Health, it is no wonder that the people who work in Queensland Health are getting 100 complaints a day.

We also have to look at the priorities of this government. One of the first things he did as minister was to change the name of the Lady Cilento children's hospital. They made a very determined effort to get in there and change that. They rigged the poll so that they could change the name of the Lady Cilento children's hospital. Imagine if the minister put as much effort into fixing Queensland Health as he did into changing the name of the Lady Cilento children's hospital! We should never forget that,

because it shows the priorities of those opposite. The money that was spent doing that could have been used for equipment. It could have been used for additional services. It could have paid for a CT scanner at, say, Beaudesert Hospital—something that has been on the agenda for a long time, but the priorities of this government—

Mr Millar: Dialysis at Longreach.


Mr KRAUSE: I take that interjection: dialysis at Longreach. The priorities of this government have been wrong for a long time when it comes to health. They always put politics over policy. What would you expect, though, from a minister who has his doctorate in encouraging union participation?

Let us look at some of the mishaps presided over by the Minister for Health. Ambulance ramping is skyrocketing across Queensland. At Logan Hospital it is at 50 per cent, up 15 per cent since the election; at PA Hospital it is at 38 per cent, up 28 per cent since the election; at the QEII Hospital it is at 27 per cent, up 12 per cent since the election; and at Ipswich Hospital it is at 24 per cent, up 13 per cent since the election. I reckon the people at the QEII Hospital should be looking out for their name badges as well, because that name change could be in the pipeline, if the record of this government is anything to go by.

This is a sad story for Queenslanders, who depend on the health system to be there for them when they are sick, injured or need critical care. Just today I learned of an experience at the local hospital in Beaudesert. There are inadequate resources there to deal with emergencies as they arise. A person who came in to the hospital had to wait hours to see a doctor. They were told that there were no beds but they were wheeled into the ER past three vacant beds. They had an X-ray. They were advised that there was no problem, just bruising. They were prescribed painkillers. The next day, when the person was still in terrible pain, the GP sent them for a CT scan which revealed they had fractured vertebrae in their back. Nothing highlights the necessity to invest in more resources and better equipment for our hospitals than stories like that, which I am sure are repeated up and down the length and breadth of Queensland every day.

There are so many other examples I could give. Wait times for elective surgery went up by 35 per cent in August to a median of 38 days. It is outrageous that, despite the millions of dollars put into the health system, Labor performed eight per cent less in the last 12 months than it did in the previous 12 months. It takes a special type of incompetence to do that. The minister should resign.

(Time expired)

 **Mr KELLY** (Greenslopes—ALP) (5.15 pm): The members of this House will be collectively shocked and amazed to find that I oppose this motion. Let me call it a ridiculous motion. When the House had the opportunity to vote on the issue of introducing safe—I emphasise ‘safe’—nurse-to-patient and safe midwife-to-patient ratios, two nurses in this House voted against that. I vowed that day that I would take the opportunity to point out to Queenslanders that there were nurses in this House who voted against the interests of nurses and against the interests of patients. I thought that would be a difficult thing to do, but it seems that every other week the member for Mudgeeraba comes in here and provides yet another opportunity for me to stand up and remind the people of Queensland that two nurses in this House voted against the interests of patients.

I turn to the motion. I want to talk about priorities. I want to compare LNP and Labor priorities. Let's start with nurses and health workers. What were the priorities of the LNP? I think it can be summarised with the word ‘sack’. They sacked nurses and they sacked other health workers. How do I know this? It is not an intellectual exercise for me. I was there. I watched it happening.

Let us look at what the Labor Party has done as a priority in nursing and healthcare work. We have introduced safe nurse-to-patient and midwife-to-patient ratios. The research is clear: these ratios are saving lives. We have reinstated nurses and other healthcare workers. In fact, since the 2015 election we have hired 2,012 more doctors, 6,252 more nurses and midwives, 511 more paramedics and 1,806 more other health professionals. Just this financial year we are expecting to hire nearly 800 more nurses, 200 more doctors, 250 more health professionals and 200 more ambulance officers. We have also established and funded the positions of nurse navigators. These are our priorities.

Let's talk about areas of priority for the LNP. Let's talk about population and public health. What did they do there? They decimated the safety and quality units in Queensland Health. That had a devastating effect—

Ms Bates interjected.

Mr KELLY: As devastating as your failure to vote for ratios.

Mr SPEAKER: The member for Greenslopes will put his comments through the chair.

Mr KELLY: They defunded community organisations. When those organisations tried to fulfil their important role to stand up for people in the community and speak about health issues they were gagged. What have we done? We have re-funded those organisations, established Health and Wellbeing Queensland and set up My Health for Life, a program that brings together the Stroke Foundation, the Heart Foundation and Diabetes Queensland. We are out there promoting community health and population health.


What about the LNP's priorities when it comes to sexual health? Funding for the Queensland AIDS Council was cut. There was the establishment of the HIV Foundation, which was a purely cynical political exercise. There were cuts in services, particularly in Indigenous communities and Torres Strait Islander communities. They were very shocking cuts. In fact, prior to 2012 syphilis had effectively been eradicated in Queensland, but the LNP's funding cut which shut down those programs in Indigenous communities has brought it back and there have been 1,336 cases linked to this outbreak in Indigenous communities since 2011. Our priority has been to focus on re-funding those organisations and re-establishing those organisations that are providing support such as the Queensland AIDS Council. These are the things that we have listed as a priority.

It would be remiss of me not to talk about the priorities in terms of adolescent mental health. It is simple to compare—that is, shutting down the Barrett adolescent mental health services with the devastating impacts or what we have prioritised—

Ms Bates: Read the Coroner's report.

Mr KELLY: We have prioritised rebuilding, member for Mudgeeraba, the Barrett mental health service. Our priorities are clear. Our priorities are the right priorities. Those opposite have the wrong priorities, and not voting for patient ratios—

(Time expired)

 **Dr ROBINSON** (Oodgeroo—LNP) (5.20 pm): I rise to speak in support of the motion moved by the shadow health minister. What is clear to the people of Queensland is that they cannot trust Labor with their health and they cannot trust this health minister. In terms of Redland Hospital, let me start by saying that our hospital is staffed by a wonderful team of dedicated medical professionals and support staff. However, they and the long-suffering Redlands community are continually being let down by the Palaszczuk government, the health minister and local Labor MPs who are just not delivering.

One of the biggest needs in the Redlands for some time has been a major upgrade of Redland Hospital. Sadly, over five successive budgets all Labor has managed to achieve is a repeat of the master plan completed by the LNP, the start of a business case for an upgrade and a few small items. Residents are getting tired of the fancy signs, photo shoots and reannouncements. Some 150,000 Redland locals want their fair share of the Health budget. They want to see real results delivered sooner rather than many years down the track. Our region is growing rapidly. First-class health facilities are a priority and it is time for the minister to stop playing games. Nothing less than a major upgrade of our local hospital will do.

Why does the Palaszczuk Labor government have to be dragged kicking and screaming into investing in the health of Redland residents? Why are people being treated like second-class citizens? Camouflaging maintenance funding as projects and doing a play on words does not cut it anymore. Speaking of cuts, the IHPA figures for Metro South hospitals, including Redland Hospital, show the state has cut funding to the hospitals over the last two financial years while federal funding has increased. Labor's cuts to health reveal the incompetence of this health minister and he must go.

In terms of ambulance ramping, Redland Hospital has long been high on the list when it comes to ambulance ramping. It is a huge concern during the winter months when many of our elderly citizens suffer serious medical conditions. In terms of patient care, the situation at Redland Hospital was so dire over one weekend last month that six mental health patients were being held in the emergency department because there were no beds available in the mental health unit. It gets worse. There were no mental health beds available at any of the hospitals in the region. Transferring patients was not an option and staff had no other option but to keep them in the emergency department—yes, the emergency department and in fact the interview room of the emergency department. If the minister was really doing his job, this would not have occurred. Emergency departments are specialised areas for emergency situations like heart attacks, traffic accidents, falls and broken bones and other unexpected traumas.

Let me share with the House a recent ED experience of one of my constituents. She was taken to Redland Hospital emergency department by a member of the Redlands mental health acute care team. Her family was advised that she would have to remain in the emergency ward for the weekend

and possibly longer due to the unavailability of beds in the hospital's mental health unit. Staff acknowledged that this was a completely unsatisfactory situation and a terrible way to treat a very sick person who was already confused and traumatised. However, there was nothing more they could do. This patient was kept in an interview room with a bright fluorescent light shining down on her face. She was also under the guard of three security officers—a situation that made her anxious and agitated. She was afraid of the large uniformed men. The door of the interview room opens directly on to a busy corridor which runs into the busy triage area.

By 8 pm that day, the patient's family was notified that she was no longer in the interview room in the emergency ward and no-one knew where she was. This mental health patient had escaped into the darkness on her own and in a very vulnerable state. Police searched for the patient throughout the night and she was found the following morning some eight kilometres away from the hospital. She was carrying no identification, had not taken her regular medication and was dressed in light clothing and barefoot. She had spent a long, cold night walking alone in a very confused and frightened state. Health minister, our patients deserve better than this. Their families deserve much more. I can only begin to imagine the fear that must have been running through the patient's mind and the minds of her family members that night. This could have been a tragic outcome, but I take this opportunity to thank the police—

Mr Brown interjected.


Mr SPEAKER: Member for Capalaba.

Dr ROBINSON:—for all they did on that night and for returning her safely—

Mr Brown interjected.

Mr SPEAKER: The member for Capalaba is warned under the standing orders. Comments will come through the chair.

Dr ROBINSON:—the next day. It is glaringly obvious that more needs to be done to address the current shortfalls in our health system. I support the shadow minister's motion. This minister must go!

 **Hon. KJ JONES** (Cooper—ALP) (Minister for Innovation and Tourism Industry Development and Minister for Cross River Rail) (5.25 pm): I rise to speak against the motion moved by the opposition, and I will go through the details of why I oppose the motion. It is interesting to note that when you have been around here for a long time—I know the member Clayfield can relate to this—you hear the same conversations over and over again. However, the difference between the years 2000 and 2015 is that the opposition got on to the treasury benches. It had the opportunity when it was in government to do something about health. Let us talk about what it did do when those opposite were in government. When in government the Newman LNP government did not initiate any—zero, zip, zilch—planning activities for any major health infrastructure project to address Queensland's future needs. As we just heard from the member for Capalaba, I am advised that it closed four mental health beds in the Redland Hospital—the same hospital that the member for Oodgeroo was just talking about.

Dr Robinson interjected.

Ms JONES: Yes, it is a serious issue, and I will get to that.

Dr Robinson interjected.

Ms JONES: The member asks, 'Why don't you do something about it?'

Mr SPEAKER: Member for Oodgeroo, you are warned under the standing orders. You will put your comments through the chair.

Ms JONES: Those opposite never want to reflect on their time in government, and I do not blame them because they had control of the purse strings yet we have been subjected to all of their bleating over years and years. You were over here. You were in government. You had the largest majority in the history of Queensland. When it came to health funding, what did they do? Did they put their money where their mouth was? No, nothing, zero, zilch! They did not invest in a single—not one—redevelopment of one hospital across Queensland despite the fact that we all know that Queensland is one of the fastest growing states in Australia. That is their record. You cannot hide it. You cannot escape from it. It is in the budget papers. It is part of the reason why you were able to do something—

Mr SPEAKER: Member for Cooper, you will put your comments through the chair.

Ms JONES: That is why the LNP was able to do something that was unprecedented, a word that has been flattered around this week—that is, lose the largest majority in one term. Do members know what? It did not get better. One would have thought that they had learnt their lesson, Leader of the Opposition, but they went to the last election in 2017 with no election commitments around health. During the 2017 election campaign, the member for Surfers Paradise attacked our election

commitments to expand the Logan, Caboolture and Ipswich hospitals and the honourable member for Surfers Paradise said that 'this has nothing to do with meeting the future needs of Queensland's hospital systems'. That is their logic—that is, that upgrading Logan, Caboolture and Ipswich hospitals has nothing to do with trying to meet the needs—

Ms Bates interjected.

Mr SPEAKER: The member for Mudgeeraba will cease her interjections.

Ms JONES: I take that interjection. The member for Surfers Paradise said that this had nothing to do with trying to meet the needs of some of the fastest growing communities in Queensland.

Mr Power: That's right.


Ms JONES: I take the interjection from the member for Logan. How fast is the community in Logan growing? It is huge and one of the fastest growing, and the opposition's answer to public health in Logan is to criticise the Labor government for going into the election talking about upgrading that. There is one thing that I can say about the Minister for Health. He understands how critical it is to be catering for growth in this state. That is why as a government we have invested a record \$19.2 billion in health care across Queensland, building and upgrading hospitals. We will not listen to the member for Surfers Paradise when he criticises us for upgrading the Logan Hospital or upgrading the Caboolture Hospital or upgrading the Ipswich Hospital. We will get on with the job of delivering those frontline services, and that is why since the 2015 election we have now employed more than 2,000 more doctors.

An honourable member interjected.

Ms JONES: I take that interjection. My constituents complained about losing their jobs. That is what inspired me to come back into political life. I would be going to Woolworths, just minding my own business as an ordinary citizen, and I would have ordinary people bailing me up while I was buying my cereal, crying on my shoulder in the Woolworths aisle saying, 'Please Kate Jones, come back to government.' That is true. In fact, a lot of them were constituents of the member for Everton.

We have put our money where our mouth is: 2,000 more doctors, 6,200 more nurses and midwives, 500 more paramedics and 1,800 allied health professionals delivering the preventative care that we need. The members opposite do not like to hear this because, no matter what scaremongering they do in their electorates, their record speaks for itself. The members opposite made it into government and did not deliver. They cut frontline services. They talked about privatisation. The people of Queensland know that there is only one side of politics that delivers healthcare services and that is a Labor government.

(Time expired)

 **Mr McARDLE** (Caloundra—LNP) (5.30 pm): I love talking about health and comparing the LNP's record to the ALP's record. When I talk about the good guys and that rabble over there and their history, it is like comparing chalk with cheese. Today, we have another dud Labor health minister to join the ranks of Geoff Wilson, Stephen Robertson, Paul Lucas and the current state planning minister.

An opposition member: What about Gordon Nuttall?

Mr McARDLE: Gordon Nuttall is in a class of his own. I agree that the member for Stafford should be the health minister. In fact, I recall that the honourable gentleman came to parliament because of his concern about health. We could move that the member for Stafford become the minister for health, but he would be overcome by the bureaucracy that the ALP would lay over him. I mentioned the names of former Labor health ministers. As bad as they were, compared to the current health minister in this state, they are shining lights.

Dr Lynham interjected.

Mr SPEAKER: Pause the clock. Member for Stafford, I do not believe you are in your correct seat.

Mr McARDLE: I take that interjection. This may be—

Government members interjected.

Mr McARDLE: Mr Speaker, I beg your protection. That comment about the current minister being the best minister ever may be a referral to the Ethics Committee in time to come. The Labor Party wants to throw cash around everywhere—\$18 billion, \$19 billion. We on this side want to talk about the human outcomes in relation to how we use that money. That is the yardstick that should be used. We care about the pensioner, we care about the chronically ill, we care about the young people and we care about the children. The members opposite can talk about the dollars until the cows come home.


They spent the dollars on doctors and nurses, but where are the outcomes? They should show us the improvements that we have had in this state since the people of this state put Labor back in power. The Labor members opposite have forgotten the little people, they have forgotten the voters, but they will not be forgotten by those same voters come October 2020.

How bad is ramping in this state? On 16 October, the QNMU—the Queensland Nurses and Midwives' Union—called for an urgent statewide comprehensive assessment of the complex and widespread issues impacting patients and staff. The government's own union has turned against it. The government's own union is saying, 'You've got it wrong, fellows.' That would not happen under the member for Stafford, because he is an honourable man.

More importantly, and what worries me, is what happens with ambulance ramping. Patients sit on trolleys, they sit in chairs, they are in short-stay units. They are not getting the help and protection they need to get their problems dealt with. More importantly, where are the paramedics? They are standing by the patients they bring in. They cannot go home. They cannot go out again to pick up a category 1 patient. I am certain the member for Thuringowa would support me on this issue. He was a paramedic. He would agree with me that ramping is a major problem in this state. I have no doubt that he would see the light and support this motion.

The other issue is the Lady Cilento hospital name change. If anything should make the members opposite hang their heads in shame, it is that. They tore down the name of a wonderful woman, a wonderful doctor, a wonderful mother. This health minister must go.

(Time expired)

 **Mr HARPER** (Thuringowa—ALP) (5.35 pm): I rise to oppose the motion moved by the member for Mudgeeraba. The hypocrisy! How dare the LNP members sack all of those staff and not care about health workers in this state. I know that the health minister cares and I know that the Labor government cares. I often remind the Minister for Health and Minister for Ambulance Services of my former role as a critical CareFlight paramedic in Townsville. I served in that role for many years. The minister does not forget that and he does not forget about our hardworking frontline paramedics who are out there saving lives.

Between 2012 and 2014, in my former role as the acting officer in charge of Townsville, nearly every day I was deployed because of the ramping under the LNP. There were daily trips to the hospital. Under the LNP, every day ambulances were ramped. The member for Mudgeeraba did not mention Townsville. We know why. Now, when I speak to paramedics and the health staff in Townsville, they tell me that the situation has completely turned around. Why? Because the Palaszczuk Labor government is investing in frontline health staff. Since 2015, the Palaszczuk Labor government has delivered 511 paramedics and has budgeted for a further 200. That is 711 paramedics for this state.

The LNP has a litany of failures. Under the LNP, ramping occurred throughout the state because it did not invest in frontline staff. It did not care about frontline staff. It sacked nurses.

The Palaszczuk Labor government has delivered more paramedics, delivered more ambulances and delivered more beds for our hospitals. When it comes to delivering emergency medical services for Queenslanders, the Palaszczuk government has a very proud record. From the Torres Strait to the Gold Coast, this government has backed our paramedics as they do one of the state's hardest jobs. Since 2015, we have hired 511 paramedics and an additional 200 were planned for in the recent budget. In Townsville, we are receiving nine more paramedics. I can remember when I was in that role we received nothing under the LNP. We have delivered one of the best pay rises—

Mr Hunt interjected.

Mr HARPER: I take that interjection from the member. One of the worst things that I can recall that occurred under the LNP was that it tried to strip away entitlements, such as meal allowances. The former LNP government did not care about paramedics. It accused paramedics of fraud for claiming a meal entitlement. It was just awful, horrible stuff. Whenever an LNP member came to visit Townsville, the staff hated it. They did not want to be at the station. At that time, they were mainly ramped at the hospital anyway. They could not stand the sight of the LNP members because of the way they treated the ambulance officers.


An opposition member interjected.

Mr HARPER: I lost my entire front office. The LNP government sacked our community first aid people and baby capsule fitters. It did not care. It sacked the lot.

Those opposite did not invest in the Ambulance Service. Under this Labor government we have seen one of the best investments in the Ambulance Service of this state. I am proud to have served with the Queensland Ambulance Service for 28 years. Those opposite should hang their heads in

shame. They contributed nothing in their time in government. We have turned it around. We now have 711 paramedics. We do not get ramping in Townsville anymore because we have invested and we have invested well.

I am very pleased to see we have invested \$5 million for a new station in my electorate of Thuringowa. We are purchasing more cars. That means more crews are out there responding for calls for service. That is happening not only in Townsville but right across the state. Those opposite should get a mirror and have a good hard look in it. They should hang their heads in shame for the way they treated the ambos in the time that they had in government from 2012 to 2014. That was the very reason I stuck my hand up and said, 'No, they cannot treat our ambos like this. I will run.' I am proud to be the member for Thuringowa standing up for our paramedics and nurses and making sure that we get the best healthcare system in the state.

 **Mr BENNETT** (Burnett—LNP) (5.40 pm): I rise to speak in support of the motion. I do so because Queenslanders deserve a world-class public health system. The people in my part of the world, the Wide Bay Burnett health district, are suffering and the Labor government is not delivering solutions. When we review the latest performance data—and maybe people need to read the data to see the facts—we see ambulance ramping and surgery wait times increasing. With a toxic culture returning to Queensland Health, this reflects directly on the government. The minister must show leadership if for no other reason than respecting and assisting our hard working nurses, doctors, midwives and paramedics who are struggling to cope and need more help on the front line to improve patient care. After all, it is about the patients.

I intend today to again speak up for the people of the Bundaberg, Hervey Bay and Maryborough regions who are entitled to public transparency and answers on the circumstances of the standing down of the chief executive of the Wide Bay Hospital and Health Service. We have seen Queensland Health's hospital performance data showing that ambulance ramping is increasing and surgery wait times are getting worse. I take little comfort when ambulance ramping is up 12 per cent statewide since the last election and, unfortunately, in Bundaberg it is up six per cent.

The main issue that is increasingly obvious when it comes to health is that the Labor government has the wrong priorities. Patient care must be the priority. We have many political distractions that have stalled innovation, information technology upgrades and my big fear in the standing down of the CEO in Bundaberg is the business case development for the new Bundaberg Hospital. I have raised previously that the new acting chief executive, who is doing a great job, was the lead on the business case. To date—a month out—no answers to my questions have been provided. I note some commentary via media release that has not dispelled my community's real fear of the new hospital's future. Again, we need the minister's leadership.


I again highlight that many questions have not been answered. The minister needs to come to Bundaberg immediately to sort this mess out. We have to get Health back on track. The last month has been disastrous for staff morale. I again assure all staff that we are fighting for their right to be treated better. People have not forgotten at the last state election Labor promised better local health services. After almost five years of failed policies, wrong priorities and political interference we have seen things go backwards. Those serious questions have not been addressed.

There are real issues of integrity, accountability and process that must be addressed. I again call for a full external investigation of the board chair's actions in the so-called sacking of the chief executive. After a month of secrecy and no answers, on behalf of my community I again ask: was the chief executive put on special leave or terminated as claimed in an email to 4,000 staff; why after seven years of excellent service was the Australian Chief Executive of the Year marched out of the hospital; what reasons were given for his dismissal and did they directly relate to a mental health crisis; will the minister call for a review of events prior to Mr Pennington's crisis event and Facebook post and how he was managed leading up to his dismissal; can the minister confirm that this was not a personal vendetta; was the appointment of any employees a contributing factor; and—this is an important one and it must be put on the public record—what mental health support has been given to staff members and, in particular, to Mr Pennington since he was escorted from the Bundaberg Hospital a month ago? The sources who we are talking to state contrary to what the board chair is saying in the media. We have to look after all staff in regard to their mental health. These are reasonable questions. The minister has not provided any answers.

While our hospital is now sliding quickly in terms of performance, as the monthly data shows and as I predicted it would, we know more broadly that there are more leadership integrity concerns. Current and former nurses are still being harassed as a result of Labor's health payroll debacle. The rollout of the integrated electronic medical record system has the potential to be even worse than the payroll

debacle. This is about patient care. Despite the failures in relation to the bungled ordering systems and massive issues with the \$135 million replacement of the old ordering system that has been going since August, nurses are having to order basic medical supplies. We are also hearing about contractors who are not being paid.

We created these hospital and health services to give our communities opportunities to engage with the health system and we must make sure that political interference is kept out of it. We doubled the patient travel subsidy. The chief executive in my part of the world did a great job for the community by making sure that all patients were given the health services they need. Regional maternity services that were shut down under the Bligh government are now back in play. In closing, it is important that we get these answers but, more importantly, this minister must get out of the road of what is a bad health system.

 **Mrs LAUGA** (Keppel—ALP) (5.47 pm): I rise today to oppose the motion moved by the member for Mudgeeraba. On this side of the chamber we stand proudly with the people of Queensland and, in particular, the people of Central Queensland because it is only the Palaszczuk government that invests in health projects in our part of Queensland. We were hit so incredibly hard by the Newman government's cuts. They sacked 197 staff from Central Queensland hospitals, including 41 nurses and midwives. These were cuts that the member for Nanango and the member for Mudgeeraba made happen with their support for that cruel government. How on earth the member for Nanango sat around the Cabinet Budget Review Committee table and agreed to the sacking of 41 nurses and midwives from Central Queensland hospitals is absolutely beyond comprehension.

I have heard firsthand from doctors and nurses at that hospital talk about the impact that it had not only on those people but also on the workload of the remaining doctors and nurses at the hospital. As Campbell Newman's protégé, the member for Nanango backed savage cuts to health, sacking 4,400 health workers, including 1,800 nurses and midwives across Queensland—including the 41 nurses and midwives from the Central Queensland Health and Hospital Service. They shut down nursing homes across Queensland and attempted to sell off the land. When they were in government they had the North Rockhampton Nursing Centre primed and ready to sell off. When we came back to government we very proudly took it off the market and we have refurbished it.

Ms Grace interjected.

Mrs Frecklington interjected.

Mr SPEAKER: Pause the clock. Member for McConnel and Leader of the Opposition, you will both cease your interjections across the chamber.

Mrs LAUGA: We have invested \$8½ million in the North Rockhampton Nursing Centre with a brand-new dementia wing and kitchen. Those opposite had that centre, which provides support and treatment for dementia patients in our North Rockhampton people, primed and ready to sell off. They cut staff at BreastScreen Queensland and they slashed community health initiatives, including GP Connections. If given the chance we all know the LNP will again take the scalpel to Queensland's hospitals.

Since 2015 the Palaszczuk Labor government has been rebuilding Central Queensland's health services. We have been hiring new doctors, nurses, specialists and allied health professionals, increasing funding and building new health facilities. At the last budget we invested a record \$622 million a year for Central Queensland's health and hospital services, an increase of \$12½ million on the previous year.

Mrs Frecklington: And outcomes? Patient outcomes?

Mr SPEAKER: Member for Nanango!

Mrs LAUGA: From March 2015 to March 2019 we hired an additional 93 doctors and 164 nurses in Central Queensland. If the member for Nanango wants to know about what kind of improvements that has resulted in in our health service, the member for Nanango just has to walk into our hospitals and talk to any of the doctors and nurses about how much easier and better it is working in our health and hospital services in Central Queensland.

Mrs Frecklington interjected.

Mr SPEAKER: The Leader of the Opposition will put her comments through the chair.

Mrs LAUGA: We have invested in frontline staff who keep up their wonderful work to keep up with demand.

We have delivered a new 597-bay car park for people who use Rockhampton Hospital. The state Labor government contributed \$15.6 million to that project. We have just committed \$10 million for an upgrade to the Rockhampton Ambulance Station. We are building Gladstone's \$42 million emergency department upgrade.

At the 2017 election, we listened to the people of Central Queensland when they said they needed a residential drug and alcohol rehabilitation centre. However, we have had to fight those opposite and we have had to fight members of the Morrison government to get it done. We are going to deliver that 42-bed facility. We are going to deliver that project, which will improve people's lives and help people and families who are suffering.

I remind the House that the LNP's federal member for Capricornia has demonstrated a complete lack of empathy for those suffering with drug and alcohol addiction. She circulated a petition titled 'Stop Labor's Reckless Rehab Centre'. It would be interesting to know whether those opposite supported and signed the petition titled 'Stop Labor's Reckless Rehab Centre'. Did the member for Mudgeeraba and shadow health minister sign the petition circulated by the member for Capricornia? It was a terrible petition that included statements such as 'With ice addiction comes increased crime, used needles in our playgrounds'. I will not support the motion.



Mr HUNT (Nicklin—LNP) (5.50 pm): Mr Speaker—

There once was a Doctor of Unions

Whose Ministerial career wasn't bloomin'

He denies all his failures

And here 5 years later

He still tries to blame Campbell Newman.

The people of Queensland are over the excuses. The people of Queensland are sick of the blame game. The people of Queensland deserve a minister who will take responsibility for our health system and deliver the services they need. Behind every ramped ambulance and behind every bad statistic about surgery wait times there is a real person—a real Queenslanders who is suffering under the incompetence of this government and this minister. This is the minister who announced that 100 complaints a day was 'not a bad thing'. That is 100 real people—100 real Queenslanders suffering under this incompetent government.

I can give examples of those real people from my own electorate of Nicklin. Recently, my office was contacted by people who have a son with an intellectual disability. He has some difficulties with his fine motor skills, so teeth cleaning is not that easy for him. They have been told by his carers that his gums are very red and that his teeth need to be looked at urgently. They called for an appointment, but they were informed that the wait time is two years. They fear that during that time his teeth will deteriorate rapidly, very possibly causing permanent damage. Other recent examples from my electorate include an elderly lady who has to wait many years for cataract surgery, a man with spinal issues who is unable to get an urgent appointment with a specialist and there are many more.

I am sure that every member of this House daily—

Honourable members interjected.

Mr SPEAKER: Order! Pause the clock. Member for Clayfield and member for Maryborough, you are warned for quarrelling across the chamber.

Mr HUNT: I am sure that every member of this House, including the member for Logan, who was interjecting, daily receives through their office examples of the failures of our current health system under this minister.


Mr Harper interjected.

Mr HUNT: The member for Thuringowa is interjecting. He is really proud of his ambulance ramping. Since the 2017 election, in Townsville it is up five per cent. He is very proud!

This is not the fault of hardworking doctors, nurses and healthcare workers who swim valiantly against the tide of the incompetence of this government and this minister. The doctors, nurses and healthcare workers do not oversee the priorities of this government or this minister—a minister and a government that saw fit to spend half a million dollars changing the name of the Lady Cilento hospital following dodgy surveys and relying on the flawed advice that fundraising will increase. We all saw the result of that recently, with a \$2.1 million reduction in donations.

When it comes to capital works projects, there is no greater example of the failure of this government than the Nambour Hospital redevelopment in my electorate. As I have pointed out in this House before, the member for Woodridge is also implicated in that failure when, in 2015, as health minister he first announced the great development of the Nambour Hospital to be completed by 2018. Here we are in 2019 and work is just commencing. Eighteen hundred staff have been pulled out of the Nambour Hospital and a reduction in services to my local community has not only meant that the vulnerable and elderly people have to travel down to the Sunshine Coast University Hospital for services they used to receive locally; it also saw the closure of almost every business in the surrounding streets, causing massive economic damage to Nambour.

The people of Queensland deserve a world-class health system—a world-class health system that only an LNP government can provide. The LNP government had a record of reducing ambulance ramping by over 20 per cent. The LNP government had a record of clearing Labor's long-wait dental lists. The LNP government had a record of looking after children by ensuring that 100 per cent of all children requiring urgent category 1 surgery were seen on time. However, the people of Queensland cannot wait another 374 days before they can put a competent Frecklington LNP government in charge. Urgent changes are needed now. The Premier needs to sack this incompetent minister and fix this health crisis for the people of Queensland.

 **Hon. SJ MILES** (Murrumba—ALP) (Minister for Health and Minister for Ambulance Services) (5.55 pm): As we have heard convincingly in this debate tonight, the LNP has no credibility whatsoever when it comes to health care. They sacked 4,400 health staff, 1,800 of whom were nurses and midwives. They attacked doctors' pay and conditions. They cut the nursing graduate intake to record lows. They completely gutted mental health support, and let us never forget the tragic consequences of their decision to close the Barrett Adolescent Centre without replacement.

They almost entirely dissolved preventive health in Queensland, cutting 177 staff across the state and millions of dollars in funding to NGOs including the Australian Red Cross, although not just the Red Cross. They also cut funding from Diabetes Queensland, Drug ARM, the Eating Disorders Association, the Kidney Support Network, Mission Australia, Lupus Australia, the National Heart Foundation, the Royal Flying Doctor Service and the Lung Foundation. They intended to cut funding from the Advanced Breast Cancer Group, Alzheimer's Queensland, the Amputees and Family Support Group, Arthritis Queensland, the Stillbirth and Neonatal Death Support Group, the Asbestos Related Disease Support Society and the Gynaecological Cancer Society.

Let us remember that they left 104,000 Queenslanders waiting for a specialist outpatient appointment. In order to sell their wait-time guarantee, they created a waitlist for the waitlist, because that has always been their way. They have always opted for the glossy ad campaign over substantive policy. That is what they want to spend money on—spin. They are all style and no substance.

Mr Mickelberg interjected.

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

Dr MILES: They are all sizzle and no sausage. They are all foam and no beer. They are all icing and no cake. They are all tip and no iceberg. They had no plans whatsoever to build new or substantially expand any hospitals. The only projects they progressed had been planned for and approved by previous Labor governments, but they could not even open those properly. Look at what they did with the children's hospital.

Labor has reversed those cuts and we have started building again. Since the 2015 election, we have hired 2,012 more doctors, 6,252 more nurses and midwives, 511 more paramedics and 1,800 more health professionals. This financial year we are hiring 800 more nurses, 200 more doctors, 200 more health professionals and 200 more paramedics.

We have opened 888 additional hospital beds across the state. Over the next four years we will deliver a further 756 additional beds. Every time the employment data is released those opposite criticise us for employing too many more doctors, too many more nurses, too many more health professionals.

The opposition leader has taken to announcing every day how many days there are until the next election. I notice the member for Nicklin did it too—374. She did it a bit awkwardly at the Pharmacy Guild dinner, but that is okay. She is sign posting how she is arrogantly awaiting her intended coronation. She needs to use some of those days to say which doctors and nurses she would sack—which ones she thinks we should not have employed.

Instead of employing more nurses and building more hospital beds, the LNP say that they will partner with the private sector. That is their only policy: partner with the private sector. We all know what that means. They want to privatise Queensland health services. When the LNP leader talks about

outsourcing public services to the private sector she is talking about sacking health staff who deliver care in our public hospitals. She is talking about sending taxpayers' money to her mates in the private sector to increase their profits. What about in regional Queensland where they do not have private hospital and probably do not even have a GP? The LNP only knows one way. They want to sack health staff and privatise health services. It is about time they came clean with their plan for Queensland.

(Time expired)

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

AYES, 36:

LNP, 36—Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Frecklington, Hart, Hunt, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McArdle, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Stevens, Watts, Weir, Wilson.

NOES, 48:

ALP, 45—Bailey, Boyd, Brown, 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, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Stewart, Trad, Whiting.

Grn, 1—Berkman.

PHON, 1—Andrew.

Ind, 1—Bolton.

Pairs: Butcher, Stuckey; Pegg, Sorensen.


Resolved in the negative.

SUMMARY OFFENCES AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from p. 3584, on motion of Mr Ryan—

That the bill be now read a second time.

 **Mr BERKMAN** (Maiwar—Grn) (6.06 pm): I oppose this bill, and it seems I am the only member here who will. I will address the bill in detail, and the shocking lack of evidence supporting it, but first we must remember why this is happening. We are on the edge of a cliff. The best scientists in the world are telling us we have 10 years to completely retool our economy, green our cities and restore the land and if we do not things will get really ugly—more killer bushfires, longer droughts, more extreme weather, food shortages, advancing deserts, loss of ancient landscapes, mass displacement of millions of climate refugees, wars over water.

That is the danger, but the solutions are within reach. Those solutions are what the peaceful protesters who have forced this issue to the surface are striving for. They are calling for 100 per cent clean energy, no new coalmines, a jobs rich transition to a better future and real justice for First Nation people, who are already on the front line of climate change and fossil fuel extraction—in short, a better world.

Today, when we need civil disobedience more than ever to change our course, Labor's response is to do precisely what the *Courier-Mail* tells them—to curtail civil rights and silence dissent in a fashion we have not seen in Queensland since the days of the corrupt Joh Bjelke-Petersen government. Let us be clear on a fundamental point—disruption is not violence and the disruptive protest we have seen that has embarrassed Labor into fast-tracking these laws is entirely peaceful, consistent with the approach of successful progressive social movements throughout our country's history. The labour movement is built on peaceful protest and nonviolent direct action. The fact that the Queensland Council of Unions opposes this bill tells us all we need to know about Queensland Labor's deliberate and, frankly, spineless betrayal of the union movement and what might have once been considered Labor values. Without peaceful, disruptive but nonviolent protests, we simply would not have many of the things that make our lives worthwhile.

Mr DEPUTY SPEAKER (Mr Stewart): Order! Pause the clock. Member for Maiwar, you have used unparliamentary language. I ask you to withdraw.

Mr BERKMAN: I withdraw. Votes for women and Aboriginal and Torres Strait Islander people, a woman's right to choose, the defeat of military conscription in this country, the eight-hour working day and the five-day working week—none of these would have happened without peaceful but disruptive

protests that were often illegal at the time. When the Premier tells the kids in the School Strike for Climate Justice to strike on the weekend, she forgets that without disruptive and sometimes unlawful protests we would not have a weekend to start with.

Many of us disagree with some tactics of the recent climate protesters. I support Extinction Rebellion and I support their tactics, even though, of course, like any other social movement, sometimes they get things wrong, sometimes they could listen better, especially to the voices of First Nation people on the front line of climate change and state violence. The point is that these brave people are putting their liberty on the line to make a safe future for everyone. They are the smoke alarm and the house is on fire. It is time to stop trying to shut down the smoke alarm and start fighting the fire.

I will address the most disturbing ways in which the laws themselves are ill conceived, anti-democratic and based on lies, but we cannot overlook the way that the Premier and the minister have dictated terms to the supposedly independent committee to rush this bill through. With all due respect to the secretariat, the report signed off by the Legal Affairs and Community Safety Committee is next to worthless. It completely overlooks the absolute dearth of evidence from QPS about the 'sinister tactics' that are the supposed basis for these laws. It completely ignores the evidence of the Queensland Human Rights Commissioner and others about the ways this bill encroaches on the internationally enshrined rights such as the right to peaceful assembly.

What is so cynical about the chair's deliberate gagging of the newly appointed Human Rights Commissioner, Mr Scott McDougall, at the hearing and in the report is that this bill, if it was not so rushed, would be the first ever bill to be really tested against the Human Rights Act this government legislated just months ago. On the evidence we have heard, it would not fare well. Mr McDougall's submission and the limited evidence allowed at the hearing is pretty damning of the bill, yet the committee did not even mention it in the report.

The Human Rights Commissioner made the important point, 'Inherently, the devices are not dangerous,' and, further, that the proposed legislation appears to be a disproportionate encroachment on fundamental democratic and human rights, specifically the right to peaceful assembly. He referred the committee to the UN's draft general comment No. 37 on article 21 of the ICCPR, the right of peaceful assembly, which states—

It is in the nature of assemblies that they sometime disrupt the daily exercise of rights such as freedom of movement. This has to be tolerated, unless it imposes a disproportionate burden, in which case detailed grounds for limitations must be provided.

He told the committee—

From what I understand of the protests that have occurred in the CBD this week, the existing laws that police have managed those situations and the disruptions have been reasonably minimal and I think well within what is considered proportionate in international law.

The commissioner also commented on ABC RN yesterday morning—

We need to cherish our human rights and only undermine them and erode them when we can absolutely justify it. In this case I don't think the case has been made out to limit the rights in the way that's proposed.

Why has the committee ignored every single one of the concerns raised by someone in such an important role as the commissioner? The answer is that the process has been a farce—nothing more than a rubber stamp for bad law. It is a shocking indictment on this Labor government and the hopelessly weak oversight that the committee process provides.

The Human Rights Commissioner and others, including the Caxton Legal Centre, the Human Rights Law Centre, the Queensland Council of Unions and Terry O'Gorman of the Council for Civil Liberties, have made the point that existing laws are entirely sufficient to achieve what these laws purport to achieve. Locking yourself to a pipe or concrete filled barrel or gluing yourself to the road is already illegal. Nobody has properly identified any inadequacy or gaps in existing laws to respond to unlawful protest, particularly for the purpose of dealing with any potential public safety risks of so-called dangerous attachment devices.

That brings me to the very first comments from the Premier and police minister and the false claims that have been made to justify these laws—'sinister tactics', 'extremist protesters', 'booby traps', 'devices laced with traps, including butane gas canisters'. I do not know that I have ever heard such divisive and baseless rubbish in this place. I will go specifically to the Premier's claims about butane gas containers.

On 20 August the Premier told this House that she had been shown evidence of protesters using locking devices with butane gas containers inside them. Evidence from the QPS at the hearing clearly contradicts the Premier's claim. It turns out that she was referring to an unconfirmed incident—a

rumour—dating from 2005. When asked, the police could not even confirm that such a container ever existed. Unless some factual basis for this claim is presented in the remainder of the debate on this bill, the Premier has clearly and deliberately misled the House with this comment and must correct the record. Otherwise, she may just find herself in contempt of parliament again.

There is absolutely no evidence of protesters designing or constructing devices with an intention to harm anyone—themselves, first responders or the general public. QPS could give the committee no evidence of any harm to first responders other than one instance where a police officer sustained what was called a ‘relatively minor laceration’ that was treated at the scene by a first aid officer. Collectively, the supporters of the bill including the government, the police, Aurizon and the QRC could provide no evidence of any protester or member of the public ever being harmed by the use or removal of these devices.

Mr Costigan interjected.


Mr DEPUTY SPEAKER (Mr Stewart): Member for Whitsunday.

Mr BERKMAN: They could provide no evidence of booby trapping, no evidence of any intention on the part of protesters to cause harm, no evidence of any incident on rail infrastructure or even any instance of a near miss. We heard plenty of evidence of police using existing laws, extensive training and carefully developed safety procedures to go about their work in a way consistent with our right to peacefully protest. The only real concerns that have actually materialised are simple disruption and economic loss for coal companies.

Mr Costigan interjected.

Mr DEPUTY SPEAKER: Pause the clock. Member for Whitsunday, you have been interjecting. I have given you a bit of warning. You are now warned under the standing orders.

Mr BERKMAN: The question for the Premier, the minister and every Labor member here is: where do you expect this to end? What other items or disruptive behaviours will the government criminalise next? It is frankly insane for a Labor government to have opened the door to what the LNP has now so predictably proposed—additional penalties for all manner of currently lawful protests and mandatory sentencing for protesters. When the LNP has the opportunity to implement this kind of law, Queenslanders will remember that it was a Labor government that gave them the political cover to do so. Whatever talking points they will use to justify proposing or supporting this law, every Labor member here will be remembered for having ushered in the next big crackdown on protest, on unions and on civil liberties in Queensland—and they should all be ashamed.

 **Mr BROWN** (Capalaba—ALP) (6.16 pm): I think I have a new nickname for the member for Maiwar, and that is ‘Blinkers’ because he is not looking at all of the evidence that has been put in front of him with regard to this matter. He has such a narrow vision in regard to this.

He mentioned a relatively minor injury. What does it take for the member for Maiwar to understand that protecting workers is important? To be lectured about Labor rights and Labor values from the member for Maiwar is ridiculous. To compare this to the Joh era is another ridiculous statement. I grew up in a family where my father did face the full wrath of the Joh era. We were harassed by police officers at our house, shining lights through the windows—

Ms Grace: So did I!

Mr BROWN: I take the interjection from the member for McConnell—for protesting the right to protest, for protesting the right to assembly. Where is the Special Branch in this day and age? The Special Branch is nowhere to be seen. To be lectured to by the member for Maiwar is completely ridiculous. He is rewriting history. The member for Maiwar did not mention the LNP amendments. He brushed over those. It is a new way of life for the Greens: just attack Labor and do not worry about the LNP.

Ms Bates: Don’t take their preferences at the next election.

Mr BROWN: I will take the interjection from the member for Mudgeeraba. You are happy to take their preferences—

Mr DEPUTY SPEAKER: Order! Member for Mudgeeraba, your interjections need to be through the chair. Member for Capalaba, your responses need to be through the chair and not directed to members in the House.

Mr BROWN: I take the interjection from the member for Mudgeeraba. They have a preference deal set up in South Brisbane. It is so convenient. It is so hypocritical of those opposite. They do not want you to remind them of South Brisbane—‘No, no. We’re happy to give the preferences to the Greens and the member for Maiwar when it comes to South Brisbane.’

I will go back to the Joh years and the right to protest. Those opposite have brought forward amendments about the right to assembly. Moving amendments about peaceful assembly clearly reflects back to the Joh era.

Returning to relatively minor injuries and protecting workers, this bill is very important. We should pay heed to the evidence of the police officer who cut through one of these dangerous devices. The member for Maiwar conveniently left out the fact that they contain steel and glass. The member for Maiwar said they just contain cement, but they do not. You use blades to cut through these devices. If you have used manual tools you know that you have different blades for wood, steel and cement. If you put different items within a plain cement drum, you do so because you know it will affect the blade that is used. As we saw in Bowen, it did injure the first responder. We need to ensure that we listen to the evidence with regard to these injuries because it is important that we protect workers in the workplace.


This important piece of legislation is about ensuring the safety and wellbeing of all Queenslanders. This bill will not impact the rights of Queenslanders to peaceful assembly. Peaceful assembly is a defining characteristic of democracy. It is recognised in international human rights law through article 21 of the International Covenant on Civil and Political Rights. Australia is a signatory to that covenant. Such rights are enshrined in Queensland through the Peaceful Assembly Act 1992. I do note that the member for Toowoomba South said in his contribution that the right to peaceful assembly always existed, but we only have to look at the date of the Peaceful Assembly Act. What happened before 1992? Why was the Goss Labor government elected in 1989? Why did the Goss Labor government come into this House and enact that legislation? That was quickly glossed over by the member for Toowoomba South.

The bill before the House continues the work done by Labor to keep our communities safe. I take this opportunity to acknowledge the labour movement and its rich history of protecting workers and their rights. The record shows that unions have been pivotal in their fight to protect workers' rights, and they continue to be front and centre in the drive for social advancement and fundamental fairness and equality. I am proud to say that I have probably organised and been at the front line of more protests and picket lines than the member for Maiwar will in his whole life, ensuring the safety of workers first and foremost.

The record shows that protests were part of the successful environmental campaigns of the 1980s for the protection of rainforest in the Franklin. In fact, this bill allows peaceful protest to continue. There will be no impact on any person who chooses to assemble, gather or protest in a way that is peaceful, lawful and respectful. This bill is aimed only at dangerous attachment devices that pose risks to protesters and first responders. Let me be very clear: an attachment device is a dangerous attachment device if it reasonably appears to be constructed or modified to cause injury to a person who attempts to interfere with the device or reasonably appears to be constructed or modified to cause injury to a person if another person interferes with the device or incorporates a dangerous substance or thing.

Items such as dragon's dens are commonly constructed such that a person's arm or arms are secured by rope, chain or handcuffs to an anchor point inside the centre of a tube of steel. The sleeping dragon is a dangerous device commonly fashioned by concreting the dragon's den or large tubes within a 44-gallon drum. Monopoles and tripods are also dangerous attachment devices. As I walk down the streets of Capalaba, people tell me they have real concerns that someone in need of urgent hospital treatment will be caught up in these unlawful protests. I note that happened when we had the Extinction Rebellion protest. There were multiple reports of bus delays and public transport delays. A lot of emergency services workers at the PA Hospital were delayed getting to their shifts that day.

It is about getting the balance right. The right to peacefully protest remains a cornerstone of our democracy in Queensland under this government. Labor will always support and protect the rights of Queensland, particularly the workers of Queensland. I repeat: there will be no impact on any person who chooses to assemble, gather or protest in any way that is lawful, respectful and peaceful. I commend the bill to the House.

 **Mr LAST** (Burdekin—LNP) (6.24 pm): I rise to speak to the Summary Offences and Other Legislation Amendment Bill and to offer my support for the amendments moved by the member for Toowoomba North. This bill, I might add, falls well short of what is required in the state at the moment. If we have a look at recent events and the recent activities of these protesters and extreme activists and the havoc they are wreaking across this state, then you appreciate that we need legislation that is a lot tougher than that put before the House today. Although I will not be opposing this bill, it must be said that this is yet another 'thought bubble' from this government. Like we have seen time and time again from this Labor government, this legislation is a knee-jerk reaction to the chaos unleashed in Brisbane in recent weeks by radical activist groups such as Extinction Rebellion.

The LNP supports the right to legal protest, but the LNP also supports the rights of hardworking Queenslanders to go to work. The LNP supports the rights of primary producers to legally operate their businesses. We support the rights of Queenslanders to move freely in cities and regional areas. What we have seen here in recent weeks—particularly in Brisbane, where they have glued themselves to roadways, blocked major thoroughfares and prevented everyday Queenslanders from going about their business taking kids to school and going to medical appointments—is designed to wreak havoc, and that is exactly what it has done. It has taken our emergency services workers, particularly police officers, away from their operational duties. They then have to baby-sit and put themselves at risk to remove these protesters. As we have already heard from other members here tonight, in some cases they have sustained injuries as a result of dealing with these protesters. For example, at Abbot Point some 12 months ago protesters locked themselves onto a conveyor belt. Through pure luck they were found before that conveyor belt started up. There could have been a tragic result for those protesters, and no-one should have to put themselves in the shoes of the workers who would have been forced to clean up that mess.

This legislation does not address those protesters who simply stand or sit on a railway line, and we heard from the Minister for Natural Resources about the time it takes to pull up a coal train and the repercussions when protesters block railway lines. We know they are doing it regularly, particularly in Central Queensland. When you realise that these protesters could go and sit on a railway line and not be covered by this legislation, you start to appreciate the shortfalls and shortcomings of this particular bill here before the House tonight.

It is a shame that I cannot talk about my private member's bill. I know that is still in the system so I will not talk about that tonight. It highlights the fact there are shortfalls in relation to those protesters who go onto feed lots and abattoirs. This particular bill will not cover that activity. It will not pick up those extreme activists who disrupt lawful businesses and who wreak havoc on families and operations across this state. This bill will not apply in those circumstances. This legislation is aimed at one segment of what I call professional protesters. It does nothing to protect farmers. It does nothing to prevent ratbags from obstructing machinery on a mine site or putting their lives and others in danger by climbing onto machinery at a port, or those idiots who climb up trees as we saw recently at the Carmichael mine site. I sought advice from the Queensland Police Service, and it cost a considerable sum of money, an estimated \$10,000, to get two protesters out of a tree. That is money Queensland taxpayers had to stump up to remove these protesters from a tree at a mine site.

This legislation does not cover that, so once again it highlights the shortfalls that it is trying to address. It is these failings that illustrate the need for the member for Toowoomba North's amendments. Let us talk about those sensible and practical amendments in more detail. Queenslanders have had enough of radical protesters throwing their lives into chaos, appearing in court and doing it all again the next day. That is why the LNP wants to see people who have been convicted of multiple breaches face mandatory jail time. We need to send a message to these protesters that what they are doing will not be tolerated in this state. We need to send a strong message that if they want to engage in those types of activities and cause that chaos and disruption, tie up police resources and put innocent lives at risk, then they will be held to account for their actions. The LNP's amendment recognises that if you want to cause chaos in the lives of Queenslanders you will face real punishment.

The other amendment moved by the member for Toowoomba North will also help to reduce repeat offences. The LNP's amendments would mean that an offender who is bailed after an unlawful assembly would have the presumption of bail reversed should they be charged with an unlawful assembly offence whilst on bail. That is reasonable. Let them face a magistrate and explain why they should be released from custody. Let them explain to a magistrate why the magistrate should trust them not to go out and simply repeat their actions and engage again in this unlawful activity.


Whilst I welcome the intention of the legislation to ensure the safety of our police officers and other emergency services workers, we must not forget those Queenslanders who work in primary industries, the natural resources industry and many other industries across this state. To limit this bill to people who choose to use a dangerous attachment device addresses only part of the problem that we currently face. The fact is that this legislation does nothing to address the very real threat that these illegal protest actions pose to Queenslanders and legitimate businesses. Despite official denials, it is obvious that these actions are hindering our emergency services, as bravely revealed by the QAS medical director.

I welcome the submission from the Queensland Law Society and in particular their view that we need to strike a balance between the right to peaceful protest and the right of a person to peaceably go about their business. That is exactly the balance that we must find. To find that balance we need to

take real action, not just action on a small group of radical protesters. I will be supporting this legislation because it is a start, but we need to go a lot further when it comes to addressing protest actions and activities across this state. I urge all members to support these important amendments and this bill before the House. As we have seen in recent weeks, we cannot continue to have these protesters holding this state to ransom. The time to act is now.

Mr DEPUTY SPEAKER (Mr Stewart): Member for Burdekin, before you sit down, there was some unparliamentary language in there and I ask you to withdraw.

Mr LAST: I withdraw.

 **Mr HUNT** (Nicklin—LNP) (6.32 pm): Winston Churchill said, 'No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of government except for all those other forms that have been tried from time to time. We live in a wonderful democracy. Freedom of speech and expression and lawful protests abound. To have your voice heard in our democracy you can protest lawfully, speak and write to the media, speak and write to members of parliament, or indeed get the support of many and run for parliament. I am guessing everyone in this House is here to fight for what they believe in, fight for their constituents and local area and protest about laws that go against their values or interests or those of the people they represent. What our democracy does not allow is unlawful infringement on the rights and liberties of others. When you have to bully other people, deprive them of their liberty, deprive them of their rights, then you are overstepping the mark.

I walked down among the protesters yesterday morning in relation to the laws we are currently debating. They were chanting that protesting is not illegal. Of course it is not, but they are entirely missing the point, as is my friend the member for Maiwar.

Government members: Your friend?

Mr HUNT: He is all right. He has his strange briefs, like all Greens. When you unlawfully secure yourself to a public road or a person's lawful place of business and prevent others from enjoying their freedoms, then it becomes unlawful. Those who do so often assert that a minor inconvenience is necessary because their particular issue is so important that they need to do this to get people to listen. If you cannot win a debate or get people to agree with you without bullying them, then you have already lost your argument. You have lost your credibility and you will turn people against your cause rather than for it.

What some of these protesters are doing is bullying. For example, if a child in a schoolyard put an obstruction against a door to not allow another child to get out of a room, we would consider this bullying. Is it violent as far as the definition of violence goes? That is arguable, but it is certainly bullying and a deprivation of one's liberty, and we would rightly chastise a child for such an act. In the same way, when some protesters seek to detain hundreds or thousands of people across a city, then that is bullying, that is aggressive and that is not acceptable and should never be acceptable in our democracy. In every one of those hundreds or thousands of cars held up and stuck on highways, city roads and bridges with nowhere to go, there is a story.

Government members interjected.

Mr HUNT: I think I am agreeing with the interjectors here. This is your bill I am agreeing with.

Mr DEPUTY SPEAKER (Mr Stewart): Pause the clock. Member for Nicklin, I know you are very passionate about this and you are getting into it, but you need to direct your comments through the chair. Those interjecting need to do so through the chair, not directly to the member.

Mr HUNT: In every one of those hundreds or thousands of cars held up and stuck on highways, city roads and bridges with nowhere to go, there is a story. You cannot just write off every one of those people and say, 'It's just a minor inconvenience.' These are real people trying to get about their daily lives.

It is a business owner perhaps hoping to get to their cafe and open early for the morning trade, hoping desperately that there will be enough customers this week to pay the bills, to pay their employees, to make their house payments, to pay for their kids' sport. It could be a parent taking their child for medical treatment for a serious, life-threatening condition, emotionally drained by fear and anxiety, but forced to stop and wait for protesters and then missing that important appointment.

It is perhaps a tired shiftworker, having worked all night, tired and wanting to get home in time to kiss the kids goodbye for school. It is a courier driver trying to make a living. At the most concerning end of the spectrum, it is an emergency vehicle trying to get through and help someone in need of lifesaving treatment. There are hundreds, maybe thousands, of stories in each of these vehicles, but

they are disregarded by some protesters who think their particular cause is more important, that their particular issue trumps the rights of all those people and that, because not many people agree with them, they need to bully those people into submission. It is disgraceful, it is public bullying, it is deprivation of liberty and it has to stop.

The bill before the House goes some way towards dealing with the fringes on this issue and will be generally supported by the LNP, but once again this government does not go far enough. It is this soft-on-crime approach that sees a justice system failing in this state—a generation of failure after 25 of the last 30 years in government, a government now left to try and deal once again with problems of its own making. Whoever wrote the Premier's media release on these laws needs a trophy for the greatest spin job ever to get a *Courier-Mail* headline that says 'Straight to jail', but we all know that is not going to happen.

You do not have an offence with a maximum penalty of two years imprisonment that sees people jailed. Just have a look at some of the other summary offences that contain periods of imprisonment. Public nuisance, begging in public or throwing an object that disrupts a sporting event all allow for six months imprisonment. Does anyone seriously believe that anyone is ever going to go to prison for these offences? No! People can get up to two years imprisonment under the Summary Offences Act for the offence of shining a laser light on a motor vehicle. Yes, it is a dangerous act, but does anyone seriously believe anyone will go to prison for committing such an act?


Ms Boyd: Weren't you a police officer?

Mr HUNT: That is right. I take that interjection; I was a police officer, continually putting people before the courts for committing offences much more serious than this. You cannot get people into prison; I can tell honourable members from experience. These people are not going to go to prison. I will have a bet with the member for Pine Rivers that the first who goes to prison—no, I will not bet in the House, Mr Deputy Speaker. She can say, 'I told you so.'

Our courts seem unwilling or unable to act in this regard and have repeatedly let offenders off with small fines and no conviction recorded despite chance after chance. We need to look at mandatory minimum sentences as per our amendments. This is the only way to go. We should not have to use those words in this House; we should not have to set mandatory minimums. However, after a generation of failure by this government, crime out of control and some rogue protesters bullying the public and continually depriving them of their rights, it is time for this House to act. A maximum sentence of two years seems like a harsh penalty, but no-one would seriously believe this means anything other than just another offence for the courts to send people in and out the revolving doors of justice with a slap on the wrist, free to go about their unlawful behaviour undeterred again and again, as we have already seen.

Our police are stretched enough; our resources are continually diverted to these unlawful protests. People are literally suffering as a result. The rights of ordinary Queenslanders to lawfully go about their lives need to trump the alleged rights of protesters to bully them and deprive them of their liberty. While I support these laws as one measure, it goes nowhere near solving the problem that will continue. We will see the fruits, or lack thereof, of these laws over the next little while. I feel that we will be back here in the months to come and I will get to say, 'I told you so.'

The people of Queensland have had enough of the Bob Brown convoy, the Greens mates of the Labor Party and the far left imposing on their lives and the bullying tactics they use. It is time for action, and it is time for mandatory minimum sentences for repeat offenders who continually put the lives and wellbeing of our emergency services and Queenslanders at high risk. Repeat offenders who deprive hundreds or thousands of other Queenslanders of their rights and freedoms should lose theirs for a minimum period of time.

 **Ms BOLTON** (Noosa—Ind) (6.42 pm): As we have heard, the Summary Offences and Other Legislation Amendment Bill 2019 seeks to introduce a range of measures to deter Queenslanders from using attachment devices that may endanger themselves, emergency services workers and members of the public and to assist police officers in minimising the disruption caused to the community through the employment of these devices. The right to peacefully assemble and protest has long been held as the defining characteristic of our democratic society, recognised in international human rights laws through article 21 of the International Covenant on Civil and Political Rights. This right is enshrined in Queensland law, as we heard earlier, through the Peaceful Assembly Act 1992 and is also acknowledged within the Human Rights Act 2019.

Throughout our history protesting has been used to advocate for change, especially when people believe—and rightfully so at times—governments are not listening or the system we operate under is flawed. There are many outstanding examples of the role peaceful assembly plays in creating change


and for interest groups and individuals to express their views to the wider public. Rallies provide an avenue for concerns to be voiced, heard and potentially acted upon. As an MP and an advocate for change, I fully support informed, peaceful and respectful pathways to ensuring voices are heard. However, we have seen movements, locally and globally, with stated aims of using nonviolent methods adopt extreme and potentially dangerous, destructive avenues in order to capture public attention and advocate their position or ideology.

In Queensland small groups are engaging in deliberately unlawful behaviour with potentially dangerous outcomes using bespoke devices such as the sleeping dragon. These devices are designed to fix protesters to a place, an object or each other. This concern is magnified by those who have indicated intentionally incorporating dangerous items into these devices, presenting a real or potential risk of injury or death to protesters, front liners and fellow Queenslanders. This is not acceptable.

In a number of submissions against this bill arguments included either that there appears to be no evidence of these devices being dangerous or that devices such as sleeping dragons, dragon's dens, monopoles et cetera should not be defined as dangerous attachment devices as they are often deployed as part of safe, peaceful protests. Let's be clear on this. We live in an increasingly fearful world. Regardless of submissions to the contrary, any risk, potential or otherwise, to the safety of everyday people going about their everyday business should not be part of peaceful protests.

The Queensland Law Society, police and other front liners agree with the proposed new offence provisions which have a clear focus on the prevention of injury to protesters and emergency services personnel—again, I stress—as well as to those who inadvertently may be in close proximity. Protesters have a right to free speech and to have their voice heard. Two of my aunties were and are fervent protesters, and I certainly respect them for their peaceful messaging. However, we expect that no-one, regardless of the rationale, has a right to break the law, disrupt others and present either a perceived or a real danger. Anyone who does so should understand and accept the consequences of their actions.

In closing, I thank the minister, the departments, the committee and the submitters for their work in what was a very tight time frame. I ask that advocates across Queensland consider that the power of the pen, genuine commitment and factual information will always be more effective than acts or words that misinform, or incite or encourage violence.

 **Ms LEAHY** (Warrego—LNP) (6.46 pm): I rise to contribute to the debate of the Summary Offences and Other Legislation Amendment Bill. I am disappointed with the time it has taken for this legislation to make its way into the parliament. I am further disappointed with how the Labor government has overplayed the impact of these laws and how they will be applied. It is of concern that this bill is very limited and will not adequately address the extremist protesters such as Extinction Rebellion. It will not address, I believe, what members of the public are expecting to see in this response. This bill really is just tinkering around the edges. I want to elaborate on some of the shortcomings of the legislation in my contribution.

The LNP have led the way when it comes to dealing with this type of domestic terrorism. The LNP have been on the front foot of this issue. That is why we have proposed amendments to this bill to toughen up these laws. The LNP want to deal with these illegal activists who have been terrorising our farmers, food processors and miners and who are now doing that in the city of Brisbane. The LNP introduced a private member's bill on 1 May this year. I want to thank the member for Burdekin, who has championed this LNP private member's bill. The Criminal Code (Trespass Offences) Amendment Bill, introduced by the LNP, could have been debated and supported six months ago by this Labor government.

The reality is that we need tough legislation. We need to make these extremists think twice about the consequences of their actions. There is a really important question: how is it that the LNP opposition can bring forward a comprehensive private member's bill to deal with these extremists and activists when the Labor government, with all the resources of government, has taken six months to bring forward a bill that only tinkers around the edges? Maybe the Labor government's heart is not really in this. Maybe the Deputy Premier is blocking much needed reforms to stop this extortion. Maybe it has something to do with the alliances between the Labor Party and the Greens party—and who would know what the alliances might be between the Greens party and some of these extremists?

I have no problem with the legal right to protest—it is a fundamental tenet of our democracy—but the right to protest does not allow or excuse people breaking the law by trespassing on farms, interfering with agricultural equipment and other primary production associated facilities such as abattoirs and saleyards, stopping traffic in the city to cause public disruption or disrupting the commerce of the city or community, or those who choose to act like a moron and tie up valuable emergency services resources.

Mr DEPUTY SPEAKER: Order! Member for Warrego, that is unparliamentary. I ask you to withdraw.


Ms LEAHY: I withdraw. The LNP does not oppose the bill but holds concerns about the limited application and ability to crack down on extremist protesters such as Extinction Rebellion. The so-called lock-on device laws are very specific. Unfortunately, I believe they will have only a minimal impact on the serial protesters causing anarchy on the streets of Brisbane. Specifically, we are concerned about the limited breadth and application of this bill on these extremist protesters. The lock-on devices are only a small part of these extremists' tactics. Legislating for the lock-on devices alone will not fix the problem. In recent times the protesters have relied on methods such as gluing themselves to the road to cause as much disruption as possible. The bill specifically states that glue is not declared as an attachment device and neither is a bike lock, a padlock, a rope or a chain.

Further, this bill will not stop invasions, such as what happened at the feedlot near Millmerran or at the abattoir at Warwick, and would not have stopped the four invasions by vegan activists that my constituent endured on his family owned piggery. It will not stop that situation. It will not give him any confidence. I have no doubt that the vegan activists who invade properties, threaten farmers and threaten my constituents are some of the same people involved with the extremist behaviour in the Brisbane CBD.

The LNP will support the bill; however, we will seek to amend the bill so that there is strong deterrence of this extremist behaviour. The bill needs provisions for mandatory jail for the new unlawful assembly offence to ensure that anyone convicted of multiple breaches of the new unlawful assembly offence faces mandatory jail time of one week. The bill also needs tougher changes to bail law to reverse the presumption in favour of bail for offenders charged with unlawful assembly who commit an offence of a similar nature while on bail.

In its current form, the bill will not stop the public disruption, the events that stop traffic or people hanging from bridges unless the person is using a lock-on device. It is very specific. As it currently stands, the bill will not apply to the Extinction Rebellion protester who chained himself up and sat on the railway. This alone causes millions of dollars of loss when those coal trains cannot get to port. As I said, protesters have a right to a peaceful protest—and there are places where they can do that—but no-one has the right to break the law repeatedly. Anyone who breaks the law, particularly on more than one occasion, deserves some consequences for their action. This is why this bill needs to be strengthened—not to mention the danger in which emergency services workers are placed to remove the lock-on devices. It sometimes requires a rescue squad type capability to remove these people from plant or equipment without harm to either.

Civil disobedience for any cause is not a justification for mass public disorder. Labor is always there to talk, but there is not much action. The Premier has overstated the impact of Labor's laws. They do not go far enough. Annastacia Palaszczuk and her government's priorities are wrong. The government needs to be much tougher on this illegal behaviour. What Queenslanders need is a bill that guarantees jail sentences for serial illegal protesters and enforcement of the tougher bail laws. There needs to be real consequences for these serial law-breakers. I look forward to listening to the remainder of this debate and commend the amendments brought to the House by the member for Toowoomba North.

 **Mr POWELL** (Glass House—LNP) (6.54 pm): I am very pleased to make my contribution to the debate of the Summary Offences and Other Legislation Amendment Bill following my good friend and colleague the member for Warrego, because many of the things I want to raise were reflected in her contribution. To debate this bill, we need to go back a couple of steps. First, let me put on the record, particularly to the people of Glass House, whom I represent, that I will always defend the right to have an opinion or a view, whether that is based on science or otherwise. I will always defend the right to express that opinion or view. I will indeed defend your right to protest peacefully and nonviolently in defence of that opinion or view and to do so however you see fit, as long as it is peaceful and nonviolent. Indeed, with a few exceptions, Australia and Queensland have a long and proud history of allowing demonstration and protest to put forward a view. In many cases, those protests actually led to legislative change or change within elements of how society operates.

Let us return to why we are here debating this bill tonight. It does not go back to Extinction Rebellion and what it unleashed on the Brisbane CBD and CBDs around Australia and the world. It actually goes back to the vegan extremists that the member for Warrego mentioned and to extremists who have taken actions on railway lines, in ports and on highways in North Queensland. Let us start with the vegan extremists as referred to by the member for Warrego. Piggeries and chicken farms in

the electorate of Glass House have been targeted by individuals who have stepped over a line, who have gone from peaceful and nonviolent protest into repeated invasion of private property, created biosecurity issues in doing so, chained themselves to various stalls or feeding areas within these precincts, and created no end of mental and economic trauma for the owners of those businesses.

Moving forward a bit, we now have Extinction Rebellion activists in Brisbane gluing themselves to intersections and hanging themselves from bridges. We have individuals on railway lines using these dangerous attachment devices to make it so much harder for our police and other emergency services to remove them from that infrastructure. We know that these actions will bring potential damage to not only the individual protester but also those trying to remove them. This is not peaceful and nonviolent.

I have been contacted by constituents who say that I must oppose these laws because they somehow stymie their right to peaceful and nonviolent protest. I am sorry: they do not. In fact, they do not even deal with those vegan extremists to whom I referred, because chaining themselves to a pig stall would not be captured as using an attachment device as proposed in this bill. This does not address those aspects, let alone address that peaceful and nonviolent protest aspect about which constituents are contacting me.

As I said, I will defend your right to do that, but when you start using devices such as what we have been talking about to attach yourself to infrastructure, when you start invading private property creating biosecurity risks, when you start disrupting repeatedly the operation of a city—the businesses, the mums and dads who run businesses and who want to get to work and get their kids to school—then you have stepped over a line. Therefore, I will support these laws. In fact, I will go further. I will support the LNP amendments to ensure the bill addresses a number of other aspects—in particular, that it addresses breach of bail and mandatory jail for new unlawful assembly offences. I say to people: please protest—protest peacefully and nonviolently—but do not repeat the behaviour, because it creates hatred, frustration, anger and resentment within the broader community. That is what needs to be addressed.


This bill does not go far enough. I support the amendments that seek to introduce mandatory jail and change bail laws to reverse the presumption in favour of bail for offenders charged with unlawful assembly who commit and recommit those offences.

I say to the constituents of Glass House and Queensland: continue to hold your views and opinions and continue to protest peacefully and nonviolently, but do not follow the examples of vegan extremists or Extinction Rebellion, whose actions are disrupting so many law-abiding citizens in this state.

Debate, on motion of Mr Powell, adjourned.

ADJOURNMENT

Glass House Electorate

 **Mr POWELL** (Glass House—LNP) (7.00 pm): Last weekend was a busy but brilliant weekend in the electorate of Glass House. It kicked off with an extraordinarily successful Beerwah Street Party. I thank Judy Tomlinson, Jenny Broderick, the crew at Celebrate Glasshouse Country and their entire team of volunteers. It was simply so much fun. From the food to the entertainment to the laser show but, most significantly, to the magnificent feeling of community, it was simply fantastic. I thank everyone who stopped by my stall and let me know what they think is needed to make our part of the world that little bit better. I will be working on each of the suggestions but especially on trying to deliver a cycleway between Beerwah and Glasshouse Mountains.


Saturday saw me join the reinvigorated Montville Tennis Club at the official opening of their newly resurfaced courts. Not even a hailstorm could deter us. To president Wayne Parcell, secretary Brett Abbenbroek and all of the club's members: job well done in not only matching but also exceeding the contribution from the Gambling Community Benefit Fund grant to get the job done. They have already set their sights on the next project—a new clubhouse—and have the ambitious target of completing it by mid-2020. With Wayne at the helm and the community support he has been able to enlist, I have no doubt they will be successful.

Then it was on to the 125th birthday celebrations at Mooloolah State School. I was privileged to join principal Adam Poulus, P&C president Rachael Clements, Gubbi Gubbi man Brent Miller, past and present principals, teachers, parents and students in an official celebration ceremony. Principal Adam had I think a little bit too much fun wandering around with a cane that he had found in the time capsule

and sharing the rules for the teaching staff from the early 1900s that included not frequenting the local ice-cream shop—clearly a real den of iniquity! The event concluded with the sealing of a new time capsule, to be opened on the 150th anniversary of the school.

Finally, it was on to Murphy's Pigs at the Woodford Memorial Hall. Murphy's Pigs need little introduction, as their reputation precedes them: Celtic by nature, pigs by choice. Their event was a sell-out, with more than 350 Woodford locals and visitors enjoying an amazing evening. The great thing is that the event supported four separate charities. Event organiser Jackie Draper and I staffed the raffle, raising \$1,026 for local chappy Dylan Ball. Dylan and his committee also received the proceeds from the dessert. The local ambulance committee staffed the bar and picked up the substantial proceeds made on it. Two other local charities will also receive donations. These kinds of events epitomise the Glass House electorate: banding together—no pun intended—to have fun and support each other. It is simply outstanding.

Algerter Electorate, Neighbourhood Watch

 **Hon. LM ENOCH** (Algerter—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (7.03 pm): Neighbourhood Watch groups in my electorate of Algerter provide an important link between the police and members of the community. Neighbourhood Watch is all about creating a sense of community and promoting safety in our neighbourhoods. These are community organisations led by a dedicated group of volunteers who are committed to community safety and cohesiveness. I, along with many from across the Algerter electorate, commend them for their hard work.


I am privileged to have a number of Neighbourhood Watch groups in the Algerter electorate, all of which make significant contributions to the way our communities connect and thrive together. The positive impact of their work is clear, as community members of all ages have become engaged in our local area. Tonight we are joined here in Parliament House by some of these incredible local volunteers from our electorate including Colin Anderson and Carol Loughton from Lakewood Neighbourhood Watch group; Clinton Pattison, Jane Tan, Karen Petersen and Michael Hinge from the Hillcrest Neighbourhood Watch group; and Ramanathan Karuppiah, Nalini Gowda, Shiran Seneviratne, Mustaq Ahmed and Sajesh Vada from the Heathwood Neighbourhood Watch group. Their work is supported by our local police stations, and I am delighted to welcome here tonight Sergeant Shane Clark from the Browns Plains station; Senior Sergeant Ian Cameron from the Acacia Ridge station; and Senior Sergeant Stephen Gough from the Calamvale station, as well as a number of other police officers who have come to join in commending the work of our Neighbourhood Watch groups across the Algerter electorate.

These groups undertake practical local work with very localised community activities aimed at connecting people across the neighbourhood. The Lakewood group produces an incredibly helpful newsletter for locals detailing important information that impacts the neighbourhood, and Heathwood Neighbourhood Watch has a strong social media presence which it uses to distribute important community information. The Hillcrest Neighbourhood Watch group hosts an annual family fun day that brings together family and friends from across the community and each year delivers the very popular Santa run at Christmas time. I have had the pleasure of sponsoring and joining the team from the Hillcrest Neighbourhood Watch and police from the Browns Plains Police Station as they hand out lolly bags and Christmas cheer to children young and old around the neighbourhood. Everybody really enjoys it.

At the heart of these groups are dedicated volunteers like those here tonight—people who generously give their time to support their neighbours and community. I commend all those who take time out of their busy lives to attend Neighbourhood Watch meetings, assist with information campaigns and plan events that build social cohesion. I am delighted to support Neighbourhood Watch groups as they build strong and cohesive communities in the electorate of Algerter. I thank our local volunteers for their work. Tonight we will be joined by the Minister for Police as we share some food and some conversations about the great work that they do.

Mr DEPUTY SPEAKER (Mr Stewart): We welcome all our visitors to the public gallery tonight. Welcome to the people's house.

Peregian Beach, Bushfire; Ninderry Electorate, Neighbourhood Watch

 **Mr PURDIE** (Ninderry—LNP) (7.06 pm): At about 7.30 this morning the communities of Cooloom and Peregian collectively held their breath as dark plumes of smoke rose from the dunes at Peregian. It is only about six weeks since we saw devastation unfold there. Before 8 am the police had declared

an emergent situation. I am told that about 350 emergency services personnel—including fireys, police and volunteer fireys—started battling the fire and taking on the task of evacuating residents, who only too recently were evacuated and only recently returned home. I am happy to report that by lunchtime the fire had been contained, thanks to the help of McDermott helicopters, which dumped 3,000 litres of water onto the fire. By lunchtime the fire had been contained and residents were allowed to return home.

I acknowledge a Neighbourhood Watch group in my electorate. Bli Bli Neighbourhood Watch was started three years ago by a community champion by the name of Edith Blank, whom I have spoken about previously in this House. She took on the role of coordinator of that local Neighbourhood Watch branch. Edith is a passionate community advocate. Thanks to her skills and experience, she has helped the group evolve into one of the most successful Neighbourhood Watch groups in the country.

I am proud to report that in those three years Bli Bli Neighbourhood Watch has donated more than \$60,000 back into our local community. That is an awful lot of cake stalls and sausage sizzles. It is an awful lot of blood, sweat and tears. It is an awful lot of volunteer hours spent planning and staging successful events, like their annual fun run and skate competition, which bring our local community together. Importantly, it reflects a shared sense of purpose and vision. It is one of many reasons I am so proud to represent not only Bli Bli but all of the communities that make up the Ninderry electorate.

Not only are they champion fundraisers; they also have a much more serious role, acting as the eyes and ears for our local police. Their advocacy for change to the youth justice system, which I am also passionate about, is helping shine light on the need for tougher laws for repeat juvenile offenders. Communities like Bli Bli and many others across the coast should not be held to ransom by gangs of youths causing mischief and much worse. I thank them for their ongoing commitment to helping build safe, connected communities and the success of their many campaigns to date. Keep up the great work.

South Brisbane Electorate, Community Gardens



Hon. JA TRAD (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships) (7.09 pm): Tonight I rise in the adjournment debate to talk about community gardens. My electorate is blessed to have a number of community gardens, and they reflect the passion, the hard work and the volunteerism of so many people in my local community. Last term I was pleased to be able to gift some land that was no longer required for public purposes back to the community of Gabba Hill so it could have a community garden, and it is a focal point for that community. They gather there frequently as a community to garden and provide a level of horticultural education to the kids in the neighbourhood.


Tonight I rise to talk about community gardens specifically because of some concerning developments regarding the Jane Street Community Garden. The Jane Street Community Garden has been going for almost 20 years now and its coordinator, Melissa, does a fantastic job and is supported by Micah Projects. This community garden is incredibly important to provide a service to the community or a focal point for the community so that those who are experiencing social exclusion can come together in a structured way to bond with other people, to feel included and to connect with other people.

The Jane Street Community Garden has more than 1,000 participants who have associated themselves with these gardens. They have donated literally millions of hours of voluntary time over almost two decades. It is a place where kids from the ever-increasing number of apartment blocks come down with their compost to make a contribution to the garden and to feel like they are making a contribution to a more sustainable community. When the Brisbane City Council advised the local community recently that it would be digging up the garden to put a seven-metre-wide trench right through the garden, there was a lot of concern expressed by the community and a number of meetings have been held. I was pleased to attend one of those meetings on Sunday. Before I went I was able to have an exchange with the Lord Mayor to advise him that this would be a terrible outcome for that community garden.

The people of West End, where the Jane Street Community Garden is located, have experienced more than 50 per cent population growth in the past 10 years. That population growth has come about mostly by apartment buildings—apartment buildings where the Brisbane City Council collects infrastructure charges, something that the state development minister talked about in this House this morning. Those people deserve to know that some of that money is going back into their community to preserve things like the Jane Street Community Garden, and I will be fighting on behalf of the community to make sure that happens.

Mr DEPUTY SPEAKER (Mr Stewart): Before I call the member for Lockyer, joining us in the gallery tonight are Scouts and their leaders from various locations across Brisbane. We welcome them all to the people's house. Dyb dyb dyb.


Lockyer Electorate, Bushfires

 **Mr McDONALD** (Lockyer—LNP) (7.12 pm): Tonight I want to take the time to offer my sincere thanks to the rural and urban firefighters who did a wonderful job in responding to the multiple fires that burned across Lockyer just a few weeks ago. These fires were fuelled by warmer than average temperatures and gale-force winds, and at one stage the fire danger level reached catastrophic for the first time ever. The most notable fires were at Glen Rock, Thornton and Laidley. The Glen Rock fire burned through more than 5,700 hectares of bushland and at one stage forced the evacuation of Mulgowie, Thornton, Townson and Lefthand Branch. Started by a lightning strike on 19 September, the fire threatened people's homes and the firefighters had to work on that fire for 20 days. The fire in Laidley burned through 70 hectares of grassland and forced the evacuation of many streets. Sadly, a house was destroyed. Ben Schloss and Sarah Granzien and their four children lost their home. The only thing that survived was a brooch that Sarah received for her 18th birthday.

Crews who attended that fire came from right across Lockyer. At its peak, there were 35 firefighting appliances and 11 aerial support units tasked to fight it. In an amazing effort, crews that afternoon, together with the aerial support, cut off the fire before it could jump the train line and take hold in the Little Liverpool Range, where more than 100 homes would have been under threat. I was there that afternoon and I can say that the wind that was blowing just did not let up. The crews deserve every bit of praise that they have received for their efforts. The Lockyer electorate is protected by around 60 auxiliary firefighters from six stations as well as 658 volunteers and rural firefighters from 17 brigades. While some of Lockyer's firefighters are paid, none of them are full-time professional firefighters. They instead give up that time at work or with their families to be on call 24/7.

In closing, I want to say thank you again to our hardworking rural and urban fire brigades. They do a wonderful job. I also call on the Minister for Emergency Services for two things: firstly, to seek more staff and resources for our Rural Fire Service in our south-east region and, secondly, to review and fix the mismanagement of the implementation of the blue card accreditation which currently threatens 18,000 hardworking volunteers across the state. Labor needs to acknowledge that its introduction has been bungled and put in place a better process to ensure the blue card requirements are rolled out effectively.

Townsville, Community Safety

 **Mr HARPER** (Thuringowa—ALP) (7.15 pm): I want to acknowledge the Scouts in the public gallery. I am a big supporter of Scouts in Thuringowa. Also, it would be completely remiss of me not to acknowledge my wife, Amanda, who is down from Townsville and in the public gallery today.

Speaking of Townsville, the good people of Townsville have endured terrible events over recent days regarding criminals involved in stolen cars and driving with no regard for the public, placing our community at risk of injury. Due to the requirement to use the Queensland Government Air helicopter in providing overhead assistance in tracking these disgraceful individuals, commercial aircraft were either delayed or diverted coming into our city. It brought a day of shame to our normally proud city that received national attention for all the wrong reasons.

Rightfully, the people of Townsville have called for this to stop and I echo their calls for immediate assistance to apprehend these offenders and place them before the courts, and we can only hope that they are sentenced appropriately. I agree with the Townsville public: they want sentences to meet community expectations. I thank both the Premier and the Minister for Police for meeting with me yesterday and for their swift response in today announcing a targeted police operation, Romeo Seville, in the Townsville community targeting in particular recidivist offenders. They have apprehended those offenders, and we thank the police for the work that they have done. Sadly, the ages of those offenders are 11, 12 and 13. It is disgraceful that their parents do not care. They have failed those children.

As the local member I will stand up and do everything in my power to help make our communities safer. We have already delivered over our election commitment of 53 additional police, taking the number to 103 since 2017; boosted the Thuringowa QPS RAP hub from 20 to 40 officers; and we are about to open the Upper Ross police facility, expanding it from two officers to 10. That is in stark contrast to the LNP, which had exactly zero police for Townsville in its 2017 election commitments, had plans to sell off the North Queensland police academy and sacked 300 police staff. It had failed boot camps

with 70 per cent recidivism rates. Recently we passed the youth justice amendment bill, which is explicit in that clause 48 states that it will provide the courts and police more powers to keep youth offenders in custody should they pose a serious risk to the community or commit an offence.


It is interesting to note that the shadow minister for police and member for Toowoomba North has recently been quoted in the *Toowoomba Chronicle* saying that those opposite do not want people incarcerated. We do. We want to hold people to account and get these criminals off the streets. The member should hang his head in shame after his comments at a meeting in Townsville in response to the positive news of law and order, saying—

I don't want to hear that, that won't help the LNP.

After hearing that in the House this morning, all I can say is that nothing will help the LNP. It is completely hopeless.

Mr DEPUTY SPEAKER (Mr Stewart): I would like to acknowledge all our visitors in the gallery tonight. Welcome, kids, and welcome to the people's house.

Advance Queensland Fund

 **Mr ANDREW** (Mirani—PHON) (7.19 pm): I rise to register my concern about matters relating to the operation and conduct of the Advance Queensland fund and the Office of the Queensland Chief Entrepreneur. Having examined information contained within the department of innovation's annual report, I must question the value for money that the average Queensland taxpayer is receiving from their contribution.

As at 30 June 2019, the Advance Queensland fund has received \$755 million, which is a considerable outlay of taxpayers' funds since 2015. What immediately rings alarm bells is buried in the rear section of the report, where the membership of the now former expert panel is listed. In effect, this board of government appointees was put in charge of a big chunk of taxpayers' money. Although the positions of the expert panel are listed as not remunerated, in this day it is not at all high-tech to do a simple Google search to reveal the credentials of these people and flag a range of potential conflicts of interest. A number of the appointees are representatives of major universities or are individuals or companies that are current or past recipients of funds granted by Advance Queensland.

To further support my concerns, the list of beneficiaries during 2018-19, where an additional \$79 million was granted in the state budget, was interesting. The Advance Queensland fund is sold as an innovation fund to provide seed money to incubate new ventures. In theory, if the venture is successful, it will return the outlay gifted by the taxpayer. The Advance Queensland expert panel authorised a grant of \$100,000 to a consortium to develop a smart cricket ball. Another group received a similar amount to develop an online platform to enable bitcoin to pay for stays at Queensland tourism venues. I have heard information that suggests that cryptocurrency has been identified as a potential tax-avoidance measure. I will investigate further that issue in an attempt to prevent Queensland taxpayers funding such a rip-off scheme.


These outlays from Advance Queensland are dwarfed by those handed out for university research projects and semi-commercial ventures. That is positively demoralising for students when, at the same time, the government is closing their agricultural colleges and they are facing a dire lack of opportunity. Queensland is now producing fewer trade qualified, agricultural, engineering, certificate II, certificate III workers, which in turn will only serve to negatively affect Queensland's economic development.

Queensland is very much reliant on old-school economic powerhouses of mining, agriculture and retail. Although the tagline for innovation attracts media and provides photo opportunities for various ministers, the facts are that Queensland taxpayers are being taken for a ride with all of this money being thrown at white-collar silos. Funding for drones and automation systems should surely raise a flag with a Labor government, when its traditional support base is decidedly working class.

After today's opposition motion, it is clear that the hospitals and their patients are in peril and that we should act to redirect funding to primary and secondary education and any manner of other state responsibilities. I say again: funding for hospitals, schools, veterans, drought-stricken farmers, and dams to facilitate our economic growth is seriously lacking in this state.

Mr DEPUTY SPEAKER: Members, I have been informed that the Guides are joining us this evening.

Linkfield Road

 **Mr MELLISH** (Aspley—ALP) (7.23 pm): It was only in December 2018—less than a year ago—when there were banners, signage and a full press conference. In attendance were the Prime Minister and Deputy Prime Minister. The two federal LNP local members were also there. Of course, the location was the Linkfield Road and Gympie Arterial Road overpass at Bald Hills. The announcement was for \$100 million from the Morrison government to duplicate Linkfield Road. Absent from responses to questions on the day, or from a 589-word media release from the Prime Minister, or from any other comments from the government was the crucial detail, which was revealed only after the federal election—that the funding would not be provided until 2026 at the earliest.

The federal government has tried to hide this fact and has even refused to allow documents which proved the delay to 2026 to be tabled in federal parliament. I am very happy to table in state parliament a document from the Rural and Regional Affairs and Transport Legislation Committee that shows very clearly that the funding does not commence until 2026-27 at the earliest.

Tabled paper: Question on notice No. 51 for 2018-19 Additional estimates, Rural and Regional Affairs and Transport Committee, Infrastructure, Regional Development and Cities Portfolio, and answer [\[1930\]](#).

We have a \$120 million—\$100 million from the government—

Mr Powell interjected.

Mr DEPUTY SPEAKER: Order! Member for Glass House, you have been warned under the standing orders. Under standing order 253A, you will now remove yourself from the chamber for the rest of this evening.

Whereupon the honourable member for Glass House withdrew from the chamber at 7.24 pm.

Mr MELLISH: They do not like the fact that it is a \$120 million project, which has funding of \$100 million from the federal government and \$20 million from the state government. We have brought forward planning works but, obviously, the project cannot commence until the \$100 million, already promised by the federal government, is brought forward. The federal government is spinning hard. It is a worrying pattern of behaviour when it comes to infrastructure investment in Queensland. Just this Monday gone the *Guardian* revealed—

The Morrison government has spent just \$2.2m of a \$3.5bn fund designed to tackle 'immediate priorities' in regional infrastructure, with construction yet to begin on 98% of projects identified under the 'roads of strategic importance' initiative.

This week, it has also been revealed that, of the amount the Morrison government spent on Roads of Strategic Importance last financial year, it spent eight times that amount on advertising its roads program. When it comes to investment in Queensland, all we are getting from the federal government is smoke and mirrors. The federal government is spending lots of money talking about roads but very little actually building roads.

What of Linkfield Road? An LNP campaign website remains. It is an exercise in building community support for a project that the federal government had no intention of funding for over seven years. While the federal government gets cute with its words, many people on the north side remain stuck in traffic. It is not just me calling for this investment. The International Monetary Fund and the Reserve Bank are calling for it. I refer to an article from February this year titled 'Use extra funds for infrastructure: IMF', which states—

The International Monetary Fund believes Australia would be wise to spend its extra money on infrastructure.


I refer to an article from July this year titled 'Reserve Bank governor calls for more federal government spending to boost economy' and an article from September this year titled 'RBA's Philip Lowe calls for increase in infrastructure spending'. It is very clear that this federal government is falling well behind on infrastructure investment. Motorists in Aspley on the north side are being failed.

Mrs Wilson interjected.

Mr MELLISH: The LNP does not like this, but it will not hear the end of it until it brings forward its funding for these projects that we need.

Mr DEPUTY SPEAKER: Before I call the member for Theodore, joining us in the gallery tonight are even more Scouts and their leaders. We welcome them.

Theodore Electorate, Youth Crime

 **Mr BOOTHMAN** (Theodore—LNP) (7.26 pm): I welcome the Guides and Scouts. It is great to have them at Parliament House.

The northern Gold Coast is a wonderful place to live and raise a family but, like many other places throughout Queensland, residents are fed up with the scourge of youth crime that is plaguing our state. This is a regular topic at my community roadsides that I hold daily throughout my electorate. Many residents approach me about it. They are at their wit's end and certainly do not hold back their frustration with the system.

The residents of my area work hard to buy a house, buy items for that house and buy a car. A resident in my area, Jann, felt that she had no choice but to sell her home and move to a gated estate because she was so fearful for her own safety. Her house had been broken into on multiple occasions. She had lived in that house for many years. Jann was terrified that one day she would wake up and have an intruder at her bed. Jann is not alone. Residents have shared their frustration on social media. One states—

On Thursday night Friday morning, we had a brick and rocks smash the back of our car which was parked in our driveway in the cul de sac in Upper Coomera near the school. We have had a few instances of kids being nuisance around the area including a pram being stolen 12 months ago. This one really hurt the back pocket again.

Another post states—

To the teenagers hanging out outside Pimpama City last night, have you any idea how much you scared my daughter last night when she was driving home from her first shift at work when you hurled a large rock through her windscreen causing it to smash.


The list of social media posts on this issue goes on. No matter where people live—Pacific Pines, Oxenford, Nerang, Upper Coomera, Pimpama, Arundel—the scourge does not discriminate. It does not matter if it is car theft, a break-in, wilful damage or assault; it is a scourge on our city and our state.

A recent *Gold Coast Bulletin* article titled 'Police fed up with underage offenders terrorising Gold Coast's North' states—

Police on the ground say they are fed up with the constant 'catch and release' of underage thugs who are terrorising shopping centres and train stations in the city's north. Several sources said police were arresting teenage criminals only for them to walk in and out of court and reoffend.

Families in my area work hard for everything they have. It is heartbreaking to see these individuals continuing to do this.

Redcliffe Electorate

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice) (7.30 pm): Tonight I rise to talk about my wonderful electorate of Redcliffe. I firstly start by congratulating Troy Fernandez, who has put himself forward to run for division 5 in the Moreton Bay Regional Council election next year. The member for Bancroft and I were fortunate enough to attend and be a part of his launch. Troy is someone who was born locally, has grown up locally, has attended school locally and is now raising his own family locally. He lives in and loves the local community. Even as a teenager he was recognised for his commitment to the community through the Petrie Citizenship Award for Community Service and also the Redcliffe City Young Citizen of the Year Award. I know that if elected he would be a fantastic representative of the people of the Redcliffe peninsula and Deception Bay. I wish him all the best in his campaign going forward, because we need someone locally who will put the people before the politics, and I know Troy will.

I also congratulate the Zonta Club of Redcliffe which put on their annual fundraiser Night of Hope last Saturday night. I had the great pleasure of going. It was a fundraiser for endometriosis research through QIMR Berghofer. I thank them for their incredible work to empower women and the important fundraising event that they held for this research.

I also want to say how excited I am that the Redcliffe Hospital car park is now under construction. The fencing is up, the bulldozers are there and work is underway. We are so excited. I acknowledge metro north health and Redcliffe Hospital who the whole way along have brought the community with them. They have had continual information sessions to inform the community of what is going on and have alternative parking arrangements in place. I thank them for how cooperative they have been and how much they have listened to the community.

I also acknowledge everyone who attended my community grants information evening a couple of weeks ago. Over 65 representatives from different organisations came along. They heard about the Gambling Community Benefit Fund, they heard about sports and recreation grants and they also heard about grants from the Moreton Bay Regional Council. It was terrific to have that event. I was pleased

to remind people that there are five rounds a year for the Gambling Community Benefit Fund. The guidelines are changing and the new guidelines take effect for the next round in January next year. I ask all members to bring that to the attention of their communities. Once again I am so proud to be the member for Redcliffe and proud of the great work that is happening locally.

The House adjourned at 7.33 pm.

ATTENDANCE

Andrew, Bailey, Bates, Batt, Bennett, Berkman, Bleijie, Bolton, Boothman, Boyce, Boyd, Brown, 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, Perrett, Pitt, Powell, Power, Pugh, Purdie, Richards, Robinson, Rowan, Russo, Ryan, Saunders, Scanlon, Simpson, Stevens, Stewart, Trad, Watts, Weir, Whiting, Wilson