



# RECORD OF PROCEEDINGS

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## FIRST SESSION OF THE FIFTY-SEVENTH PARLIAMENT

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## THURSDAY, 25 MARCH 2021

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 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.

### REPORT

#### Auditor-General

 **Mr SPEAKER:** Honourable members, I have to report that I have received from the Auditor-General report No. 16 of 2020-21 titled *Planning for sustainable health services*. I table the report for the information of members.

*Tabled paper:* Auditor-General Report 16: 2020-21—Planning for sustainable health services [\[380\]](#).

### SPEAKER'S STATEMENT

#### Parliamentary Precinct, Conduct

 **Mr SPEAKER:** Honourable members, one of my roles as Speaker is ensuring behaviour on the parliamentary precinct is appropriate at all times. I would like to emphasise to all members, ministerial staff, opposition staff, parliamentary staff, members of the media gallery and other visitors that I expect common courtesy from all occupants towards each other.

In this chamber we can debate about policy, accountability and raise issues of public importance. The chamber should be a vigorous debating chamber, a contest of ideas within standing orders and within practice. Outside this chamber, in the corridors, in the meeting rooms, refreshment rooms and other common spaces I expect common courtesy is given to each other. Members should not be heckled, challenged or subjected to ridicule by staff, by the media or visitors as they move about the precinct. Conversely, members are expected to treat all staff of the precinct appropriately. Media are to act within the guidelines for media that have been tabled in this House. I trust my expectations to all occupants are very clear and will be adhered to.

### PRIVILEGE

#### Speaker's Ruling, Alleged Deliberate Misleading of the House

 **Mr SPEAKER:** Honourable members, on 2 March 2021 the Minister for Transport and Main Roads wrote to me alleging that the member for South Brisbane deliberately misled the House on 24 February 2021 during an adjournment speech. The matter relates to statements made by the member for South Brisbane concerning the Bruce Highway Gympie bypass project, in particular claims that the project is threatening to destroy a site of cultural significance to the Kabi Kabi people called Djaki Kundu.

Standing order 269(4) requires that in considering whether such a matter should be referred to the Ethics Committee I should take account of the degree of importance of the matter which has been raised and whether an adequate apology or explanation has been made in respect of the matter.

I have considered the matter before me and the information provided and I accept the member for South Brisbane's argument that her statement expresses a competing view to that of the minister. Accordingly, I find that the member for South Brisbane has made an adequate explanation for her statements and there is not sufficient evidence to warrant the further attention of the House via the

Ethics Committee. Therefore, I will not be referring the matter for the further consideration of the House via the Ethics Committee. I table the correspondence in relation to this matter. I seek leave to incorporate the ruling circulated in my name.

Leave granted.

#### SPEAKER'S RULING—ALLEGED DELIBERATELY MISLEADING THE HOUSE

On 2 March 2021, the Minister for Transport and Main Roads wrote to me alleging that the Member for South Brisbane deliberately misled the House on 24 February 2021 during an adjournment speech.

The matter relates to statements made by the Member for South Brisbane concerning the Bruce Highway Gympie Bypass Project, in particular claims that the project is threatening to destroy a site of cultural significance to the Kabi Kabi people called Djaki Kundu.

The Minister claims that the members statements are false and that the member must have known at the time of her speech in the House that they were false as she had been briefed by the Department of Transport and Main Roads on the history of the site, including the department's ongoing consultation with the Kabi Kabi Traditional Owner Group.

I sought further information from the Member for South Brisbane about the allegation made against her, in accordance with Standing Order 269(5).

The Member for South Brisbane argues that her statement is not misleading because it refers to contested facts and competing views held by her and the Minister concerning the cultural heritage and use of Aboriginal land affected by the project.

The member contends these contestations have not been created by her, but reflect the views of Kabi Kabi representatives who have approached her office and voiced deep concerns regarding the competing priorities for the use of the land.

The Member for South Brisbane also argues that the Minister is incorrect in suggesting that claims to cultural heritage are not contested and that only the views of registered native title holders or registered claim groups can be considered true.

I have considered the information before me, and I accept the Member for South Brisbane's argument that her statement expresses a competing view to that of the Minister.

It is not uncommon that parties involved in matters of cultural heritage hold competing views.

Having considered the information before me, I find there is not sufficient evidence presented to ground an arguable case to make out element one of the alleged contempt (i.e. that the Member for South Brisbane's statements are factually incorrect and misleading).

In relation to element two of the alleged contempt, the Minister argues that the Member for South Brisbane knew her statements to be false at the time she made her statement because she had been briefed by a cultural heritage officer of the department on 17 February 2021 about research conducted by the department and others into the cultural significance of the Rocky Ridge area, which concluded that the site held no tangible evidence of cultural significance.

In her response, the Member for South Brisbane did not dispute that she attended the briefing, however, she argued that her speech outlined her reasonably held views, and those of other members of the community that were contrary to the views expressed by the department at the briefing.

In my view, having attended a departmental briefing where views were presented concerning the department's dealings in the matter and its consultation with particular groups such as the native title holding traditional owners, does not necessarily prove that the content of the briefing is the single point of truth in relation to the matter. Nor does it provide sufficient evidence that the Member for South Brisbane must have known that the alternative views expressed to her were incorrect at the time she made the statements in the House.

Accordingly, having considered all the material before me, I find that there is not sufficient evidence of an arguable case to make out element 2 to the alleged contempt.

In relation to element 3 of the alleged contempt, the Minister argues that the Member for South Brisbane intended to make false claims, again on the basis that she had attended a departmental briefing which provided her information to the contrary. He argues that, logically, it must have been her intention to mislead the House.

The Member for South Brisbane submitted that her speech has voiced a competing view to that of the Minister and that her statement was not intended to mislead, but rather to advocate for the Kabi Kabi representatives who have been in contact with her and her office.

As with element 2, having attended a departmental briefing where certain views were presented is not necessarily evidence of an intention to mislead by expressing contrary views.

Accordingly, I find that there is not sufficient evidence of an arguable case to make out element 3, to the alleged contempt.

Standing Order 269(4) requires that in considering whether such a matter should be referred to the Ethics Committee, that I should take account of the degree of importance of the matter which has been raised and whether an adequate apology or explanation has been made in respect of the matter.

Having considered all the material before me, I find that the Member for South Brisbane has made an adequate explanation for her statement and, that there is not sufficient evidence to warrant the further attention of the House via the Ethics Committee.

Therefore, I will not be referring the matter for the further consideration of the House via the Ethics Committee.

I table the correspondence in relation to this matter.

*Tabled paper:* Bundle of correspondence regarding an alleged misleading of the House by the member for South Brisbane, Dr Amy MacMahon MP [\[381\]](#).

## SPEAKER'S STATEMENTS

### Wardill, Mr S

 **Mr SPEAKER:** Honourable members, some of you may be aware that this is the final day for Steven Wardill in the Parliament House media gallery. Steven has been employed by the *Courier-Mail* for over a decade and has become one of the leading commentators in Queensland politics. Steven has also served as president of the Queensland parliament media gallery in recent years and has moderated more than his fair share of political debates and has broken some significant stories.

I take the opportunity to wish Steven well in the future for himself and his family. Steven is here today in the media gallery and in the offices he has haunted for so long. If members wish to pop in and pass on their well wishes I am sure it will be greatly appreciated.

**Mr Stevens:** His shout!

**Mr SPEAKER:** I will take that interjection.

### 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 St Thomas More Catholic Primary School in the electorate of Noosa and Coolum Beach Christian College in the electorate of Ninderry.

## TABLED PAPERS

### TABLING OF DOCUMENTS (SO 32)

#### MINISTERIAL PAPERS

The following ministerial papers were tabled by the Clerk—

Premier and Minister for Trade (Hon. Palaszczuk)—

[382](#) Response from the Premier and Minister for Trade (Hon. Palaszczuk), to an (3442-20) sponsored by the Clerk under provisions of Standing Order 119(4), from 466 petitioners, requesting the House to order the cessation of religious observances in parliament and city and regional council meetings

[383](#) Response from the Premier and Minister for Trade (Hon. Palaszczuk), to an ePetition (3446-20) sponsored by the Clerk under provisions of Standing Order 119(4), from 6,164 petitioners, requesting the House to allow the tradition of including religious observances in parliament and city and regional council meetings, such as the saying of a Christian prayer to continue and not order this to cease

Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning (Hon. Dr Miles)—

[384](#) Response from the Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning (Hon. Dr Miles), to a paper petition (3477-21) sponsored by the Clerk under provisions of Standing Order 119(3) from 231 petitioners, requesting the House to tighten controls on land clearing for urban expansion to protect endangered species and implement planning regulations putting the environment first

Minister for Transport and Main Roads (Hon. Bailey)—

[385](#) Response from the Minister for Transport and Main Roads (Hon. Bailey), to a paper petition (3479-21) presented by the member for Oodgeroo, Dr Robinson and an ePetition (3462-21) sponsored by the member for Oodgeroo, Dr Robinson, from 154 and 1,132 petitioners respectively, requesting the House to not proceed with the demolition of the Harold Walker Jetty at Dunwich and to make the facility safe for continued use

[386](#) Response from the Minister for Transport and Main Roads (Hon. Bailey), to a paper petition (3480-21) sponsored by the Clerk under provisions of Standing Order 119(3) and an ePetition (3403-20) sponsored by the Clerk under provisions of Standing Order 119(4) from 37 and 186 petitioners respectively, requesting the House to significantly improve the 55 year old noise abatement barriers on the western side of the Gympie Arterial Road during the Gympie Road and Gateway Arterial Road upgrade

[387](#) Response from the Minister for Transport and Main Roads (Hon. Bailey), to an ePetition (3381-20) sponsored by the member for Glass House, Mr Powell, from 280 petitioners, requesting the House to ensure that Transport and Main Roads section 20 of the Drivers Licensing Regulation 2010 in a fair and reasonable manner

[388](#) Response from the Minister for Transport and Main Roads (Hon. Bailey), to an ePetition (3402-20) sponsored by the Clerk under provisions of Standing Order 119(4), from 203 petitioners, requesting the House to ease traffic congestion on Morayfield Road by upgrading the main access road to two lanes from Graham Road to the M1 entry ramp

[389](#) Response from the Minister for Transport and Main Roads (Hon. Bailey), to an ePetition (3440-20) sponsored by the Clerk under provisions of Standing Order 119(4), from 618 petitioners, requesting the House to pause construction on the Northern Access Intersections Upgrade project near Black River, Townsville and to conduct consultation to find an alternate design fit for purpose

[390](#) Response from the Minister for Transport and Main Roads (Hon. Bailey), to an ePetition (3453-21) sponsored by the Clerk under provisions of Standing Order 119(4), from 90 petitioners, requesting the House to address traffic congestion on Nicklin Way during peak hours

Minister for Police and Minister for Corrective Services and Minister for Fire and Emergency Services (Hon. Ryan)—

[391](#) Response from the Minister for Police and Minister for Corrective Services and Minister for Fire and Emergency Services (Hon. Ryan), to an ePetition (3429-20) sponsored by the member for Mirani, Mr Andrew, from 473 petitioners, requesting the House to develop a safer and more sociable alternative at the Palmyra Dragway for car and motorcycle enthusiasts

[392](#) Response from the Minister for Police and Minister for Corrective Services and Minister for Fire and Emergency Services (Hon. Ryan), to an ePetition (3386-20) sponsored by the Clerk under provisions of Standing Order 119(4) from 1,437 petitioners, requesting the House to change the Queensland Weapons Act and Regulations to allow lawful and licenced firearm owners to acquire and use the same weapons already available to primary producers for the purposes of pest management

Minister for Communities and Housing, Minister for Digital Economy and Minister for the Arts (Hon. Enoch)—

[393](#) Response from the Minister for Communities and Housing, Minister for Digital Economy and Minister for the Arts (Hon. Enoch), to an ePetition (3447-20) sponsored by the member for Ninderry, Mr Purdie, from 572 petitioners, requesting the House to amend the Manufactured Homes (Residential Parks) Act 2003 to require disclosure of planning and development information and intent at the initial point of sale

Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs (Hon. Scanlon)—

[394](#) Response from the Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs (Hon. Scanlon), to an ePetition (3408-20) sponsored by the Clerk under provisions of Standing Order 119(4), from 3,920 petitioners, requesting the House to upgrade the status of the koala to critically endangered in the South East Queensland Bioregion and to implement a range of measures to permanently protect priority koala habitats

Minister for Children and Youth Justice and Minister for Multicultural Affairs (Hon. Linard)—

[395](#) Response from the Minister for Children and Youth Justice and Minister for Multicultural Affairs (Hon. Linard), to a paper petition (3478-21) sponsored by the Clerk under provisions of Standing Order 119(3) from 427 petitioners, requesting the House to review and toughen state laws in relation to juvenile offenders

## MINISTERIAL STATEMENTS

### Coronavirus, Update

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.36 am): We have three new cases of COVID-19; all are overseas acquired, detected in hotel quarantine. One is from India travelling via Dubai, one from Pakistan via Doha and the third from Papua New Guinea. That brings to 65 the number of COVID patients in our hospitals. There were 6,512 tests done in the past 24 hours, which is very good news. There have been 49,462 vaccines administered, including 4,382 administered yesterday.

Staff at the Gold Coast University Hospital have administered their 10,000th vaccine and I think we can safely assume that today we will reach 50,000 vaccines. At the peak of the pandemic we had 78 COVID patients in our hospitals. That was recorded on 24 March 2020, almost a year ago. Today we are caring for 65 patients, with one in intensive care. This is yet another reminder of this wicked virus and the ongoing threat it poses.

Our health workers, contact tracers, police and paramedics have been battling this pandemic in Queensland now for 422 days. Indeed, the people of Queensland have fought this every single minute of those 422 days. I thank everyone for the extraordinary work they have done.

### South-East and Western Queensland, Weather Event

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.37 am): Late yesterday afternoon we learned that this week's extreme rain event had claimed a life. The body of a 38-year-old man was tragically found in his submerged ute in Canungra Creek. David's family reportedly last saw him early on Monday morning when he left for work.

Our weather can be cruel and conditions can change in an instant. Flood warnings are current for a number of Queensland creeks and rivers. Storms are forecast between Townsville and Cairns. All anyone wants is for everyone to stay safe. On behalf of this parliament we extend our condolences to David's family.

### Electricity Prices

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.38 am): My government has continually delivered lower power prices by keeping public assets in public hands and supporting more renewables. In addition to power prices coming down last year, we delivered \$250 in rebates on household power bills, with another \$50 asset ownership dividend this year as part of our COVID economic recovery plan.

We promised to reinvest the returns from our power assets into lower prices and that is exactly what we have done. Yesterday we received further good news on power prices for regional Queensland. The Queensland Competition Authority's draft determination on 2021-22 regional

electricity prices has found that regional households are set to see the largest drop in power prices in over a decade. Next financial year the average regional household bill is expected to drop around \$119, or 8.6 per cent; \$109, or a five per cent cut, for small businesses; and \$3,135, or a 6.5 per cent drop, for large businesses. This follows an \$84 reduction in the average household bill in regional Queensland this year and a fall of \$75 on average for small businesses.

The QCA found that lower wholesale energy costs in Queensland are largely the result of 'the expected continued entry of a large amount of renewable generation into Queensland' as well as 'the continuation of lower domestic gas prices'. Our 50 per cent renewable energy target by 2030 and policy to set aside land for domestic gas supply are working to support lower electricity prices for Queenslanders. Lowering power prices not only eases the cost of living on households; it also makes our manufacturers and businesses more competitive, supporting more jobs in more industries across regions in Queensland.

### Renewable Energy

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.39 am): As I mentioned, the transition to a renewable energy future in Queensland is in full swing. We have grown our renewables generation from seven per cent to more than 20 per cent. That has involved more than 40 new large-scale wind and solar farms in Queensland, \$8.5 billion worth of investment and 7,000 construction jobs with many of those jobs supported across our regions. We are investing in renewable energy zone corridors in southern, central and northern Queensland to help new renewable projects flourish and our \$500 million Queensland Renewable Energy Fund will kickstart the next generation of renewable projects over the next four years. We are perfectly positioned to export renewable energy in the form of hydrogen and we are also rolling out solar panels across Queensland state schools.

All of that is on top of what Queenslanders themselves have been doing. They have been putting solar on their homes at world-record rates with nearly one in three customers in detached houses now having solar PV on their roofs. We want to make sure that we are using that energy in the right way and that our network is keeping up with demand.

Today I can announce that Energy Queensland will commence a battery storage trial across five locations in Queensland to support the continued uptake of renewables across the state. The locations include Hervey Bay, Bundaberg, Townsville, Yeppoon and Toowoomba. That will mean that the excess renewable energy generated by Queenslanders will be stored for sustainable use, which includes capturing low-cost renewable energy during the day to distribute into the market in the high-use peak periods. If successful, the trial could be rolled out with batteries distributed in locations right across the state. We are committed to transitioning to a renewable energy future and this is just one way we are supporting our network to do that.

### Training and Skills

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.41 am): My government is continuing to deliver free training for young Queenslanders aged under 25. Supporting young people, their families and small businesses to access skills and training is a key part of Queensland's plan for economic recovery and it is working. We have seen an extra 23,900 Queenslanders find work in our state just last month. Full-time employment increased by 53,800 in February 2021 and since May 2020, which was the peak of national lockdowns, an additional 244,700 Queenslanders have gained employment. Employment has grown more than 10 per cent—faster than any other state or territory.

If we are to take advantage of this strong jobs growth, we need to ensure young people can get opportunities. Giving young people the chance to train for free in 165 priority qualifications, wherever they live, is crucial to helping them get the jobs that we know are in demand. Expanding free training to all Queenslanders aged under 25 has meant that 37,000 more young people have become eligible to enrol in those qualifications through free TAFE or free apprenticeships since January this year.

Today I can reveal that our investment has boosted demand with more than 30,000 young Queenslanders now having accessed free training, including over 26,000 apprentices and trainees. I wish all our trainees and apprentices well as they start building what I hope will be long and successful careers.

### Regional Community Forums

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.43 am): One of my government's strategic priorities is a specific commitment to growing our regions, which is even more important for our regions now as our economy continues to recover and grow from COVID. That is what makes our regional community forums so important.

Today I am pleased to announce that the next round of forums, chaired by regional members of my government and with ministers in attendance, will be held on Monday next week, which is the fifth time since the program started in late 2019. The forums will be held in seven locations: in the Far North at Port Douglas and Mossman; in the north and north-west at Charters Towers; in the Mackay-Whitsundays region at Sarina; in the west at Blackall; in Central Queensland at Yeppoon, where the agenda includes major infrastructure; in the Wide Bay region at Hervey Bay; and in the Darling Downs and south-west region at Stanthorpe. How apt it is that a forum is being held in Stanthorpe, given all the good news about water. It was wonderful to see in the news last night pictures of families enjoying the rain that is filling their dam.

### Wardill, Mr S

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for Trade) (9.44 am): On behalf of the government I wish Steve Wardill all the very best in his future endeavours. He will not be too far from George Street, down at City Hall. I hope that he makes his focus the Olympics, which is something that we can work on very collaboratively until 2032.

Steve has been the senior state political reporter over a number of years. I know many people on my team respect Steven Wardill, as do members on the other side. At times we may not like the reporting, but the fact that he has earned the respect of many people in this House is the sign of a good reporter. On behalf of the government I wish Steve and his family all the very best. I think it will be a sad day for him when he leaves this place. I pass on our very best wishes to him. I did renewable energy for you today too, Steve.

### Caboolture West, Development

 **Hon. SJ MILES** (Murrumba—ALP) (Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning) (9.45 am): I am pleased to advise the House that a new neighbourhood at Caboolture West has been selected as the first new growth area to accelerate land supply in the south-east. It follows my recent announcement of a new Growth Areas Delivery Team taking on short-term land supply challenges facing the south-east. I asked that the team's first priority be to identify a pilot site where the state and council can work together with the private sector and utility providers to support future housing needs.

Within Caboolture West, the Neighbourhood Development Plan 1 will be the first pilot site in a future growth program that will unlock growth, housing choice and affordability. Work will also identify the infrastructure necessary to support more affordable and livable communities. That is all part of the government's economic recovery plan to create more jobs and development in our state.

The specialist team has moved quickly to identify the Caboolture West area in Moreton Bay as the pilot site. The department is already working with the Moreton Bay Regional Council, Unitywater, the Department of Transport and Main Roads and landowners on the initial stage and ongoing development in that area. Working together on the pilot, we can test, evaluate and learn from a coordinated effort to plan for future housing needs.

In addition, to support this pilot the Palaszczuk government has awarded \$10.5 million in funding from the Building Acceleration Fund to deliver water supply and sewerage networks and a sewerage pumping station. It is expected that 100 new jobs will be generated as part of that infrastructure work alone. The provision of water and sewerage will be instrumental in kickstarting the delivery of approximately 3,000 new homes in the Caboolture West Neighbourhood Development Plan 1 area. The site is expected to eventually provide approximately 30,000 homes for around 70,000 people. Ultimately Caboolture West will be a major regional urban centre that will support 17,000 jobs and have many social benefits, including new health and education centres as well as sport and recreation facilities and plenty of new homes for Queenslanders.

### Oreco

 **Hon. CR DICK** (Woodridge—ALP) (Treasurer and Minister for Investment) (9.47 am): Over the past weeks we have seen how the federal LNP government has no interest in helping Queensland. By contrast, the Palaszczuk Labor government is committed to partnering with the private sector to grow new industries and jobs, especially in regional Queensland.

When it comes to growth partnerships, there are few better examples than Wide Bay agricultural manufacturer Oreco. Through our government's Jobs and Regional Growth Fund, we facilitated an expansion of Oreco's manufacturing plant. I had the opportunity to visit that plant recently with the

member for Bundaberg, Tom Smith. Any Queenslanders who has spent time on a Saturday at Bunnings will be familiar with what Oreco makes. On average, a bag of potting mix or other household garden product produced by Oreco is purchased somewhere in Australia every 14 seconds. That is 15 million bags produced each year.

Thanks to our government's partnership with Oreco, the company was ideally placed to take advantage of an opportunity produced by the pandemic and the numbers are astounding. With lockdowns seeing more Australians staying home, sales of some Oreco products rose 500 per cent and the company has grown fivefold in the past 12 months. Oreco is now building a new distribution hub that will make transport more efficient and assist the Wide Bay's many horticultural and agricultural producers.

The company is also looking to target global markets as it diversifies the ways it uses sugarcane trash to produce animal feed and bedding. This is great news for our canefarmers, too, as it provides a viable stream of additional income from offcuts previously burnt as rubbish.

Off the back of this growth, Oreco predicts it will create an additional 140 direct jobs over the next five years, plus many more along the agricultural supply chain. That is secure work for Wide Bay machinery operators and drivers, technicians, trade workers, labourers, and clerical and administrative staff, and opportunities for apprentices.

I congratulate Paul Woosley and the entire Oreco team for their foresight and determination, and I thank them for helping drive regional Queensland's economic recovery.

### **Weather Event, School Closures; Renewing Our Schools Program**



**Hon. G GRACE** (McConnel—ALP) (Minister for Education, Minister for Industrial Relations and Minister for Racing) (9.50 am): I can confirm that one government and three non-government schools are closed today due to access.

I join the Premier in congratulating Steve Wardill. I wish him all the very best. I have a fundraising idea for the media gallery staff at Parliament House: we can auction his seat. We know that his seat is much coveted and that the gallery staff would love an opportunity to occupy the seat Steve leaves vacant. I think we will raise quite a bit of money for the parliamentary staff. Seriously, all the best, Steve Wardill. I am sure you will be missed amongst all of us—in more ways than one. Congratulations!

Today I am pleased to report on a significant milestone in our \$235 million Renewing Our Schools program, which was a 2017 election commitment. This program included the substantial refurbishment of 17 of our oldest and most established high schools, with around 35 projects like Bundaberg State High School, Maryborough State High School, Proserpine State High School in Whitsunday, and Sarina State High School in Mirani. I can report that all projects in these 17 schools are forecast to be completed by the end of term 2. These schools now proudly display new and upgraded facilities to improve teaching and learning spaces. This is the most significant infrastructure investment some of these schools have seen in decades. The works have supported more than 680 local jobs across the state, helping to maintain a consistent pipeline of work for tradies, apprentices and local businesses.

Our investment has delivered and continues to build a wide range of much needed school infrastructure projects, including new multipurpose sports centres at Cairns State High School, Indooroopilly State High School in Maiwar and Smithfield State High School in Barron River; performing arts centres at Everton Park State High School, Proserpine State High School and Toowoomba State High School in Toowoomba North; an information technology hub at Mitchelton State High School in Ferny Grove; a campus communications upgrade at Maryborough State High School; and general school upgrades to resource centres, admin blocks and science labs.

In addition, nine schools have benefited from our investment under the Renewing Our Schools program. They include Murgon State High School in Nanango which will receive a much needed and long-wished-for hall from this program, on track to be completed midyear. I join the member for Nanango in acknowledging what a difference this hall will make to that community. Other schools to benefit include Woodford State School in Glass House where there has been a \$1 million upgrade to the STEM facilities; Toowoomba East State School in Toowoomba North, with new amenity facilities; and Lawnton State School in Kurwongbah, which is getting their much treasured new hall.

The Palaszczuk government has a proud record of investing in educational infrastructure right throughout Queensland. I look forward to continuing to deliver our pipeline of work with our \$258 million school halls program, our \$433 million classroom building blitz, our \$110 million for refurbishment and renewal projects, our \$180 million for non-government school infrastructure, and \$50 million for shovel-ready projects—all delivering world-class educational facilities throughout this great state.

## Aboriginal and Torres Strait Islander People, Health System



**Hon. YM D'ATH** (Redcliffe—ALP) (Minister for Health and Ambulance Services) (9.53 am): Last week we recognised the national Closing the Gap Day while focusing on the challenges and opportunities that lay ahead. Last week, I also had the opportunity to hear the story of Arthur and Minnie Grogan. In 1956, Arthur and Minnie Grogan made an application to the government of the day to be considered exempt from the provisions of the Aboriginals Preservation and Protection Act 1939. The top of that form states 'Report on Application by Aboriginal or Half-Blood for Exemption from the Provisions of the Act'.

The application form asked what the names and breed of their parents were. It asked if they habitually associated with Aboriginals. It asked whether they drank, whether they were thrifty, whether they understood the value of money and whether they were intelligent enough to protect themselves in business dealings. It asked whether they lived in a civilised manner and whether they usually associated with Europeans.

Arthur and Minnie Grogan had been taken from country and placed in the Mona Mona mission. Denied contact with their parents and their culture, Arthur and Minnie had to disavow their association with other Aboriginal and Torres Strait Islander Australians to be released from the mission. I table their application for exemption.

*Tabled paper:* Form titled 'The Aboriginals Preservation and Protection Act of 1939' [\[397\]](#).

As Arthur's daughter and Minnie's niece, Haylene Grogan, said last week, 'The law was used to control Aboriginal and Torres Strait Islander Australians.' Haylene Grogan spoke those words as Queensland's first Chief Aboriginal and Torres Strait Islander Health Officer and as Deputy Director-General of Queensland Health, and she spoke those words at the launch of the First Nations health equity discussion paper, a document that has been co-designed by Queensland Health in partnership with the Queensland Aboriginal and Islander Health Council. This is an historic document, and I was proud to co-launch it last Wednesday with Matthew Cooke, the chairperson of QAIHC. It lays out powerful ideas to advance the Aboriginal and Torres Strait Islander health agenda and genuinely close the health gap. To my knowledge, it is the first time a discussion paper of this kind has been co-designed between a government agency and an Aboriginal and Torres Strait Islander community controlled health organisation.

The discussion paper is a prelude to the proclamation of the health equity regulation. The regulation will require hospital and health services to have at least one Aboriginal and Torres Strait Islander member on their respective boards and will require each of them to develop and implement a health equity strategy. I remember Matthew saying at the launch of this discussion paper that although the apology was important it was not a law. We are the first to legislate.

The regulation, once passed, will require the health equity strategy to be co-designed, co-owned and co-implemented in partnership with prescribed stakeholders to share decision-making and accountability to improve local health outcomes. This will be a truly landmark moment in Queensland and, indeed, Australian history. Historically, the law was used to control Aboriginal and Torres Strait Islander Australians. Under the Palaszczuk government, the law will codify the voice of our Aboriginal and Torres Strait Islander Australians in the health system.

## Training and Skills



**Hon. DE FARMER** (Bulimba—ALP) (Minister for Employment and Small Business and Minister for Training and Skills Development) (9.57 am): Queensland's economic recovery is underway, with Queensland leading the way when it comes to job creation. In fact, Queensland is the only mainland state to have more jobs now than before COVID—39,500 more, in fact. Our free TAFE and free apprenticeships initiative is a cornerstone of the Palaszczuk government's economic recovery plan. Since January this year, all young Queenslanders under 25 have been able to access free training in 165 priority locations.

As the Premier has just said, we have now supported over 30,000 young people into a VET qualification for free so they can get priority skills to get into jobs now and in the future without having to worry about whether they can pay for it. This has been such a game changer for many young Queenslanders, including young Masooda. Masooda is currently enrolled in a Bachelor of Nursing at QUT as well as undertaking a Certificate III in Pathology Collection at TAFE Queensland. She has enrolled in the certificate III through free TAFE for under-25s and says that she would not have been

able to afford it otherwise. She wants to build her skills while studying at university so she has employability sooner. She is hoping to find a job in the industry once she has finished her TAFE qualification so she can work while she completes her degree. I am so excited to meet Masooda and some of her other student colleagues later today when I visit South Bank TAFE.

We are backing young people, wherever they are in Queensland, with the opportunity to get into new, growing and emerging industries. For so many of them, it is simply life-changing. We are also investing in training infrastructure, with our \$100 million Equipping TAFE for our Future plan gathering pace. Eight projects will soon be calling for tenders, with the aim of starting construction before the end of the year. Each of these projects will deliver leading-edge training spaces and facilities for TAFE Queensland staff and students.

Our new cybersecurity training operation centres are a great example. We have seen how important safe and secure online systems and transactions are to businesses and organisations operating throughout this pandemic. To support more workers gain higher level skills in this field, we are now establishing not one but three new cybersecurity training operation centres, with the first two at TAFE Queensland's Mooloolaba and South Bank campuses.

We are also supporting our primary industries with stage 2 of Toowoomba's Rural Centre of Excellence in the pipeline. Wait, there is more. Other projects will upgrade the nursing and allied health training spaces in Hervey Bay and create a robotics lab at South Bank that will support advanced manufacturing and other industries. I know the member for Hervey Bay is excited about that health training space. We will also support a community TAFE learning centre pilot at Yarrabilba. I was speaking to the member for Logan about this the other day. That is just the first wave of our three-year \$100 million Equipping TAFE for our Future program.

I would also like to remind the House that nominations for the Queensland training awards are still open, but not for much longer. Please make sure your communities get their nominations in. Queensland finalists swept the national field last year. We would love to continue showcasing our fantastic students, educators and employees on the national stage. I am so looking forward to seeing them all do it again.

### Tourism Industry

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Tourism Industry Development and Innovation and Minister for Sport) (10.00 am): The Palaszczuk government is helping Queensland's tourism industry not only to rebuild after COVID but also to rebuild better. Small business has always been the engine room of the Queensland economy, as we all know. The Palaszczuk government has delivered more than \$790 million in assistance to the tourism industry since the pandemic turned the business plans of Queensland's tourism operators upside down.

We know tourism businesses are anxious about the axing of the Commonwealth's JobKeeper payments on Sunday. We have heard loud and clear that operators want honest and unbiased financial advice to help them get through the next phase of the pandemic without JobKeeper. The Queensland Tourism Business Financial Counselling Service will provide free financial advice to tourism operators who need guidance on adapting their businesses to a changed market. This is a \$2 million package of financial advice and counselling focused on tourism businesses, from sole traders to those with up to 199 employees. We are determined to support as many tourism businesses as possible to make it to the other side of COVID.

The financial counselling service will provide expert advice on resizing or pausing part of a business's activity until vaccinations are rolled out, the federal government reopens our international borders to visitors and the confidence of overseas travellers returns. Specialist counsellors will be based in Cairns, the Whitsundays, Brisbane and the Gold Coast. A further eight financial counsellors are already working in other regions. To support businesses who need additional help on financial, legal or HR matters, we will also deliver support on a dollar-for-dollar basis up to \$2,500. This immediate strategy complements our work on a recovery blueprint beyond the pandemic.

As I have said on many occasions, JobKeeper was a welcome sledgehammer reaction from Canberra to the immediate economic impact of the pandemic. What is required now is a scalpel-like response. We want to help businesses through that. We think that the federal government should also look more closely at how they can do that. What tourism operators need is a response that is precise and targeted to assist them adapt and survive.

## Reef Assist Program

 **Hon. MAJ SCANLON** (Gaven—ALP) (Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs) (10.03 am): It gives me great pleasure to update the House on the progress of the Palaszczuk government's \$10 million Reef Assist program, which is creating around 130 regional jobs and delivering 11 environmental projects in the Great Barrier Reef catchments. This program was undertaken as a key part of our economic recovery strategy, delivering jobs while improving Queensland's most iconic natural asset. I am pleased to advise that all the projects are well underway. As at the end of last month, over \$5.5 million has been injected into regional economies to help communities recover from the pandemic impacts.

New jobs have already been created, with project managers and staff being employed, and local businesses and project partners such as Landcare organisations and traditional owner groups being engaged to undertake work. Just one example is the two projects being delivered by the Wet Tropics Management Authority. This almost \$2.6 million investment is already making a huge difference by creating employment opportunities for First Nations peoples. Uriah Anning is a year 12 graduate who is taking part in this project. In his own words—

I'm really liking working on country and working in the plant nursery, and learning about rescuing and rehabilitating cassowaries. I've made some new friends and having a job that's outside and in the rainforest is pretty cool.

I am learning new skills, and now have my chainsaw, first aid, plant identification tickets, and this work accreditation will help me when I apply for jobs in the future.

Not only is this program helping to protect our environment; it is supporting young Queenslanders to get the skills and experience they need for the jobs of the future. I look forward to updating the House further as this program continues to deliver outcomes for Queenslanders.

## Manufacturing Hubs Grant Program

 **Hon. GJ BUTCHER** (Gladstone—ALP) (Minister for Regional Development and Manufacturing and Minister for Water) (10.05 am): I am delighted to announce today that three more North Queensland companies have been supported through the Palaszczuk government's Manufacturing Hubs Grant Program. These companies will each receive a share in more than \$745,000 to adopt leading-edge technology and processes, boost regional business and create job opportunities.

Through the program, Ingham manufacturer LiquaForce will receive \$128,509 to improve their enterprise planning and Internet of Things effectiveness, helping their business to grow. LiquaForce, a first-class regional liquid fertiliser business, has developed a strategy over the next five years to construct and commission three new liquid fertiliser factories in Mackay, Ayr and Far North Queensland. With our support, LiquaForce will be able to build its manufacturing capability, service its customers and increase its production along the Queensland coast while remaining profitable, sustainable and in regional Queensland.

The project is expected to create 40 new high-tech jobs across the region, 14 of which have already been hired. It will also upskill the current manufacturing workforce and manufacturing supply chain jobs and produce apprenticeship and traineeship opportunities in the future. It is exciting that, as a result of this funding, LiquaForce will invest in new technologies to support their domestic and global competitiveness.

Family-run North Queensland manufacturer Tully Welding Works will receive \$438,563 to expand its current fabrication facility and purchase a state-of-the-art, automated beam drill line and robotic plasma cutting bench. The project will enable Tully Welding Works to enter into a whole new manufacturing market, provide up to seven new jobs and increase production and capabilities.

Finally, GTB Engineering will be awarded \$180,975 for the purchase and installation of a Plasmax high definition plasma cutting unit. This new equipment will improve business capabilities, improve productivity and is expected to create three new jobs.

Through the Manufacturing Hubs Grant Program, the Queensland government is certainly helping to strengthen the state's regional manufacturers and create jobs along the way. We have invested \$6.8 million in 25 companies to date and expect to create another 142 jobs in regional Queensland over five years. I look forward to updating the House on how this grants program is supporting regional manufacturers and creating much needed jobs.

## Gas Exploration

 **Hon. SJ STEWART** (Townsville—ALP) (Minister for Resources) (10.07 am): Queenslanders re-elected the Palaszczuk government to keep delivering our plan for economic recovery. That means keeping Queenslanders healthy, delivering infrastructure and supporting jobs. When it comes to domestic gas, Queensland is the place to be.

I am pleased to inform the House that my department has given approval for explorer Santos to find more gas in the resource rich Bowen and Surat basins. Santos will soon start exploring a 964-square-kilometre area of land. In more good news, a key condition is that all future gas from this land release will be solely for the domestic market. It has now been nearly three years since we first released land exclusively for gas for the domestic market in order to boost essential supply to the east coast, and the program has been a resounding success.

Since I became resources minister, the feedback to me from industry has been crystal clear: Queensland leads the nation when it comes to gas policy. Under the Palaszczuk government, we have released more than 20,000 square kilometres of land for gas exploration and production for the domestic market. In more good news, recently Senex Energy has agreed to further domestic gas sales agreement with power generator CleanCo for 2.55 petajoules of natural gas in 2022. This agreement will be supplied from Senex's Atlas project near Wandoan which, as I am sure many in this House are aware, was part of the Palaszczuk government's domestic gas policy.

Earlier this year we released 114 square kilometres of land in the Bowen and Surat basins to first-time junior explorer company AusGasCo as part of the Palaszczuk government's economic plan for recovery. This means that we have released more than 1,000 square kilometres of land for gas this year already.

The Palaszczuk government understands just how critical the gas sector will be in Queensland's plan for our economic recovery. Since 2015 the Palaszczuk government has released more than 80,000 square kilometres of land for gas exploration. There are thousands—thousands—of people already directly employed in our regional communities by the gas industry, but it also creates flow-on jobs and investment in the local communities in which they operate.

We have also committed \$5 million to investigate feasibility options for a new transmission pipeline, potentially 500 kilometres long, to connect currently stranded areas in the Bowen Basin in Central Queensland to the Australian east coast gas market. The Palaszczuk government continues to do the heavy lifting for the east coast gas market.

## SPECIAL ADJOURNMENT

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

That the House, at its rising, do adjourn until 9.30 am on Tuesday, 20 April 2021.

Question put—That the motion be agreed to.

Motion agreed to.

## PERSONAL EXPLANATION

### Member for Southern Downs, Absence

 **Mr LISTER** (Southern Downs—LNP) (10.11 am): I thank the House for its time. I have written to Mr Speaker to seek medical leave for the next nine sitting days. In February this year my doctor and I, together with my wife, Belinda, made the decision that I needed a change in treatment for my mental health. Over the years I have been progressively worn down, I have become upset with the past, and life, work and keeping up appearances have become increasingly difficult. So I need to be away from my duties for the next two months to get better.

I know that honourable members and my community would forgive me for not being specific about my situation, but I did not want to play it that way. Elizabeth Gaskell said that 'an evil, once being recognised, is halfway on towards its remedy'. Publicly acknowledging the truth, and accepting treatment and help, will help me to be the best dad and husband that I can be; it will help me to be the best representative of Southern Downs that I can be; and it will set the right example because, as a military and now community leader, I have always advocated that we should be open about mental health issues and that we should not be afraid to seek support and help.

**Honourable members:** Hear, hear!

**Mr LISTER:** Thank you. I served for 17 years in the Australian Defence Force. Whilst my difficulties do stem from that period, I want to put on record that the military treated me very well and gave me excellent help and medical treatment. I continue to receive excellent treatment now from the Department of Veterans' Affairs which I am most grateful for.

I would like to thank the Leader of the Opposition, David Crisafulli, for the support and encouragement he has given me over the past month and also all members on all sides of the House for the warmth and support they have offered me when I have discussed my issues. I should particularly thank the member for Hinchinbrook for the truly heroic man hug he gave me when I talked about my issues at breakfast on Tuesday morning. Thank you very much, Nick.

My offices in Warwick and Stanthorpe will continue to operate normal hours to assist my constituents in my absence. I thank the people of Southern Downs for their understanding.

I will be back stronger and better than ever and I will not be making further comment until I get back to parliament. Thank you very much, Mr Speaker.

## SPEAKER'S STATEMENT

### Absence of Member

 **Mr SPEAKER:** Honourable members, I have received a notification and certification regarding the absence of the member for Southern Downs for the period 30 March to 4 June 2021. The member's notification complies with standing order 263A.

In accordance with section 19 of the Parliament of Queensland Act 2001, I have also received notice that the member for Southern Downs desires to have the member for Toowoomba North act as his first proxy and the member for Theodore as his second proxy. In accordance with section 19(4), I will now read the notification and certificates into the record, as is required—

Dear Mr Speaker,

I write to give notice that I will be absent from Parliament from 30 March 2021 to 04 June 2021 due to ill health. This will mean that I will be absent for nine sitting days.

Pursuant to Standing Order 263A and Section 19(1) of the Parliament of Queensland Act 2001, I have enclosed copies of two medical certificates for your records.

Further, pursuant to Section 19(2) of the Parliament of Queensland Act 2001, I give notice that I desire to have the Member for Toowoomba North act as my first proxy, and the Member for Theodore as my second proxy.

If you require any further information, please do not hesitate to contact me.

Yours sincerely,

James Lister MP

**The first medical certificate states—**

To whom it may concern, Mr James Paul Lister

I am Mr Lister's current General Practitioner. He is suffering from a medical condition that requires a period of intensive treatment for the period 30 March 2021 to 4th June 2021 will be unable to fulfil his usual occupational duties.

**The second medical certificate states—**

I hereby certify that on 5 March 2021, I examined Mr James Lister who in my opinion is suffering from a medical condition will be unable to fulfil his duties from 30 March 2021 to 4th June 2021.

In accordance with the provisions, I declare that I am satisfied that the matters stated in the certificates are true and the proxy will be available to be used during the period 30 March 2021 to 4 June 2021 inclusive. I note that, under the current party voting system, this will simply mean that when declaring the party vote the whips will include the proxy being exercised and will mark their division sheets accordingly.

Can I briefly say as a former minister for mental health that I applaud you, member for Southern Downs, for making your statement today. I am sure I speak for all members of the House when I say that we wish you the very, very best in terms of your treatment over the next couple of months, and we look forward to seeing you back in this chamber at a time when it is appropriate from your and your family's perspective.

**Mr Lister:** Thank you, Mr Speaker. Thank you, everyone.

**Mr Bleijie:** Question time will be quieter.

**Mr SPEAKER:** Question time will be quieter. This is true, member for Kawana.

## HEALTH AND ENVIRONMENT COMMITTEE

### Report

 **Mr HARPER** (Thuringowa—ALP) (10.16 am): I lay upon the table of the House report No. 6 of the Health and Environment Committee titled *Report No. 6, 57th Parliament—Subordinate Legislation tabled on 26 November 2020*. The report includes the Hospital and Health Boards (Information Sharing-Parole Board Queensland) Amendment Regulation 2020 and the Forestry and Other Legislation Amendment Regulation 2020. I commend the report to the House.

*Tabled paper:* Health and Environment Committee: Report No. 6, 57th Parliament—Subordinate legislation tabled on 26 November 2020 [\[396\]](#).

## QUESTIONS WITHOUT NOTICE

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

### Health System, Reporting

 **Mr CRISAFULLI** (10.17 am): My question is to the Premier. The opposition has released a plan for live publication of emergency department and ambulance ramping data so Queenslanders can make informed choices about where to seek care in an emergency. Will the Premier adopt our plan to deal with ramping?

**Ms PALASZCZUK:** I thank the Leader of the Opposition for the question. I have not seen that plan. I will look at that plan, but the answer will be no.

**Opposition members** interjected.

**Mr SPEAKER:** Order!

**Ms PALASZCZUK:** What I will say is that—

**Mr Bleijie:** You've copied every other good policy we've had.

**Mr SPEAKER:** Member for Kawana, you are off to an early start. You are warned under the standing orders.

**Ms PALASZCZUK:** The member for Kawana had lots of plans when he was Attorney-General and they all ended badly—very, very, very badly. In fact, it is the anniversary of the council of war. Do members remember when the Solicitor-General left back then under the member for Kawana?

**Government members** interjected.

**Ms PALASZCZUK:** There we go. We remember all of that, member for Kawana.

**Mr Dick:** Happy anniversary!

**Ms PALASZCZUK:** Happy anniversary to you! Let me say very clearly that Queenslanders have performed incredibly well during the pandemic. On this side of the House we have invested massively in our health system, and do you know why? Fundamentally, jobs and the health of families in this state are the No. 1 things I care about. During the pandemic it was about saving lives and keeping us safe. In other parts of the world right now emergency rooms are overflowing with people who are dying from COVID. Hospitals overseas are not performing elective surgery because people are dying from COVID. Thousands and thousands of people are dying from COVID.

Can we do more? Of course we can do more. That is why the health minister will convene a high level meeting today, and I look forward to hearing reports from that. That is the right thing to do. I also want to thank all of our hardworking paramedics and health professionals out there. Our health professionals are delivering the vaccine. They are managing COVID patients from hotel quarantine. We are also going to build satellite hospitals to make sure that people can get treatment closer to where they live—seven satellite hospitals, world-leading. I will always back the government's commitment to health in this state and looking after families. Those opposite decimated the health system across this state.

### Hospitals, Access

**Mr CRISAFULLI:** My question is to the Minister for Health. Following today's emergency meeting about the ramping crisis will there be a report, and who is responsible for implementing it?

**Mrs D'ATH:** I thank the Leader of the Opposition for his question. While those on the other side are all about wanting reports, we are about wanting action.

**Opposition members** interjected.

**Mrs D'ATH:** Those on the other side like to have a giggle when they hear about investing in the health system, but they were the ones who attacked our doctors, our nurses and our health professionals. They took funding out of mental health. They closed the Barrett centre. They have no credibility in this space. Those on the other side should be ashamed at the way they are behaving. The lack of willingness of the Leader of the Opposition to acknowledge the pressures being placed at the moment on all health systems, nationally and globally—

**Mr SPEAKER:** Minister, please turn on your microphone.

**Mrs D'ATH:** I will have this meeting today, and what I will seek from those around the table is what further actions on top of the investment—

**Mr Crisafulli** interjected.

**Mr SPEAKER:** Pause the clock. Leader of the Opposition, you have asked a question of the health minister. As I hear it, the Minister for Health is being responsive to the question that was asked.

**Mrs D'ATH:** I will have a meeting with the Patient Access Advisory Committee today and I will ask them what other measures they believe we can take in the short term, but also the medium to long term, to improve the pressures we are facing right now, including the pressures caused by COVID. Those on the other side want to pretend that COVID is over now. It has passed. That is something that happened in 2020. It is not a problem anymore. This is not about formal reports and recommendations; this is about action.

If they want to talk about how to deal with pressure, then pick up the phone to the federal health minister and their mates in federal parliament—who are a bit preoccupied at the moment with other issues—and talk about what they are doing in aged care, talk about what they are doing in disability, talk about their investment in mental health and talk about what they are doing to invest in health services across this country, including supporting us on hotel quarantine—which would be nice—so it could take pressure off our system and we could shift the focus back to our hospitals. We have had to go that alone. We have carried the burden of hotel quarantine to keep Queenslanders safe.

It is Queensland that is investing in our health system. It is the Palaszczuk government that has put record investment into our health system and we will continue to do so. I look forward to meeting with these stakeholders this afternoon to see how we can further progress these important issues.

### Business, Support

**Mr HEALY:** My question is of the Premier and Minister for Trade. Will the Premier please update the House on the government's support for struggling Queensland businesses in the wake of JobKeeper ending?

**Ms PALASZCZUK:** I thank the member for Cairns for the question. I thank all of our regional members who are very concerned about the impact that the ending of JobKeeper will have on many people in just three days time. On Sunday JobKeeper will end, and we will see the consequences that follow when people do not receive those JobKeeper payments. They will not be able to make ends meet, livelihoods will come to an end, and I think that could have long-term impacts on their families as well.

There is a case for the federal government to continue to provide targeted support for those industries that are doing it the toughest. The member for Cairns, the member for Cook, the member for Barron River, the minister, and the minister for tourism know this will have a real impact on families. We have to ask the federal government to do more. I note that last night there was a tourism function here and the member for Burnett publically raised issues about the ending of specific programs as well, so I think there is real concern.

**Mr Crisafulli:** We agree.

**Ms PALASZCZUK:** The Leader of the Opposition is agreeing with that.

**Mr Crisafulli:** Absolutely.

**Ms PALASZCZUK:** What are you doing about it? If the Leader of the Opposition agrees with me, great, we will do a joint signed letter to the Prime Minister today.

**An opposition member:** Table your letter.

**Ms PALASZCZUK:** Okay. We will do a joint signed letter to the Prime Minister today—

**Mr CRISAFULLI:** Amen, but I will sign one if you do something as well.

**Opposition members** interjected.

**Mr SPEAKER:** Order! Pause the clock. I will give the general warning now: members will direct their comments through the chair. There is a reason we do that in this place. That is all I will say on the matter.

**Ms PALASZCZUK:** More and more like Campbell Newman every day. Just like Campbell Newman. Just put a lectern and folder there, and there we are.

**Mr Dick:** Every day.

**Ms PALASZCZUK:** Every single day!

**A government member** interjected.

**Ms PALASZCZUK:** That is right; Campbell Newman said they were a more consultative government. This is a really serious issue. I really want to commend the minister for tourism today for announcing \$2 million additional support to help with financial counselling for businesses that are going to see the end of their careers coming in three days.

The Prime Minister has three days. I know that he is a bit preoccupied at the moment with other issues involving the government down there, but he has three days to step up and say that he cares about people's livelihoods, he cares about families and he knows that he could do more. He has three days. It is not just in Cairns; there are tourism sectors impacted in Hervey Bay, Townsville, the Whitsundays, Mackay, Gold Coast and Sunshine Coast. This is a real state issue.

*(Time expired)*

### **Gladstone Ports Corporation, Chief Executive Officer**

**Mr JANETZKI:** My question is to the Treasurer. I refer the Treasurer to the recruitment process of the Gladstone Ports Corporation CEO, which has been occupied by an acting officer for over two years. Can the Treasurer confirm that the board has made a unanimous recommendation for an appointment, and what was the government's response?

**Mr DICK:** I am sorry, I am just a bit taken aback. It is 112 days since I had a question from the shadow Treasurer. It is not often I am lost for words. Mr Speaker, 112 days later I still have not had a question on the Queensland economy so I thank the member for Toowoomba South for the detailed and somewhat particular question about appointment processes for the Gladstone Ports Corporation.

**Ms Palaszczuk** interjected.

**Honourable members** interjected.

**Mr SPEAKER:** Order! Pause the clock. Treasurer, I am having difficulty hearing your response but it may also be helpful if you respond.

**Mr DICK:** I have missed the questions. I have missed them. I am so thoughtfully reminded by the Premier, and I take the interjection, that there would be no question about the government appointing board members to the Gladstone Ports Corporation if the member for Broadwater had been part of the LNP team that had won the election because they would have sold it. It would not have been a government appointment; it would have been a private sector appointment by an investment fund controlled by Paris or Beijing or Tokyo or Berlin or Frankfurt or Toronto—anywhere else but Queensland.

**Opposition members** interjected.

**Mr DICK:** Where else would you be, Mr Speaker?

**Mr SPEAKER:** Order! Members to my left, through the interjections, I believe the Treasurer is responding to the question, but I will ask that in accordance with standing order 118(b) the minister answer the direct question as asked.

**Mr DICK:** We have a very detailed and thoughtful process when it comes to appointing members of government owned corporations.

**Mrs Frecklington** interjected.

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

**Mr DICK:** Any process that we adopt will be thoroughly and vigorously pursued before any appointments are made.

**Mr Nicholls** interjected.

**Mr SPEAKER:** Member for Clayfield, I know you have feelings but you are warned under the standing orders.

### Manufacturing Industry

**Mr SAUNDERS:** My question is to the Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning. Will the Deputy Premier update the House on how the Palaszczuk government is backing local manufacturing? Is the Deputy Premier aware of any other alternative approaches?

**Dr MILES:** I thank the member for Maryborough for his question. There is no greater warrior for Queensland manufacturing than the member for Maryborough. Like everyone on this side of the House, he knows that manufacturing here equals jobs here—jobs for Queenslanders, good secure jobs, including in Maryborough where we are building trains.

Who could forget that those opposite bought half-price trains from India yet we are making trains in Queensland? It is not just trains. Thanks to the Palaszczuk government's support we are making protective equipment in Brendale, we are making trucks at MaxiTRANS in Ipswich and we are building emergency helicopters at HeliMods on the Sunshine Coast. Recently I was at WearOptimo where they are manufacturing world-leading technology, wearable medical technology, a sticker sensor that is put on your arm and it monitors dehydration for sportspeople, miners and construction workers and predicts heart attacks and strokes in those who might be susceptible. In the process, they are creating jobs for Queenslanders.

We know those opposite do not believe in Queensland manufacturing. Who could forget when their counterparts in Canberra challenged car manufacturers to leave the country? They dared them to leave the country. How did that work out? Not only did they order their trains from India, but the New South Wales Premier said, 'You can't even make trains in Australia. It's just not possible.'

I am disappointed to advise the House that not only do they not get how important manufacturing is to Queensland but they cannot spell 'manufacturing'. I table for the benefit of the House the LNP's website which lists the member for Nanango's job title and it misspells 'manufacturing'.

*Tabled paper:* Extract from Liberal National Party website depicting LNP members [\[398\]](#).

I am pleased to advise the House that on this side not only can we spell 'manufacturing', not only do we get manufacturing, but we are delivering manufacturing here in Queensland. We are making it happen because it is creating good, secure jobs for Queenslanders, including those students in the gallery who will be in the labour market in the not too distant future.

### Gladstone Ports Corporation, Chief Executive Officer

**Mr MINNIKIN:** My question is to the Minister for Transport and Main Roads. What involvement has the minister personally had in the appointment process of the Gladstone ports CEO?

**Mr Hart** interjected.

**Mr SPEAKER:** Member for Burleigh, you are warned under the standing orders. Thanks for putting up your hand.

**Mr BAILEY:** I congratulate the opposition on their second Dixer today. The Gladstone Ports Corporation was kept in public hands by this government. There are two words we will never hear from the opposition. What are they? 'Strong Choices'. They were going to flog it off under the biggest privatisation program that this state has ever seen. Their chairperson was Campbell Newman's best mate, Mr Brodie. We know what their agenda was. We will keep it in public hands and we will make sure this port is well run. When it comes to making sure—

**Opposition members** interjected.

**Mr BAILEY:** They asked the question but they do not seem to want to know the answer. Any decisions about the leadership of the GPC are set out in legislation and regulation. They will be adhered to. That is always our commitment. I can tell the House one thing: the Gladstone ports will always be in

public hands under this government. We will always keep it in public hands; we will not flog it off like those opposite. That is what was going to happen. Do not forget that the Leader of the Opposition was at the cabinet table and he signed off on the privatisation program of Strong Choices when the member for Clayfield—

**Mr Crisafulli** interjected.

**Mr SPEAKER:** Order! Pause the clock. Leader of the Opposition, you are warned under the standing orders. You will refer to members in this House by their correct title.

**Mr BAILEY:** The Leader of the Opposition was—

**Mr Boothman** interjected.

**Mr SPEAKER:** Member for Theodore, you are warned under the standing orders. I had only just called the House to order.

**Mr BAILEY:** The Leader of the Opposition was around that Newman government cabinet table, like a whole lot of the other ones over there—the member for Glass House, the member for Clayfield, the old gang is still there. They pretend that they have learnt, but we know it is in their DNA.

**Mr BLEIJIE:** Mr Speaker, I rise to a point of order on relevance under 118(b). The question was specific about whether the minister had had personal involvement in the selection process—not the legislative or regulatory framework, but his personal involvement. He has not answered that.

**Mr SPEAKER:** Member for Kawana, the minister in actual and practice cannot have personal involvement in anything.

**Mr Bleijie** interjected.

**Mr SPEAKER:** You will hear my ruling. The minister cannot have personal involvement in anything. I have allowed the question but ultimately as a minister of the Crown he has portfolio responsibilities and those things relate directly to regulations and acts of parliament.

**Mr BAILEY:** I am happy to inform the House that under the Government Owned Corporations Act 1993 shareholding ministers are required to give their prior written approval for the appointment of a CEO. On 5 August 2020 the shareholding ministers received a letter from the GPC chair informing us that the board wished to progress the CEO recruitment process. As shareholding ministers, the Treasurer and I will consider recommended candidates from the Gladstone Ports Corporation in due course. That is the normal process.

**Mr Minnikin** interjected.

**Mr SPEAKER:** The member for Chatsworth will cease his interjections.

**Mr BAILEY:** Those opposite protesteth too much. This is a port that would be owned by private firms probably from overseas right now if they had won the 2015 election. They took it to the people. The people rejected it. The people supported this government because we believe in keeping public assets, including the Gladstone ports, in public hands. This would not be a question possible if they had privatised this port under Strong Choices led by the Leader of the Opposition when he was a cabinet minister under Campbell Newman.

**Mr SPEAKER:** Member for Gregory, your interjections were designed to disrupt the minister. I was not going to do the same. You are warned under the standing orders for not putting your comments through the chair.

### Population Growth

**Ms HOWARD:** My question is of the Treasurer and Minister for Investment. Will the Treasurer update the House on how Queensland is benefitting from current interstate migration levels, and is the Treasurer aware of any alternative approaches?

**Mr DICK:** I thank the member for Ipswich for her question and for her ongoing terrific representation of that part of Queensland. One of the fundamental keys to economic growth is population growth, and the key to population growth is net migration. I think the member knows well the nature of growth, living in one of the fastest growing regions in Queensland. With international migration at a standstill because of international border closures, the focus turns to interstate migration. Once again, Queensland is the place to be.

Australians, in particular those in New South Wales and Victoria, are packing up their bags and moving to Queensland. The ABS tells us that in the September quarter 2020, Queensland saw a net influx of 7,237 new residents from the rest of Australia, dwarfing all other states and territories.

Comparatively, New South Wales and Victoria recorded net interstate migration losses of 4,110 persons and 3,749 persons in the quarter. Add those together and we find that almost all of the population lost in New South Wales and Victoria came to Queensland.

Pleasingly, much of that interstate migration has been to regional areas. I noted earlier this week that dwelling approvals in Townsville are up an amazing 66 per cent. Of course, that is no thanks to a former resident of Townsville, the Leader of the Opposition, who statistically is part of net intrastate migration from Townsville to the Gold Coast. I thank him for his contribution.

I saw the Leader of the Opposition's media conference in Townsville last week. He wrapped it up after nine minutes and just eight questions before once again cutting and running from Townsville. There he was, cutting and running again from Townsville. That is a lot further than 1,400 kilometres—

**An opposition member** interjected.

**Mr DICK:** I take the interjection. I moved 14 kilometres down the road. The member for Townsville moved—sorry I am confused. The member for Mundingburra moved 1,400 kilometres. It is a bit of a difference, isn't it? I can say that moving 1,400 kilometres is a lot further than all those people moving from New South Wales and Victoria to Queensland.

Last sitting week I called on the federal government to let Queenslanders get half-price tickets to travel to Queensland destinations. I am sure the Leader of the Opposition will be having a word with his mates in Canberra to line up some cheap seats from the Gold Coast to Townsville and back again. In his five months in the job, he has promised a lot—changes of style and maybe even the offer of some substance—but we have been let down again. This is the new politics of the LNP: no ideas from the Leader of the Opposition, no vision, nothing to offer Queensland.

### **Gladstone Ports Corporation, Chief Executive Officer**

**Ms SIMPSON:** My question is to the Minister for Transport. Is the minister aware whether the Crime and Corruption Commission has been asked to investigate an allegation of interference in the Gladstone port CEO appointment, and is the minister assisting with their inquiries?

**Mr BAILEY:** I do not speak for the CCC, the independent watchdog; they speak for themselves.

**Ms Grace** interjected.

**Mr SPEAKER:** The member for McConnel will cease her interjections.

### **Regional Queensland, Workplace Health and Safety**

**Mrs McMAHON:** My question is to the Minister for Education, Minister for Industrial Relations and Minister for Racing. Will the minister update the House on what the Palaszczuk government is doing to support workplace health and safety in regional Queensland, and is the minister aware of any alternative approaches?

**Ms GRACE:** I thank the member for the question. The member knows too well how important health and safety is not only in our workplace but throughout the community. I acknowledge the member for Southern Downs. In this House today he has shown how taking action and leadership and getting his health and wellbeing in order is important. I think all of us on this side of the House join together in wishing him the very best. I also add that I received a wonderful Stanthorpe Italian cookery book from the member for Southern Downs. I love it. He made my day that day. I am sure he also enjoyed the cannoli that I got from pasticceria Gerbino's to thank him for that. I wish him all the very best.

**Dr Miles:** Relevance!

**Ms GRACE:** I will probably have the member for Kawana referring to relevance shortly, so I had better get on with my answer to the question. Health and safety, as we know, is a very important issue. We know that often there are not any second chances, and that is particularly relevant when it comes to electrical safety. Overhead powerlines is one of the most persistent and problematic electrical safety issues.

In the past six years there have been 52 serious overhead powerline incidents with six people never returning home after a day's work. All workers, including young workers, must be able to speak freely and be heard and listened to by their employers when these issues are raised. To help drive this home, next week I will travel to Toowoomba to launch a short video, Jason Daniel's story, as part of our regional focus on workplace health and safety.

Jason was just 17 years old in his first job near Dalby when he was seriously injured by a massive electric shock. He spoke up and said that there were issues about the overhead powerlines. Unfortunately, his employer did not listen and no action was taken. I am pleased to advise that Jason is on the road to recovery. I congratulate him and his mum, Di, for bravely telling his story to help protect other young and regional workers.

This incident should not have happened. Jason spoke up and was not listened to. When it comes to health and safety, workers need to be listened to. Whether it is physical or mental health and wellbeing, or issues such as harassment and discrimination, they must be taken seriously.

I put a call out after hearing Peta Credlin again last night recount some incredible stories about what is happening in our federal parliament. We must listen to people like Brittany Higgins. We must take seriously these issues. We must lead by example, and the federal parliament must take action. The CPSU is calling for urgent change and action to be taken. I join the CPSU and other unions in calling for better health and safety measures in our federal parliament.

### **Palaszczuk Labor Government, Integrity**

**Mr LAST:** My question is to the Premier. With one minister under another corruption cloud, government business done in the dark and private emails—

**Government members** interjected.

**Mr SPEAKER:** Sorry, member. Members to my right will hear the question in silence. The Premier will have the opportunity to respond.

**Mr LAST:** With one minister under another corruption cloud, government business done in the dark on private emails and a bar-room brawler up the back, when will the Premier get serious about enforcing standards for her government?

**Government members** interjected.

### **Speaker's Ruling, Question Out of Order**

**Mr SPEAKER:** Having heard that question, I will rule it out of order on multiple grounds. I would expect, member for Burdekin, having been in this place for some time, you would be able to phrase that question appropriately.

**Mr WALKER:** Mr Speaker, I rise to a point of order. I am personally offended by the comment made by the member.

**Mr SPEAKER:** Member, you may well take offence to the question as asked, but there were inferences without direct mention of any member. There is no point of order.

### **Far North Queensland, Health Infrastructure**

**Ms LUI:** My question is of the Minister for Health and Ambulance Services. Will the minister update the House on how the Palaszczuk government is delivering the health infrastructure Queenslanders need in Far North Queensland including in my community of Cook?

**Mrs D'ATH:** I thank the member for Cook for her question. I am pleased to announce that work has started to redevelop Queensland's northernmost hospital, in the member's electorate on Thursday Island. A \$46 million project is underway to upgrade both the hospital and the Thursday Island Primary Health Care Centre. Both projects are expected to be completed during 2022. The Thursday Island Hospital and primary health care centre works will support around 53 full-time-equivalent jobs during construction which I know will be welcome as well. These upgrades form part of a package of more than \$100 million worth of capital projects that have been recently completed in the past three years, are underway or are in the planning stages for the Torres and Cape Hospital and Health Service region.

Our investment on Thursday Island, together with the rest of our multimillion dollar health investment in the Torres Strait region, will ensure health staff have the highest quality facilities from which to deliver their vital services. That investment also is delivering a significant economic boost to each of the communities affected. When completed, the redeveloped Thursday Island Hospital will have 31 inpatient beds, seven emergency department spaces, an operating theatre with four recovery spaces, a birthing suite with a birthing pool, and additional procedural space that can also be used for emergency birthing. The hospital also will have five outpatient rooms, an enhanced medical imaging department and a space for future installation of a CT scanner. The number of negative pressure

isolation rooms, including among the inpatient beds, will be doubled, from one to two, thereby improving safety and boosting the hospital capacity to manage tuberculosis and other infectious diseases such as COVID-19.

When complete, the redeveloped primary health care centre will offer 22 consultation, treatment and interview rooms, along with five dental surgeries. All of these improvements will bring the hospital and primary health care centre into the 21st century in terms of design layout, construction materials and digital technology. They will also increase the capacity of both facilities to deliver more and improved services, thereby allowing patients and clients to access services closer to home and limit the need to travel elsewhere for health care.

This will support the Palaszczuk government's goal of closing the gap in health outcomes between Aboriginal and Torres Strait Islander Queenslanders and non-Indigenous Queenslanders. We know how important it is to invest in not just our health workforce but also our health infrastructure across the state. As the Premier has said time and time again, she wants to make sure that, no matter where people live in Queensland, people are getting quality health care in quality healthcare facilities. That is what our record budget for health is delivering for the people of Queensland.

### Palaszczuk Labor Government, Ministers

**Mr MICKELBERG:** My question is to the Premier. The Ministerial Code of Conduct states—

Ministers have a duty to parliament to account, and to be held to account, for the policies, decisions and actions ...

As the sole person responsible for enforcing the Ministerial Code of Conduct, is the Premier satisfied that Minister Bailey discharged his duty to account to the parliament yesterday and today?

**Ms PALASZCZUK:** I thank the member for the question. I have faith in all of my ministers. They work very hard for the people of this state. If those opposite have an allegation, they should put it.

### Sunshine Coast, Road and Transport Infrastructure

**Mr HUNT:** My question is to the Minister for Transport and Main Roads. Will the minister update the House on the Palaszczuk government's record investment in transport and road projects on the Sunshine Coast?

**Mr BAILEY:** I thank the member for the question. He is the first Labor member for Caloundra in history. I welcome him. I know that he is a great advocate for the Sunshine Coast. We are seeing a sea of hi-vis on the Sunshine Coast, a fair bit of it because of his hard work and the work of the member for Nicklin. The Bells Creek arterial extension was brought forward a decade because of the hard work of the member for Caloundra—not by those lazy sods on the other side but by this government, which gets things done.

It is not just road and rail infrastructure. Safety upgrades on Steve Irwin Way between Landsborough and Beerwah will start later this year. We can already see the prep work underway outside Australia Zoo. We have funded a cycling rail trail between Beerburrum and Landsborough—

**Mr BLEIJIE:** Mr Speaker, I rise to a point of order. Based on previous rulings, I respectfully suggest that the terminology used by the minister is unparliamentary.

**Mr SPEAKER:** Member for Kawana, I was thinking the same thing. Matters that relate to lawn maintenance and care should not be used, Minister. Please withdraw.

**Mr BAILEY:** I withdraw. I will say 'the lazy members on that side'. Let's keep it official.

**Mr SPEAKER:** No, Minister. If you are withdrawing, you will withdraw and then not provide a commentary.

**Mr BAILEY:** I withdraw. Next month, locals travelling between Tanawha and Sippy Downs will be able to walk or ride their bike on a new bridge across the Sunshine Motorway, for the very first time, as part of the Caloundra Road-Sunshine Motorway upgrade. We are supporting growing communities with infrastructure and jobs. That is why this government now has two members on the Sunshine Coast, after big swings against those opposite.

The division on the other side is palpable. While they are divided, we are delivering jobs and infrastructure. Members of the Queensland LNP have become experts at talking about themselves. Sadly, this affliction has been caught by the LNP federal member on the Sunshine Coast, Andrew Wallace. We have been working closely with the Sunshine Coast Regional Council on the stadium upgrade and on funding for the Third Avenue extension to take pressure off Caloundra Road. What do

we get from the federal government and Mr Wallace? We get no federal funding. He blames me for not talking to him. I do not talk to a federal backbencher to get funding; I talk to the Deputy Prime Minister. I have personally raised with the Deputy Prime Minister the need for Third Avenue to take pressure off Caloundra Road. We do not want to do just Bells Creek Arterial Road; we need to do this one as well.

The embarrassment keeps on coming for Mr Wallace. Infrastructure Australia knocked back the LNP-led business case for the Sunshine Coast fast rail because the \$5.3 billion cost did not stack up. Mr Wallace's response was to launch a petition to somehow blame this government for the fact that his own federal agency did not back him up. He needs to find the \$7 million for Third Avenue and start backing the Sunshine Coast. The LNP need to stop taking the Sunshine Coast for granted. We saw big swings against them in virtually all of their Sunshine Coast seats, because they do not deliver. This government does deliver. That is why we have the members for Caloundra and Nicklin. We will have a lot more after the next election.

*(Time expired)*

### Regional and Rural Queensland, Health Staffing

**Mr KATTER:** My question is to the Minister for Health and Ambulance Services. Rural and regional parts of Queensland are disproportionately affected by the current statewide shortage of nurses, critical medical staff and over 350 doctors from COVID-19, compromising quality of care at mostly dated or insufficient infrastructure and leading to families leaving towns for the city. Given these extraordinary circumstances, will the minister advise what commensurate extraordinary effort has been formulated as a response?

**Mrs D'ATH:** I thank the member for the question and for identifying the challenges that we have faced. These are not just the normal pressures of trying to attract and keep health professionals in the regions but also the pressures that COVID has put on delivering that. COVID has put significant pressure on the availability of medical staff, particularly in rural and regional Queensland. We have also not had international doctors coming, as we have seen in the past.

One significant challenge that confronts the regional communities in maintaining access to health care—I am hearing this more and more as I travel around the state—is the availability of bulk-billing general practitioners, and general practitioners full stop. When one general practitioner in a town retires, a whole lot of services stop, including servicing of aged-care facilities and so forth. That is a real problem. It is one that the Commonwealth will have to step up and deal with, because when people cannot go to their GP for affordable health care where do they turn? They turn to our hospital system. That certainly puts pressure on it.

I acknowledge the efforts and contribution of the member who has spoken to me about his particular area, Julia Creek for example. The member would be aware, hopefully, that there is another meeting happening. I know that the member has previously raised with me the issue of Julia Creek. I understand that the Office of Rural and Remote Health convened a meeting earlier this month with Longreach members of the North West HHS and local community leaders, including the mayor and councillors of the McKinlay shire, to address the workforce issues. I can advise that another meeting is occurring tomorrow at which department representatives will also be in attendance.

I would encourage the member to raise any specific issues with me, as he has done with Julia Creek, in order to address any other matters similarly in a comprehensive way. I want to acknowledge that this government has made a record investment in health facilities. As I just said when talking about the Torres Strait, it is critical and important that we have new health facilities as well as health staff. We have to invest in both. Whilst talking about investment and what we are doing and our plans going forward, I have just become aware of what the LNP's plan is to deal with ramping. That is not a plan; it is a press release with three dot points. If those opposite want to see a plan, this is a plan. This is a plan for the—

**Honourable members** interjected.

**Mrs D'ATH:** This is a press release. This is embarrassing—

**Mr SPEAKER:** The minister will put down the item or table it.

**Mrs D'ATH:** I am happy to table that.

*Tabled paper:* Media release, dated 25 March 2021, from the Leader of the Opposition, Mr David Crisafulli MP, titled 'LNP advocates for ambulance ramping solutions' [\[399\]](#).

This is the comprehensive plan of the LNP to fix pressures on the hospital and health system. What a joke! Those opposite complain about counting chairs as beds. That has been happening for a decade and includes—

*(Time expired)*

### **Queensland Sport and Athletics Centre, Sports Science Hub**

**Mr RUSSO:** My question is of the Minister for Tourism Industry Development and Innovation and Minister for Sport. Will the minister update the House on the progress of the new gym and sports science hub at the Queensland Sport and Athletics Centre, and is the minister aware of any alternative approaches?

**Mr HINCHLIFFE:** I thank the member for the question and note his really strong support for our state's high performance and athlete research precinct in his electorate of Toohey. Work has started on this one-stop shop for the Queensland Academy of Sport's elite athletes to be the best that they can be on the world stage. The \$9.8 million upgrade of the Queensland Sport and Athletics Centre, to be finished by early July, gives our athletes training for the Paris 2024 Olympics and Paralympic Games the competitive edge to do our state and our nation proud. It was invigorating to swing a sledgehammer with Olympic discus athlete Matt Denny to kick off the refurbishment of the old multipurpose indoor court under the QEII grandstand.

**Mrs D'Ath** interjected.

**Mr HINCHLIFFE:** I take that interjection, health minister. I got lucky and got a soft bit of the wall. He had a bit more trouble and it looked a bit contrasting.

This is the same grandstand where 39 years ago Queenslanders watched the Brisbane Commonwealth Games opening ceremony and all of the amazing feats of athletes. I vividly remember seeing Raelene Boyle compete on that occasion but also during the opening ceremony Matilda, the 13-metre-tall winking kangaroo, was part of that experience.

As we look into the future, the old multisport court under the grandstand will be transformed into a very large gym for training our elite athletes with space to be COVID safe. Built into the design are lifting platforms for para-athletes and large windows to fill the gym with natural light. The old gym that they will be transferring from is cramped but will be able to be transformed into the centre for the academy's scientific work for fine-tuning the athletes of the future with biomedical and physiological testing, blood lab and instrumented running track. As a high-performance centre, it will not just be a benefit for our athletes; it will make Queensland the place for competitors from around Australia and the world to come, and that is good for our economic recovery. This \$9.8 million refurbishment is an added asset to our targeted dialogue with the International Olympic Committee about a potential Queensland games in 2032.

Another attraction for the IOC is our legacy infrastructure from the 2018 Commonwealth Games—the same Gold Coast games that the LNP tried to cancel. If the visionless LNP had been successful, Queensland's Olympic hopes would have stalled on the starting block. We would have been behind the eight ball in that we would not have had the wonderful facilities that are delivering for communities right across Queensland but particularly on the Gold Coast—facilities like the Coomera Indoor Sports Centre and the facilities at Carrara. It has been a great outcome and I hope we can all strive forward.

*(Time expired)*

### **Building Certification**

**Ms BOLTON:** My question is to the Minister for Energy, Renewables and Hydrogen and Minister for Public Works and Procurement. With increasing reports of frustrations by constituents impacted from decisions, or lack thereof, by private building certifiers under local planning scheme provisions, can the minister please advise what is underway or will be initiated in order to address this?

**Mr de BRENNI:** I thank the member for the question. I can inform the member that the Queensland Building and Construction Commission provides dispute resolution services for home owners and licensees to help them work through their issues. From time to time the expectations of home owners and builders sometimes do not align and they end up in dispute resolution processes.

In fact, I can inform the House that in the year to date there have been about 3,000 disputes dealt with by the Queensland Building and Construction Commission. Almost all of those are resolved, but the member for Noosa refers to frustrations that are sometimes experienced in the resolution of those disputes and those frustrations, more often than not, derive from the time it takes to resolve those disputes.

I want to put on record that only a fraction of those disputes are ever overturned by QCAT, so we feel that the decisions that are made by the regulator in the main are very healthy ones. However, we have asked the Queensland Ombudsman to look at this issue. I am informed by the chair of the Queensland Building and Construction Commission that it wants to make sure that its dispute resolution processes are best practice.

We are seeing a building boom in Queensland at the moment. As we heard this week, in some parts of the state there is an over 66 per cent increase in the number of building approvals. We want to ensure that those homes are built to the highest quality and the highest standards. There have been regular reports discussed by commentators around the time that it takes to resolve a small number of disputes. My duty to inquire into the circumstances of the time taken to resolve some disputes has led me to discover that the dispute resolution procedure that significantly extends that resolution process for some parties was in fact an initiative of the then public works minister, the member for Everton. As I said yesterday, we have been cleaning up the mess of the member for Everton for years in this state.

**Mr Mander** interjected.

**Mr de BRENNI:** I will read from *Hansard*. The member for Everton came in here and said that one of his great reforms was his introduction of his dispute resolution service. That was the member for Everton once again creating a mess in the construction industry. I have reported to the House today that we are working on improving that.

**Mr Mander** interjected.

**Mr SPEAKER:** Before calling the member, member for Everton, I understand there was provocation, but your interjections should cease.

### Regional Queensland, Job Creation

**Ms LAUGA:** My question is of the Minister for Regional Development and Manufacturing and Minister for Water. Will the minister update the House on how the Palaszczuk government is supporting regional Queensland businesses to create new local jobs, and is the minister aware of any alternative approaches?

**Mr BUTCHER:** I thank the honourable member for the question. The Palaszczuk government is providing manufacturers real support to grow their businesses and employ and upskill more Queenslanders, including those in the member's electorate. Since 2017 the Queensland government's Made in Queensland grant program has been helping small to medium sized businesses around the state to expand their operations and create more jobs on the ground. In regional Queensland we have invested a total of \$13.4 million in 34 projects, with 29 of these already completed. To date, 186 new jobs have been created, with more than 385 jobs expected to be generated in the coming years.

That is supporting companies like Townsville's Australian Professional Galvanising, which received more than \$340,000 recently to introduce state-of-the-art processing technology and systems to control and monitor software. That project created seven brand new jobs in Townsville and improved the energy efficiency, making it more competitive in the open market. Ravenshoe Timbers—and we know that the local member up there is fond of it—which is located just outside of Cairns, was awarded \$650,000 to install new leading-edge technology and equipment. This project so far has created four new regional jobs in Queensland. That is why in December's state budget we committed an additional \$15.5 million for a fourth round of Made in Queensland.

This program is delivering for regional manufacturers. We know that under those opposite it would have been gutted. We know this because between 2012 and 2015 they ripped \$30 million from industry support grants and business development initiatives. In the last 12 months they have proven that leopards do not change their spots. Over the past year the LNP has outlined its plan for the manufacturing industry which included reducing manufacturing funds by \$26 million. The LNP's plan would have seen our successful Made in Queensland grants program cut by more than half.

**A government member:** Shame!

**Mr BUTCHER:** It is a shame. What was their master plan for manufacturing? It was a \$20 million Built in Queensland manufacturing plan that was nothing more than a glorified marketing campaign. Instead of investing tens of millions of dollars in Queensland manufacturing businesses, they wanted to strip it all away and give it to PR firms here in Queensland. Time and time again the LNP has proved that it cannot be trusted to protect these Queensland jobs. Luckily on this side of the House we know that investment in the manufacturing sector means more Queensland jobs and more jobs means a stronger economy. Today those opposite have been talking about contracts. The only contract that does not last any more than two years is that seat opposite with the member for Broadwater in it.

### Public Trustee

**Mr NICHOLLS:** My question is to the Attorney-General and Minister for Justice. Will the government be reimbursing those vulnerable clients of the Public Trustee who have been overcharged, double charged and triple charged in ways identified in the Public Advocate's report?

**Ms FENTIMAN:** I thank the member for the question. When I tabled the Public Advocate's report I made it very clear that we accepted the recommendations in the Public Advocate's report. I also said at the time that there is a review underway by the Acting Public Trustee around fees and charges.

One of the other announcements that we made as a government that day was that we would be putting in place a board to properly provide oversight for the Public Trustee. I want to thank again the Public Advocate for the work that she has done looking at what is happening in the Public Trustee office. We welcome her report and we will be implementing those recommendations and putting in place a board.

### Police Resources

**Mr SKELTON:** My question is to the Minister for Police and Corrective Services and Minister for Fire and Emergency Services. Will the minister update the House on investments being made in police infrastructure and the merits of any alternative approaches that have been announced publicly?

**Mr RYAN:** I thank the member for Nicklin for the question. He has only been a member for four months and is already delivering for Nicklin. The Nambour Police Station is underway. It is being built by a Labor government. We are delivering for Nicklin. We are delivering for Queensland. We are delivering for the Police Service.

Our commitment to the Queensland Police Service is evidenced in many ways but one particular way is through our \$300 million police infrastructure pipeline. Thank goodness for our world-class health system because I am going to need some helping catching my breath once I finish this list. Whilst we have been in government we have delivered new or upgraded facilities for the Queensland Police Service at Upper Ross, Newtown, a counterterrorism centre at Wacol, Arundel, Coolum, Nanango, Kingaroy, Bowen, Caboolture, Gordonvale, Kilcoy, Richmond, Woree, Highfields, Logan Village Yarrabilba, Howard, Mooloolaba—and there is more to come because as part of our \$300 million five-year infrastructure pipeline for the Queensland Police Service we will also be delivering new or upgraded facilities at Beaudesert, Biloela, Nambour, West End, Caloundra South, Rosewood, Clermont, Kirwan, West Cairns, another one at Woree, Dayboro, Warwick, Cunnamulla, Dalby, Ripley, Cooroy, Saibai Island, Laura, Pimpama, Gin Gin, Aurukun, Pormpuraaw, Maryborough and Cairns. That is our commitment to the Queensland Police Service.

Mr Speaker, you may be interested in the record of those opposite. You hear them talk about their commitment to the Queensland Police Service and you hear them say they deliver resources for the Queensland Police Service. Well, in the 2012 state budget in the capital statement under the heading for the Queensland Police Service 'Capital works—Major capital', they are finishing the Police Academy which was started by the previous government and their only new project was an upgrade at Broadbeach with a budget of \$800,000. The next year, 2013, under the heading for the Queensland Police Service 'Capital works—Major capital' there is one project: upgrade Broadbeach station—\$200,000. In two years they committed to one project. That is those opposite delivering for the Queensland Police Service.

Mr Speaker, when it comes to those opposite, when it comes to the Queensland Police Service, when it comes to the Public Service in the Queensland community, in your gut you know they will cut—that is their record—and behind your back you know they will sack. This is our government delivering for the police.

**Mr SPEAKER:** I ask you to withdraw one element of your unparliamentary language.

**Mr RYAN:** I withdraw.

### Regional Queensland, Health Services

**Mr MILLAR:** My question is to the Minister for Health. Richmond residents in North-West Queensland have a part-time ambulance service and the health minister has reportedly refused to appoint a full-time dual certified paramedic and registered nurse saying they are paid under two different awards and pay structures. Does the minister honestly expect regional Queenslanders to put up with subpar health care just because the paperwork is too hard?

**Mrs D'ATH:** I thank the member for his question. I am happy to have a look at what was sent to the community in relation to that. I do not believe that that was necessarily correctly recorded, as to what was in any correspondence in relation to the demands out there.

In relation to ambulance services, what we have said is that all of these issues and the demands in particular areas are considered by the region as to what their callouts are, where best to allocate the services and where new stations and additions should be made. This is done across the state. These sorts of analyses and auditing of what the demands are on an ongoing basis are done all over Queensland.

To say that it only relates to different awards and different rates of pay is just ridiculous. That is not the way planning is done. As I say, I am happy for the member to show me the document he is reading off to verify the accuracy of his statement and if it is not then it may be misleading the parliament.

### Seniors

**Mr TANTARI:** My question is to the Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships. Will the minister update the House on the important role seniors play in supporting the economy of my electorate of Hervey Bay and provide any further updates regarding Queensland seniors this year?

**Mr SPEAKER:** The period for question time has expired.

## DEBT REDUCTION AND SAVINGS BILL

### Message from Governor

 **Hon. CR DICK** (Woodridge—ALP) (Treasurer and Minister for Investment) (11.17 am): I present a message from His Excellency the Governor.

**Mr SPEAKER:** The message from His Excellency the Governor recommends the Debt Reduction and Savings Bill. The contents of the message will be incorporated in the *Record of Proceedings*. I table the message for the information of members.

MESSAGE

DEBT REDUCTION AND SAVINGS BILL 2021

*Constitution of Queensland 2001, section 68*

I, PAUL de JERSEY AC, Governor, recommend to the Legislative Assembly a Bill intitled—

A Bill for an Act to enable the performance of registry and other functions by a declared entity, to amend this Act, the Acts Interpretation Act 1954, the Building Units and Group Titles Act 1980, the City of Brisbane Regulation 2012, the Financial Accountability Act 2009, the Foreign Ownership of Land Register Act 1988, the Forestry Act 1959, the Land Act 1994, the Land Title Act 1994, the Local Government Regulation 2012, the Medicines and Poisons Act 2019, the National Injury Insurance Scheme (Queensland) Act 2016, the Police Service Administration Act 1990, the Property Law Act 1974, the Queensland Competition Authority Act 1997, the Queensland Industry Participation Policy Act 2011, the South Bank Corporation Act 1989, the Statutory Instruments Act 1992, the Water Act 2000 and the legislation mentioned in schedules 3, 4, 5 and 6 for particular purposes, and to repeal the Building Queensland Act 2015, the Foreign Ownership of Land Register Regulation 2013, the Land Title Regulation 2015, the Public Safety Business Agency Act 2014 and the Queensland Productivity Commission Act 2015

GOVERNOR

Date: 25 March 2021

*Tabled paper:* Message, dated 25 March 2021, from His Excellency the Governor recommending the Debt Reduction and Savings Bill 2021 [\[400\]](#).

### Introduction

 **Hon. CR DICK** (Woodridge—ALP) (Treasurer and Minister for Investment) (11.17 am): I present a bill for an act to enable the performance of registry and other functions by a declared entity, to amend this act, the Acts Interpretation Act 1954, the Building Units and Group Titles Act 1980, the City of Brisbane Regulation 2012, the Financial Accountability Act 2009, the Foreign Ownership of Land Register Act 1988, the Forestry Act 1959, the Land Act 1994, the Land Title Act 1994, the Local Government Regulation 2012, the Medicines and Poisons Act 2019, the National Injury Insurance Scheme (Queensland) Act 2016, the Police Service Administration Act 1990, the Property Law Act 1974, the Queensland Competition Authority Act 1997, the Queensland Industry Participation Policy Act 2011, the South Bank Corporation Act 1989, the Statutory Instruments Act 1992, the Water Act

2000 and the legislation mentioned in schedules 3, 4, 5 and 6 for particular purposes, and to repeal the Building Queensland Act 2015, the Foreign Ownership of Land Register Regulation 2013, the Land Title Regulation 2015, the Public Safety Business Agency Act 2014, and the Queensland Productivity Commission Act 2015. I table the bill, the explanatory notes and a statement of compatibility with human rights. I nominate the Economics and Governance Committee to consider the bill.

*Tabled paper:* Debt Reduction and Savings Bill 2021 [\[401\]](#).

*Tabled paper:* Debt Reduction and Savings Bill 2021, explanatory notes [\[402\]](#).

*Tabled paper:* Debt Reduction and Savings Bill 2021, statement of compatibility with human rights [\[403\]](#).

I am pleased to introduce the Debt Reduction and Savings Bill 2021. Every dollar matters. That is a simple phrase but it means something to Queenslanders and it means a lot to me. It is a lesson that I learnt when I started my first job in December 1982. I kept my first pay packet from that first job and I kept the first dollar I earned from it. In fact, just for good measure I kept the second dollar as well. I still have those Australian \$1 bills. Dollar bills may long have gone out of circulation but the lesson stays with me—a lesson taught to me by my late parents and grandparents. Those dollars mattered, hard work matters, prudence matters and savings matter. That is a lesson that I am now applying as the Treasurer of Queensland. It is a lesson that lies at the heart of this bill.

This bill represents a comprehensive reform of the business and the balance sheet of the Queensland government. The Debt Reduction and Savings Bill 2021 is designed to do exactly what the title says: reduce the burden of debt and deliver savings. It is our next step forward as we streamline the operations of the Queensland government to save taxpayer dollars and as we restructure our balance sheet. However, we are not undertaking these changes for their own sake. Unlike some governments, we do not pursue savings and debt reduction as ends in themselves. The Palaszczuk Labor government seeks savings and debt reduction so we can invest in the services that matter to Queensland. We do not cut nurse and midwife numbers, we do not cut teacher numbers and we do not cut police officer numbers. We find the savings and we reduce the burden of debt, but not in some quixotic pursuit of an arbitrary fiscal dollar. We are doing that so we can invest to deliver services the people of Queensland need.

People in my community of Woodridge want good frontline services. They deserve the best, including the best frontline services, as do the people of Saibai Island, the people of Mount Isa, the people of Coolangatta and the people of every place in between. The people of Queensland have trusted that our government, the Palaszczuk Labor government, will always back the front line. We were elected on that platform and we will deliver: 5,800 nurses and midwives, 1,500 doctors, 475 paramedics, 2,025 extra police personnel, 357 extra firefighters, 6,190 new teachers and 1,139 new teacher aides. Those are our priorities, we will deliver them and the Debt Reduction and Savings Bill 2021 will help us get there.

We have invested in frontline services throughout our term in government and we will continue to do that in this term of government. However, it will be different because just as COVID has changed the way we live, it has changed the way government works. Public servants across the Queensland government demonstrated how flexible and adaptive they could be during COVID. In my then portfolio of state development, manufacturing, infrastructure and planning, the department and I worked rapidly to reorient teams. Public servants who worked on infrastructure planning pivoted to work with the private sector to ensure essential goods and essential industries could keep working. The planning group of that department worked rapidly to develop new laws allowing, among other things, supermarkets to restock their shelves around the clock. Our manufacturing group became experts in the local production of personal protective equipment.

I know those examples were repeated all across the Public Service as workers quickly adapted to the new reality and the new demands. What that experience has shown is that streamlining the structures of government enables people and resources to be directed at the most pressing priorities and problems. That is a benefit that we intend to continue to maximise with the abolition of a number of statutory bodies and boards.

COVID has also resulted in state borrowings increasing. We have gone into an operating deficit. There is no escaping that. We have done so deliberately to ensure that Queenslanders can receive the essential and important public services they need and we have done so with the formal consent of the people of Queensland. A choice was presented to the people of Queensland at the last state election. They could have chosen to elect a party that was promising to deliver, come what may, a surplus—the LNP—but they did not. They chose to re-elect the Palaszczuk Labor government. We told them that deficits were an inevitable consequence of the need to provide those essential and important public services. The people of Queensland were presented with the choice and they chose us.

However, deficits now do not mean deficits forever but we do face deficits for the foreseeable future. Accordingly, there must be an increase in debt, just as debt is increasing for the federal LNP government, the Liberal government of New South Wales, the Liberal government of South Australia and governments all over the world. The increase in debt brought on by COVID means we must work harder to reduce its burden. A core feature of this bill is to restructure the balance sheet of the state of Queensland to reduce the burden of debt. Most importantly, we will do so without selling the strategic assets that Queenslanders have demanded at multiple elections should not be sold and which, in their view, should remain in public hands. That is also the view of the Palaszczuk Labor government.

This is an important bill. It will deliver direct savings of up to \$3 million per year and there will be significant further indirect savings. Importantly, the bill sends a strong signal. The signal it sends to the people of Queensland and the signal it sends to all who work for the people of Queensland in the Public Service in the post-COVID world is that we can and we must do things differently. That is a challenge that our government is taking up. As members would be aware, in July 2020 I announced the savings and debt plan. That plan was factored into the COVID-19 Fiscal and Economic Review released in September prior to the state election. The plans outlined in that review and enshrined in the 2020 budget are delivering for Queensland.

As a result of those plans and as a result of our outstanding health response, Queensland's economy is bouncing back better than that of most jurisdictions around the world. As recent ABS data shows, Queensland's domestic economy declined by only 0.2 per cent in 2020 compared to declines of 3.3 per cent in New South Wales and 5.2 per cent in Victoria. Domestic activity has also rebounded substantially in the second half of 2020. State final demand rose by seven per cent in the September quarter 2020, before a further increase of two per cent in the December quarter. Queensland also led the nation with the strongest state final demand growth of 2.4 per cent over the year to the December quarter. Importantly, employment has recovered faster than previously anticipated. The latest data shows that in January 2021 Queensland was the only state to have fully recovered the jobs lost during the pandemic.

The private sector is doing its part to restore Queensland and, similarly, the government is doing its part through the savings and debt plan. The plan targets \$3 billion in savings over four years. This bill aims to lock in a range of saving measures identified in the plan that underpin the government's unite and recover priorities: creating jobs, building essential infrastructure and delivering frontline services.

Since I unveiled our savings and debt plan, significant work has been undertaken across government to ensure resources are directed to where they are needed most. In the 2020-21 state budget I was able to announce that \$352.2 million in savings had already been achieved through a range of targeted measures. When I delivered the budget on 1 December 2020, we were 42 per cent of the way through the financial year and yet our government had already achieved 47 per cent of our savings target. I will again be providing an update on the savings drive in the 2021-22 state budget due to be handed down in June.

In addition to those identified savings, there has also been a significant amount of work reviewing the functions and structures across the public sector to focus on core tasks. This bill includes a range of measures to implement the outcomes of some of those reviews and provides the legislative changes to enable these measures to occur. I want to say at the outset: these changes do not affect the staff working in these agencies. They will instead be transferred to relevant departments or entities to continue to support the community and the public sector.

This bill marks a significant moment in public sector reform and administration in the state. These measures were primarily initiated in the Treasury portfolio, and government is continuing to look for opportunities to improve our efficiency across all areas of government. The bill restructures the governance of the government's productivity policies. The bill is designed to enable the integration of the Queensland Productivity Commission into Queensland Treasury, including the establishment of a new Office of Productivity and Red Tape Reduction. The underlying aim is to provide an additional focus on productivity and regulatory reform as part of the government's economic recovery policies.

Productivity growth is the main driver of living standards in the long term. Productivity growth will also be important in helping to drive Queensland's economic recovery. The integration of the Queensland Productivity Commission into Treasury will enable the commission's economic experts to directly focus on recovery and productivity growth related projects and to work closely with other Treasury and government officials to develop innovative policy solutions. This integration and co-location with Treasury will enable the Office of Productivity and Red Tape Reduction's advice to be aligned with the government's economic strategy and give the new office significant practical influence.

In specific terms, the bill abolishes the Queensland Productivity Commission and provides for the transfer of its existing functions to other parts of government. I want to stress that the Queensland Productivity Commission's work will continue in the new office. Importantly, though, I want to highlight to the House that the competitive neutrality function of the commission will be transferred to the Queensland Competition Authority, which undertook this role before the establishment of the Queensland Productivity Commission. All Queensland Productivity Commission employees will be offered employment in the new office on terms and conditions consistent with their current employment arrangements. As well as reflecting the government's employment policies, this will enable the new office to hit the ground running with a well-qualified and expert workforce. I look forward to having them as part of the broader Queensland Treasury team.

This bill also effects changes to the governance arrangements of the National Injury Insurance Agency Queensland, which plays an important role in improving the lives of people who have sustained serious personal injuries in motor vehicle accidents. In 2016 the Palaszczuk government proudly established the National Injury Insurance Scheme Queensland, a state based scheme that sits alongside Queensland's compulsory third-party injury insurance scheme, with both schemes providing an important safety net for Queensland motorists. Since that time, the NIISQ, as it is commonly referred to, has assisted nearly 400 seriously injured people across all regions of Queensland, ensuring they receive essential treatment, care and support over their lifetime, regardless of their age or the circumstances surrounding their motor vehicle accident.

The Palaszczuk Labor government remains fully committed to the NIISQ and the social policy principles underlying its establishment, and this bill in no way changes the fundamentals of the scheme or the rights and entitlements of NIISQ participants. Rather, this bill makes changes to the governance structure of the statutory body overseeing this scheme and follows a review of functions and structures across the public sector as part of the government's savings and debt plan.

An objective of the bill is to abolish the board of the National Injury Insurance Agency Queensland and bring the functions and responsibilities of the board within the remit of the chief executive officer. The Insurance Commissioner, who oversees Queensland's CTP injury insurance scheme, is to be appointed as the new chief executive officer on commencement of the bill. This will, in effect, return the agency to its original operating model when the Insurance Commissioner constituted the first chief executive officer during its early years prior to the appointment of the current chair and founding board members. I would like to thank the chair and board members for their governance of NIISQ in fulfilling its important role of ensuring seriously injured Queenslanders receive the treatment, care and support they need. This change in the NIISQ governing model will drive operational efficiencies and provide stronger alignment in the governance of motor accident personal injury schemes and streamline our management of long-tail accident insurance arrangements.

This bill also repeals the Building Queensland Act 2015. The principal objectives of the repeal are to give effect to the government's decision to abolish Building Queensland and the Building Queensland board and to integrate Building Queensland's functions, staff, assets and resources into the Department of State Development, Infrastructure, Local Government and Planning. This reform will bring the skills and experience of Building Queensland into central government. It strikes the balance between assisting agencies to deliver good quality infrastructure projects and enabling more strategic oversight of project development at a much earlier time. Taking a more active role in early planning, before proposals are locked in, will assist agencies develop stronger capital plans that consider whole-of-government economic and social priorities, including changing regional and sectoral needs. This will ensure the government is building the right infrastructure at the right time. The department will leverage the extensive learnings and expertise from Building Queensland and draw on existing government processes.

The Queensland government remains deeply committed to robust and effective assessment to support investment decision-making. Under the new arrangements, which will commence upon repeal of the Building Queensland Act 2015, agencies will take the lead role for developing business cases, including applying the best practice business case development framework to new infrastructure proposals. Business cases will remain subject to independent third-party assurance, with expert advice continuing to inform decision-making.

Building Queensland's infrastructure pipeline reporting function will be incorporated into the government's existing capital program reporting to provide Queensland with one efficient infrastructure pipeline. This reform is a real opportunity to further enhance efficiency and effectiveness of government infrastructure planning, assessment and investment in a post-COVID world. I would like to take the opportunity to thank Building Queensland's board members and staff for their work. I am sure the

minister and departmental heads will welcome the staff to the department as they continue the important role of assisting agencies with early stage planning, business case development and assurance for major infrastructure proposals and projects for Queensland.

I will now address the amendments that repeal the Public Safety Business Agency Act 2014. The Public Safety Business Agency was established by the Newman LNP government on 1 November 2013. However, soon after its inception, concerns were raised by employees and unions about the effectiveness of the model. During the 2015 state election campaign, a commitment was made to conduct an official review into the agency in recognition of ongoing employee and union concerns. The subsequent review found that, while the Public Safety Business Agency has achieved some successes, stakeholders primarily identified concerns and frustrations with existing arrangements.

The review suggested changes to the agency's operating model recommending, in effect, either that it be disestablished and all services then performed by the agency be returned to the public safety agencies or that it be retained with the return of a majority of services to agencies and with the agency performing transactional services, some tactical services, including human resource advisory, and a portfolio coordination role. It was decided at the time that the Public Safety Business Agency should continue but, as was suggested by the review, in a more limited service provision role.

In 2018, a review led by Mr Alan MacSporran QC again raised the same consistent and continuing concerns about the efficiency and efficacy of the agency. Adjusting the operating model for the Public Safety Business Agency has not overcome an inherently flawed model established by the Newman LNP government. The Public Safety Business Agency has not succeeded in its original purpose of reducing waste and duplication through providing corporate service capabilities for public safety agencies. The benefits and objectives espoused by the Newman LNP government when it set up the Public Safety Business Agency simply have not materialised.

On 7 September 2020 I announced, as part of the implementation of the government's savings and debt plan, that the Public Safety Business Agency would be disestablished by the end of June 2021 and its function integrated into the Queensland Police Service and Queensland Fire and Emergency Services. This bill meets this aim by repealing the Public Safety Business Agency Act so that machinery-of-government changes can reintegrate the agency into the Queensland Police Service and Queensland Fire and Emergency Services.

Collectively, these decisions to integrate the functions of the Queensland Productivity Commission, the National Injury Insurance Scheme Queensland, Building Queensland and the Public Safety Business Agency within existing government departments are expected to achieve savings of over \$2.6 million per annum. These savings are being achieved while maintaining the current functions delivered by these entities. Importantly, these reforms consolidate these functions and expertise within existing government departments, providing for more effective and efficient advice and service delivery outcomes in the emerging post-COVID world.

The bill also seeks to amend the Financial Accountability Act 2009, which enables the government's legal publication requirements to be satisfied by online advertising or publication. These amendments will mandate that legislation which requires or authorises print advertising or publication by government agencies shall be satisfied by digital/electronic advertising or publication, subject to appropriate exemptions.

As members would be well aware, the media landscape around the world has changed rapidly. More Queenslanders source their news online or from social media than from a printed newspaper. More importantly, in many parts of Queensland, people now have no alternative. News Corporation, for example, made the decision to cease the publication of daily newspapers in Mackay, Rockhampton, Gladstone, Bundaberg and on the Fraser Coast. Thousands of Queenslanders now have no daily newspaper available to them, but those Queenslanders deserve to be able to hear from their government.

It is not enough for a government department to put an ad in a daily print newspaper because the people of Bundaberg will not see it. Fundamentally, all Queenslanders deserve access to important government advice, and this bill puts the obligation on government to use the medium that is available to the most Queenslanders. This bill provides the mechanism to deliver on this objective.

Importantly though, Queensland Treasury worked closely with key government departments to identify exemptions that are appropriate during the drafting phase of this bill. As a result, the following categories are proposed to be exempted: regional Queensland communities where print newspapers still operate; publishing information at a physical location or property or to physically deliver publications

to a person; publishing information in circumstances which equally apply to government agencies, private sector entities or individuals; national legislative schemes; information regarding weapons amnesty declarations under the Weapons Act 1990; matters which concern serious public health and safety; matters in relation to courts and tribunals; and publications by the Public Trustee, such as to locate claimants before settling estates.

The proposed exemptions aim to address concerns raised by various departments, and it must be emphasised that the measure does not affect publication in the *Queensland Government Gazette*, which is available online. Publications in relation to weapons amnesty declarations, serious public health and safety, courts and tribunals, and the Public Trustee are discretionary exemptions. The relevant government entities may choose whether or not to publish in print and/or online to ensure the appropriate audience is reached, depending on applicable circumstances.

The new section provides for an exemption from the online publication measure where the print publication is to take place in a regional newspaper. That is because, wherever regional newspapers continue to operate, we will continue to ensure government can support them. For this purpose, a regional newspaper is a newspaper circulating in a regional area of the state that is not a statewide or national newspaper. Regional areas are described using the ABS's remoteness index as areas outside major cities—generally speaking, this means areas outside Greater Brisbane, Ipswich, the Gold Coast and the Sunshine Coast. These changes are expected to achieve hundreds of thousands of dollars in savings, without compromising Queenslanders' access to important information.

This bill also aims to make amendments to the Acts Interpretation Act 1954 to introduce a fee unit model which will enable agencies' regulated fees to be displayed as a number of fee units. This will streamline the annual process of indexing regulatory fees and reduce administrative inefficiencies for agencies and the Office of the Queensland Parliamentary Counsel. Government indexation seeks to maintain the value of the fee over time relative to the anticipated increase in associated costs.

The principles for fees and charges policy outlines the government's indexation policy and applies to fees set by departments and statutory bodies or agencies except for specified exceptions. Annual indexation requires agencies to amend hundreds of pages of regulation each year to reflect the new dollar value of their fees. The process is resource intensive, taking up to three months for some agencies to implement these changes for hundreds of fees and charges. Additionally, this process takes the Office of the Queensland Parliamentary Counsel more than 800 hours each year to prepare the necessary fee regulations. The fee unit model will streamline this annual process, providing for indexation of the fee unit rather than the amendment of hundreds of pages of regulation.

Under this legislation, from 1 January 2022 all in scope agencies will be required by government policy to display their regulated fees as a fee unit not a dollar amount, unless they have received an exemption. This will require all agencies with regulated fees to amend their relevant regulations to reflect the change, ready for when the next fee indexation is due to occur, being 1 July 2022 for most agencies, or for those with an alternative indexation date their first occurrence post 1 July 2022. Removing these administrative inefficiencies for agencies and the Office of the Queensland Parliamentary Counsel will realise substantial financial savings across government as hundreds of hours of staff time and effort can be fully redirected to focus on higher value service delivery.

I would now like to address the debt component of the savings and debt plan. This bill also provides the mechanism for the Queensland Titles Registry to be included in the Queensland Future Fund through the Debt Retirement Fund. The inclusion of the Queensland Titles Registry will improve our debt-to-revenue ratio when assessed by rating agencies, and is a clear demonstration of the Palaszczuk Labor government's measured and responsible plan to invest today to pay down state debt into the future.

A key element of the government's strategy to manage debt has been through the creation of the Queensland Future Fund. The Queensland Future Fund's first subfund, the Debt Retirement Fund, will be seeded with commercial state assets and other investments. Modelled on similar funds in Quebec in Canada and New South Wales, the Debt Retirement Fund will be structured to offset debt when credit agencies assess Queensland's debt burden. This will provide a buffer between actuals and notional rating agency triggers for the review of the state's credit rating.

In July 2020, I announced that the Titles Registry would be contributed to the fund, subject to due diligence. In September 2020, the government confirmed its intention to contribute the Titles Registry to the Debt Retirement Fund, along with other investments, by 30 June 2021. A contribution to the Debt Retirement Fund of more than \$5 billion was recognised in the COVID-19 Fiscal and

Economic Review, which included a preliminary valuation of \$4.2 billion for the Titles Registry. Inclusion of these investments in the Debt Retirement Fund will improve our debt-to-revenue ratio by approximately nine per cent when taken into account by rating agencies when assessing Queensland's debt burden.

This bill provides for the transfer of functions, assets, liabilities and employees from the Titles Registry to Registry Co. The Queensland Titles Registry processed over 600,000 lodgements and over 2.3 million paid title services in 2020, providing an essential service to Queensland homeowners and the property and development sector. I can reassure Queenslanders that, following the transition to Registry Co., all current services will be preserved, and there will be performance requirements in place to ensure that important quality and service delivery standards continue to be met. Registry Co. is a new entity which will be seeded within a QIC managed trust. Queensland government entities will be unit holders in the trust, meaning Registry Co. will be owned by the state through the Queensland Future Fund structure.

The bill also: authorises Registry Co. to set, collect and retain lodgement, title search and ad valorem fees, and will limit any annual fee increase to up to the consumer price index, which is how fees have been increased historically; preserves an underlying statutory compensation scheme that compensates persons in accordance with the Land Title Act 1994, including those affected by fraud, and enables the state to appoint Registry Co. to manage those claims and other legal disputes; and ensures mechanisms are in place for the government to direct Registry Co. or take control of the Registry Co. to protect the accuracy, availability, integrity and security of the registers maintained by the Titles Registry, or to ensure the proper performance of Titles Registry functions delegated to the operator, if appropriate and necessary.

Amendments to various acts, including the Building Units and Group Titles Act 1980, the Foreign Ownership of Land Register Act 1988, the Forestry Act 1959, the Land Act 1994, the Land Title Act 1994, the Property Law Act 1974, the South Bank Corporation Act 1989 and the Water Act 2000, will ensure that Registry Co. can provide continuity of titling and registry services.

Together Queensland and Titles Registry employees have been consulted on the employee transfer provisions reflected in the bill, along with other employment terms and conditions which seek to preserve existing employment conditions and defined benefit superannuation entitlements. Other employment terms and conditions will be reflected in the final industrial relations agreement with Titles Registry staff. Importantly, there will be no forced redundancies as part of these reforms.

Consultation with other stakeholders—including the Queensland Law Society, the Queensland Audit Office and rating agencies—have also been conducted to inform the structure and legislative arrangements for the creation and operation of Registry Co. This investment base will be used to improve our debt-to-revenue ratio when assessed by rating agencies. As I have stated, this is expected to reduce the state's debt-to-revenue ratio by around nine per cent and is a clear demonstration that the Queensland government has a measured and responsible plan to invest today to pay down state debt in the future.

Finally, the bill amends the Medicines and Poisons Act 2019 to clarify heads of power and improve the operation of proposed supporting regulations. Most amendments are minor or technical in nature and were identified during drafting of the supporting regulations. An amendment to the Medicines and Poisons Act will make it an offence to provide tattoo ink to someone else, or use tattoo ink for tattooing a person, without first being reasonably satisfied that a 'compliant analysis certificate' has been prepared for the ink. The purpose of a compliant analysis certificate is to ensure that the substances contained in tattoo ink have been identified and disclosed. This offence was originally proposed to be included in regulations but, based on advice from the Office of the Queensland Parliamentary Counsel, has been moved to the act.

Tattooing involves the injection of an ink mixture into the dermal layer of the skin. The soluble ingredients in the ink mixture can be distributed in the body within hours or days. Carcinogenic chemicals have been identified in some tattoo inks, and there are concerns that people tattooed with these inks may be at an increased risk of developing cancer. The requirement for a compliant analysis certificate will minimise public health risks by ensuring tattoo inks do not contain any substances that could be harmful to health.

In conclusion, this bill delivers the government's ongoing commitment to economic recovery—creating jobs, building essential infrastructure and delivering frontline services. It delivers on this commitment by leveraging the economic expertise across government to better develop policies to

promote productivity and economic growth. It brings the reform measures needed to ensure that important public functions are performed in the most efficient manner, delivering the results Queenslanders need and expect.

These measures contribute to the achievement of the government's savings and debt plan and, importantly, will be delivered without cutting frontline services, sacking public servants or selling Queensland assets. While Queensland's economy has rebounded strongly from COVID-19, this bill is designed to position Queensland in a stronger financial position for the future. This bill establishes and seeds the Debt Retirement Fund—a key element of the government's strategy to manage the state's debt burden. We need to ensure that every dollar of taxpayers' money delivers the greatest possible benefit to taxpayers. I commend the bill to the House.

### First Reading

**Hon. CR DICK** (Woodridge—ALP) (Treasurer and Minister for Investment) (11.54 am): I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

### Referral to Economics and Governance Committee

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

## CRIMINAL CODE (CONSENT AND MISTAKE OF FACT) AND OTHER LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from 24 March (see p. 796), on motion of Ms Fentiman—

That the bill be now read a second time.

 **Ms CAMM** (Whitsunday—LNP) (11.54 am): The ABS Personal Safety Survey 2016 states that one in five Queensland women have experienced sexual violence since the age of 15; one in four experienced sexual violence at the hands of their partner; one in 20 men have been sexually assaulted since the age of 15; and one in four men aged over 18 years have experienced sexual harassment since the age of 15. The same statistics apply—that of intimate partner violence and that of heterosexual couples—in that 25 per cent of sexual assault occurs in same-sex intimate partner relationships. Aboriginal and Torres Strait Islanders are three times more likely to experience sexual assault than Anglo-Saxons.

From Grace Tame's own personal experience with the legal system, legislation and her leadership on the matter of consent, her advocacy for a national approach and consistent approach to consent is a conversation that we need to have as a nation and as individual states. However, it is complex as each jurisdiction is governed differently and the approach to consent that each state takes is somewhat different. I am encouraged by the conversation she has started nationally and how that conversation will be distilled and continued locally. It is clear through the submissions we received from a number of advocacy groups and services—those submissions contributed to this bill and are outlined in the parliamentary committee report—that many are unhappy with the amendments to date.

I acknowledge the work of the committee, the members, the chair and the secretariat in what has been a heavy and hard summary and, in particular, the evidence from victim support groups where it has been highlighted by the chair that reporting of sexual assaults is well under-reported. I, too, am concerned that the amendments to the Criminal Code on consent and mistake of fact will not go far enough in encouraging women and victims of sexual violence, inclusive of men or members of the LGBTIQ community.

The report highlights the advocacy by many submitters and the support for an affirmative consent model. I have heard firsthand from survivors, support services and legal support organisations across this state who deal with the challenges of the legal system every day—and we hear your frustration. I

share your frustration. I know the challenges that you have expressed in achieving real justice. I know the frustration of the time that it has taken to bring this forward, and the time frames around consultation and further change do not suffice.

It has already been outlined in this debate that the referral of the amendments to the Queensland Law Reform Commission were not broad and did not include scope for reviewing an affirmative model of consent. However, the amendment bill does address the definitions of consent laws and mistake of fact by amending the Criminal Code and will implement all five recommendations of the Queensland Law Reform Commission as detailed in its report. These four legal principles can be distilled from current case law. I acknowledge the transcripts of 135 rape and sexual assault trials during 2018. I also acknowledge each of the stories that sit behind those transcripts—the pain and the need for justice. I also acknowledge the 40 appellant decisions and a further 76 trials that were referred to it at its invitation.

The principles have been outlined by many who have spoken before me in this House, and I will not repeat them. However, I do endorse the member for Nanango, who described these amendments as fixing a loophole in the context of mistake of fact. That will be welcomed. These amendments to the code are intended to strengthen and clarify the operation of the law, ensuring consistent and correct application by judges, juries and legal practitioners. I believe that that is a very important point that we need to make known to advocacy groups. It is very important that we note and we recognise on both sides of the House that there is much more to do.

As outlined by the Queensland Domestic Violence Services Network, the bill in its current form makes no significant changes towards seeking justice for survivors of sexual violence, holding perpetrators accountable for their actions or increasing safety for the Queensland community and that the recommendations on which the bill is based do not reflect the views of survivors or survivor advocates. The network calls for a product based review of the experience of survivors following sexual assault and recommends that the review should report on the barriers, process for reporting, police and the criminal justice system all the way from complaint through to trial.

I am very pleased to recognise the government's commitment of the appointment of Margaret McMurdo AC to the Women's Safety and Justice Taskforce and the assurance that consultation will occur widely. I believe that both sides of this House can assure advocacy groups they will be engaged significantly throughout that process. I do hope that, as a result of the consultation widely undertaken by the task force, there is consideration of: the experience of victims/survivors from their initial complaint with the Queensland Police Service; the way in which evidence is gathered; the way in which interviews are conducted; discussion and disclosure that needs to occur; relived trauma and trauma support; preparation for trial and cross-examination; court support structures; time frames and processes; and the education of the judicial system. I hope that these are considered as part of the work of the task force. I also look forward to seeing any comments the task force makes in relation to an affirmative model and therefore any legislative reform or changes that are to be recommended and come before this House.

I would like to conclude with a statement by a former Queensland District Court judge's associate, Bri Lee, who is also the author of the most incredible book *Eggshell Skull*. I urge all members of the House to read it. Bri witnessed sexual offence trials across this state and highlights how difficult it is for victims of sexual assault to navigate the system. She also deals with her own journey and I commend her for her courage to come forward with her own sexual assault story. I share a quote which I think validates many of the frustrations of women and other victims of sexual assault and violence who feel this amendment today does not go far enough. She said—

Judges tell juries: if a defendant lies, it doesn't necessarily mean he's guilty, but if a woman is crying as she dials triple zero after being raped, she might just be putting on a show.

I echo my colleague, the member for Clayfield and shadow Attorney. We, too, are open to further evidence based law changes that would deliver better outcomes. In Queensland in 2019 there were 4,859 victims of sexual assault. That number has been increasing over the last eight years. It is estimated that 75 per cent of sexual assaults are never reported. One thing we all agree on is that there is more work to do. The LNP is committed to greater protections and punishment and a system that delivers for survivors and complainants that is fair and just.

 **Ms McMILLAN** (Mansfield—ALP) (12.02 pm): I rise to speak in support of the Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill. This bill was initially introduced into the parliament on 13 August 2020 and lapsed at the end of the 56th Parliament. Reintroducing and passing this bill in its current form was a Palaszczuk government 2020 election commitment. The

Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020, amongst other things, amends the Criminal Code to implement all of the recommendations made by the Queensland Law Reform Commission in its review of consent laws and the excuse of mistake of fact.

The key focus of this bill is to: codify existing case law in Queensland; implement the recommendations made by the QLRC; and clarify that the definition of consent in section 348 applies to all offences in chapter 32. Clarity in the law is extremely important. The QLRC noted at page 65 of the report that—

... the community is 'the ultimate user of a law', and that effective communication of legislative rights and obligations is a key component of access to justice.

For this reason, it is important that laws regarding consent and mistake of fact are clear for judges, lawyers, juries and the wider community. Apart from codifying the existing law and implementing the recommendations made by the QLRC, the bill also modernises, strengthens and clarifies the existing law in Queensland. By codifying the law as recommended by the QLRC the law will be more accessible to all Queenslanders and facilitate a more consistent and correct application of the law by judges, lawyers and juries.

In recognising the commission's work I want to also acknowledge the voices of those many stakeholders and individuals who have publicly expressed the importance of this work in ensuring women's safety, women's experiences with the criminal justice system, and the significance of this work in changing the cultural context to ensure that our young men in particular are making wise, informed and respectful decisions.

The four principles to be enshrined in the code are: (1) silence alone does not amount to consent; (2) consent initially given can be withdrawn; (3) regard may be had to anything the defendant said or did not say or did or did not do to ascertain consent when considering whether the defendant was mistaken about whether the other person gave consent; and (4) that a defendant's voluntary intoxication is not relevant to the reasonableness aspect of the excuse of mistake of fact.

It is important to note that this bill is the first step. It is important to acknowledge that legislation can only go so far. Education and attitudinal change are also very important. During the last sitting I was very heartened to hear Minister Grace's announcement that this government will work across all government and non-government school sectors to examine whether the Australian curriculum and the Department of Education's Respectful Relationships education program adequately address the issues of sexual consent and reporting in Queensland schools.

There is clearly a common concern about sexual assault and consent, typically amongst secondary aged students, and there is a need for effective responses to support students, parents and schools at the individual school, broader community and systemic policy levels. Much effort is already occurring in our schools and school sectors to address the issues, but focused, ongoing attention and commitment will be required. The prevention of adolescent sexual violence must engage students and become part of the broader conversation across our community. Schools cannot successfully deal with these issues in isolation. Our schools require the cooperation and support of the broader community.

Schools are awash with many initiatives to tackle sex education, appropriate behaviours and consent, yet recent evidence would suggest that a culture exists amongst secondary aged students and the workplace which would indicate that more needs to be done. Our students are with us for 13 years. I feel we can do more to lead a collegiate and informed response to support not only our young Queensland women but our young Queensland men.

The government's sexual violence prevention framework *Prevent. Support. Believe. Queensland's Framework to address Sexual Violence* states that the government will continue to review and evaluate justice processes and relevant laws in Queensland to ensure that victims of sexual violence are supported and perpetrators are held accountable.

Part of the evaluation of the criminal justice system's response to survivors is the Premier and Attorney-General's announcement of the Women's Safety and Justice Taskforce. The terms of reference of the task force are broad and far-reaching. When I was the principal of Glenala State High School I had the great honour of working with Justice McMurdo, and I have every confidence that Justice Margaret McMurdo will deliver tremendous outcomes for the people of Queensland.

The government understands that survivors are disappointed with the recommendations made by the QLRC on the basis that the reforms do not go far enough; however, it is important that we allow the task force, led by Justice McMurdo, to do its work. It is not possible to simply import offence

provisions from other jurisdictions into Queensland's Criminal Code because each Australian jurisdiction has its own unique criminal law structure. For example, as the Attorney-General has already indicated, in New South Wales there is a higher bar than Queensland because there is a requirement to prove intent to rape which is not required in Queensland. For this reason amendments cannot be rushed, otherwise there may be unintended consequences that are detrimental to survivors.

The bill also amends the Liquor Act 1992, the Gaming Machine Act 1991 and the Police Powers and Responsibilities Act 2000 to implement the next stage of the government's legislative response to the independent evaluation of the tackling alcohol fuelled violence policy. Amendments proposed align with this objective by: enhancing the rigour of the ID scanning and the banning regime in safe-night precincts; increasing the minimum duration of police banning notices from 10 days to up to one month; requiring reviews of safe-night precincts to occur on a three-yearly basis to ensure the ongoing effectiveness of those areas; and providing greater transparency and accountability around liquor and gaming machine licensing decisions.

In conclusion, I am so proud to be part of a government that is taking a holistic approach to the elimination of violence against women from our communities. I am so proud to be part of a government that had the courage to stand with the thousands of Queensland women last Monday as they marched for justice—when they said enough is enough. I commend my parliamentary colleagues for showing the strength and courage to also tell their stories because it is this courage and the courage shown by our Australian of the Year, Grace Tame, and Hannah Clarke's parents, Lloyd and Sue, who are advocating for change. Let me say to all survivors that the Palaszczuk government hears you, it supports you and it believes you. I commend the bill to the House.

 **Dr MacMAHON** (South Brisbane—Grn) (12.10 pm): I rise to speak to the Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020. Survivors of sexual assault in Queensland have been asked to share their stories time and time again. Just a little over a week ago, thousands of people gathered outside this very building for the Women's March 4 Justice saying 'enough is enough'. Victims of sexual assault shared their stories. Women who sit in this chamber shared their stories. Last year the review by the Law Reform Commission saw victims and advocates share their stories and argue for change. Witnesses then were asked to come before the Legal Affairs and Community Safety Committee to share their stories again.

Yet the bill we have before us today disregards those stories. It goes nowhere near far enough to amend Queensland's definition of consent. It goes nowhere near far enough to close the mistake-of-fact excuse that currently exists in Queensland. This bill still puts Queensland far behind other jurisdictions and fails victims/survivors yet again. This is why I now table amendments to the bill to strengthen the guiding principles of the act, introduce an affirmative model in the definition of consent and restrict the use of mistake-of-fact defence to reflect that affirmative model of consent.

*Tabled paper:* Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020, amendments to be moved by Dr Amy MacMahon [\[404\]](#).

*Tabled paper:* Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020, explanatory notes to Dr Amy MacMahon's amendments [\[405\]](#).

I want to outline the most significant ways in which the bill before us is severely inadequate and out of line with community expectations. Firstly, in codifying what already exists in case law in Queensland, the bill will make very little difference for victims/survivors in Queensland. After promising to make change and dragging survivors through often traumatising processes of consultation, a survivor navigating our hostile legal system once this bill is passed and implemented will get little further protections than someone navigating that system today.

Secondly, in the definition of consent, the bill fails to legislate an affirmative model as long called for by survivors and advocates. An affirmative model of consent means consent is freely given for different acts within a sexual encounter, where steps have been taken to actively ascertain and that consent is clearly and positively expressed either verbally or through actions. While an affirmative model puts the onus on all persons involved to find out whether the other person consents and continues to consent to each sexual act, the minor changes to the model of consent in this bill leaves the onus on victims to express non-consent or actively resist.

While I am pleased that the bill states consent can be withdrawn and that silence can no longer constitute consent, it fails to introduce an affirmative model of consent. An affirmative model would send a clear message to the community and addresses outdated myths around rape and sexual assaults. It removes the opportunity for the implied consent narratives and victim blaming—referring to how someone dresses or behaves or prior indications of consent—to be introduced into court.

Our current laws and this bill are stuck on outdated and dangerous understandings of consent. The best practice model, the affirmative consent model, more accurately reflects the realities of sexual violence, where it is a common and understandable response for victims to freeze, shut down or simply comply during an attack. An affirmative model in our laws would mean defendants do not just have to look for a stop sign but would have to wait for a green light. Such a model has been in place in Tasmania and Victoria for many years. In Victoria the legislation defines consent as meaning 'free agreement' and sets out a non-exhaustive list of circumstances in which a person does not consent.

Finally, the bill makes only minor changes to the mistake-of-fact excuse. Mistake of fact allows accused perpetrators to claim they had a mistaken but reasonable belief that sex was consensual. The defence has been used by defendants who claim that a woman's behaviour—including previous flirting or visiting someone's house, what someone wore or how they acted—would be mistakenly interpreted as consent. This defence has also been used in cases where someone freezes or did not fight back enough, where there are language barriers or alcohol involved, and where cases involve domestic violence, people with disabilities and children.

The mistake-of-fact defence has been part of Queensland law since 1899, and two-thirds of defendants who use the mistake-of-fact defence get off without charge. The bill in its current form only codifies existing case law in relation to the mistake-of-fact excuse and again makes very little difference to victims' experiences of the justice system.

I am pleased that the bill states that a defendant's voluntary intoxication cannot be taken into account regarding mistake of fact. However, I share advocates' concerns around the provision which states that 'regard may be had to anything the person said or did to ascertain whether the other person was giving consent to the act'. This allows defendants to point to anything they did to ascertain consent, no matter how small or unreasonable. While this is already included in case law and therefore may not materially worsen survivors' experiences within the justice system, it again fails to reflect an affirmative model of consent by requiring the defendant to take reasonable steps to ascertain consent.

I am also concerned that the bill makes no explicit provisions for eliminating the mistake-of-fact excuse if a person is asleep, unconscious or heavily intoxicated when a defendant has sex with them, such as where someone has fallen asleep or is unconscious after initially giving consent. Our amendments would narrow the use of mistake-of-fact excuses to instances only where the defendant can show they took positive and reasonable steps to ascertain the other person's consent and remove the ability to argue the mistake of fact where the victim/survivor was unconscious, asleep or intoxicated and had not positively expressed consent.

Before finishing, I want to remind the House that 12 frontline organisations providing support to victims/survivors of sexual assault and two other community organisations yesterday wrote a letter to the government saying that the bill is not fit for purpose and will do little to improve the safety and wellbeing of women, and they have asked the government to find courage. I table their letter today.

*Tabled paper:* Letter, dated 23 March 2021, from various organisations, to the Premier and Minister for Trade, Hon. Annastacia Palaszczuk, and the Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence, Hon. Shannon Fentiman, regarding the Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020 [\[406\]](#).

I feel that the minister's speech yesterday ignored their concerns, telling them that existing safeguards are working fine, as though survivors' experiences are not valid. I table their letter to remind the House of the very real voices behind these calls.

I acknowledge that there is a very welcome broader review underway—the Women's Safety and Justice Taskforce—but survivors of sexual assault and advocacy organisations that support them have already been through a rigorous and detailed consultation process on sexual violence and consent. Now we are asking them to share their stories, their trauma, their expertise and their recommendations yet again. I am asking the government to listen to them now. Sexual violence is an urgent issue and the status quo is just not enough. If we do not take every opportunity in this place to ensure our laws reflect the society we want to live in—a society free from rape and sexual assault, which rejects rape myths—then I question what we are doing here at all.

While I will not be opposing this bill given it simply codifies existing case law into legislation, I implore the House to support my amendments today which would genuinely improve the experiences of victims/survivors of sexual assault in our justice system and introduce an affirmative model of consent.

 **Ms HOWARD** (Ipswich—ALP) (12.19 pm): I rise in support of the Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020. The Palaszczuk government is committed to improving women's safety and experiences in the criminal justice system. We promised

Queenslanders at the state election that we would introduce new consent laws and we have delivered. It is part of our continuing suite of reforms that helps build support for victims of sexual violence and ensures that perpetrators are held to account.

As we have all seen around the country these past few months, women will no longer stay silent. Sexual violence leaves a terrible and long-lasting toll on the victims, but the real tragedy is that it is all too common. Some of my colleagues and many other women and girls around the country have spoken up recently about their experiences. They have also spoken about being in situations where they have been in grave fear of being sexually assaulted. The fact that many women have stayed silent about this for so long highlights the fact that many women feel as though the legal system is not equipped to help them get justice for the crimes committed against them. Although we already have laws around consent, we saw a need to strengthen those laws further to make them clear and unambiguous. This will go some way towards helping remove one of the many barriers that women face in the legal system when they report sexual assault or rape.

The amendments in this bill codify the existing case law and recommendations made by the Queensland Law Reform Commission. They establish that: silence alone does not amount to consent; consent initially given can be withdrawn; regard may be had to anything the defendant said or did or did not say or did not do to ascertain consent when considering whether the defendant was mistaken about whether the other person gave consent; and that a defendant's voluntary intoxication is not relevant to the reasonableness aspect of the excuse of mistake of fact.

These new amendments to the Criminal Code are necessary to protect the safety of women, help victims of sexual assault seek justice and hold perpetrators to account. They are just one step in the journey towards eradicating sexual violence against women. This will be a long and painful journey and we acknowledge that survivors are disappointed with the recommendations made by the Queensland Law Reform Commission. They believe these reforms do not go far enough.

In response, the Premier and the Attorney-General announced earlier this month the Women's Safety and Justice Taskforce, which will thoroughly examine women's experiences in the criminal justice system and make recommendations to the government. It is important that we let the task force carry out its work thoroughly and not rush amendments for our code that could have detrimental and unintended consequences. Getting these amendments right is so important for the victims of rape and sexual assault who are seeking justice.

Reforming our consent laws so that our criminal justice system works better for victims is an ongoing process, but it is a step in the right direction towards eliminating sexual violence in our society. That said, there is a broader issue with consent in our society that goes beyond legal reform and requires cultural change. One of the issues lies in the fact that many people, both men and women, young and old, have never been taught about consent or what consent means or even that there is a thing called consent. Many people have never been told that consent is an ongoing negotiation or that it is mutual, reversible, freely given, clearly communicated, informed and enthusiastic. Women such as Brittany Higgins, Grace Tame and Chanel Contos have courageously spoken out on sexual violence against young women and have laid bare the shocking culture of sexual abuse and male entitlement that has been found across all areas of our society and also in our halls of power such as parliament and elite private schools.

For decades, female activists have spoken out against sexual violence in the media, at rallies and in parliament and have pushed through important legislative reforms. Having read the recent accounts of young women and girls who have experienced sexual violence at the hands of their male peers at high schools and in workplaces, it does make me wonder why this is still happening. It is obvious that we still have a huge job to do in educating our young people to stand up to misogyny and sexual abuse.

There are still too many young boys growing up in a culture where misogyny is accepted. Whether or not they are learning it in the home, at school, on the sports field or in the workplace, this culture of male entitlement and toxic masculinity where women are disrespected, belittled, humiliated and abused simply has to stop. It is incredulous that for all of the good work we have done in trying to stamp out sexual violence in society we still have young men who disregard the whole idea of consent, treat women like sex objects and pressure women and girls into demeaning, non-consensual sex acts instead of treating women like the sexually autonomous and mutually consenting adults that they are.

Sadly, we still live in a culture where women are held responsible for being raped while very few perpetrators are ever held accountable. In fact, some of these male perpetrators expect that they will

get away with their abuse given their wealth and power. While they go on to live their lives and build careers and families, their female victims' lives are ruined.

However, I still hold out hope that change is happening, which is why I was pleased to hear Mason Black, the school captain at Brisbane Boys' College, speak out last week, and many in this House have spoken about Mason. Mason called on his peers to stop the sexual abuse and harassment of women. He did so because he felt deep shame upon hearing that Brisbane Boys' College was one of the schools named in testimonies given by students who anonymously shared their experiences of rape and assault at Australian high schools. Young men like Mason give me hope that there is a cultural shift happening. I meet many young men in the high schools in my own electorate who also share that high standard that Mason has.

While it is inspiring to see so many women speaking out about sexual abuse and finally having their experiences heard and acknowledged, we know it is not enough. We need many more men and boys like Mason to speak up and call out sexual violence and abuse against women, especially when they see mates doing it. Much more can be done to educate our young people about sexual violence, consent and healthy relationships so that the cycle of abuse stops. The Palaszczuk government is doing great work in this area such as the Respectful Relationships education program in our schools, and we have recently announced a review into whether existing education adequately addresses sexual consent and reporting in Queensland schools.

In Ipswich the Domestic Violence Action Centre is doing a fantastic job working with school students through their acclaimed Being Heard program. Being Heard is a semester-long domestic and sexual violence program that educates over 2,000 students in years 10, 11 and 12 in Ipswich high schools and surrounding areas. When these students start the Being Heard program, the majority of them report having very little or only some knowledge of domestic and sexual violence. Upon leaving the program, the majority of students report feeling a lot more knowledgeable and informed about the issue. Being Heard is a life-changing program for young people, helping to reshape attitudes and behaviours. This is what makes it such an incredible force of helping to stop the cycle of violence against women.

The Palaszczuk government is committed to supporting the elimination of sexual violence in Queensland. Our Sexual Violence Protection Framework aims to protect women, prevent violence against women, support women seeking justice and, most importantly, believes women.

Since 2015 we have increased investment in specialist sexual assault services in Queensland by over 80 per cent. We have delivered on the recommendations of the *Not now, not ever* report and have established a task force to examine coercive control and look at women's experiences in the criminal justice system. In 2019 we passed laws criminalising the non-consensual sharing of intimate images and we are introducing these new consent laws today. I do want to acknowledge our current Attorney-General and Minister for Women and the former attorney-general and all the work that has been done in this House in that space. No woman should ever have to live in fear of rape or sexual assault. No woman should feel blamed, discredited or doubted when they speak up about their experiences of rape or sexual assault. No woman should have to battle negative attitudes of police, judges or juries when they go to court.

These negative attitudes are one of the reasons why 87 per cent of women do not report sexual assault to the police. Other reasons include having to relive the trauma of their sexual assault repeatedly in the courts, the knowledge that only a tiny number of perpetrators are ever held to account and having to deal with court processes that are onerous and traumatic.

Breaking down those legal barriers by strengthening our consent laws is vital in supporting victims of sexual violence and helping them to achieve justice. The other way is through cultural changes, as I have mentioned. When statistics show us that one in three Australians believe rape is a result of men not being able to control their need for sex and that two in five Australians believe that women make up false reports of sexual assault to punish men, we have a big problem that is in desperate need of cultural change.

While organisations like the Domestic Violence Action Centre in Ipswich are doing important work helping to shift young people's behaviours and attitudes, I believe families and schools also have a role to play in supporting this cultural change by teaching their kids about healthy relationships, consent and sexual violence starting from a young age. The damage caused by sexual violence has far-reaching effects for individuals and society. It is a human rights violation, it undermines gender equity and it deprives the victim of liberty. It is something we need to eliminate from our schools, workplaces and homes. That is why I give my full support to this bill.

 **Mr McDONALD** (Lockyer—LNP) (12.29 pm): In recent weeks we have heard the harrowing declarations of women right across the nation who have been subject to sexual violence and intimidation. Their stories have left us all disgusted and ashamed that any individual in our modern society still finds it appropriate to engage in such behaviour. No woman, no matter their age, race or status, is immune to the threat of violence. It could happen to anyone.

I make special mention of the courageous women, including those in this House, who have shared their stories in the past few weeks. Given this recent push, it seems timely that I should have the opportunity to stand today and speak on the Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill. I note that this bill was originally presented to the 56th Parliament on 13 August 2020. Safe to say, it is no less important now than it was then. Before I discuss the bill in more detail, I thank the Legal Affairs and Safety Committee and its secretariat for their examination of the bill. I also thank the 47 submitters to the bill for their contribution towards its development. Special mention goes to the victims for their stories.

Among other minor legislative changes, this bill primarily intends to implement the recommendations of the Queensland Law Reform Commission's report into the review of consent laws and the excuse of mistake of fact. There was a very large review and extensive detail, including many court transcripts and stories. These recommendations were suggested to clarify aspects of existing consent laws in the Criminal Code and, as such, this bill is designed to do that work. The bill makes explicit four legal principles distilled from case law in Queensland related to consent and the mistake of fact. The principles are: silence alone does not amount to consent; consent initially given can be withdrawn; a court can have regard to anything the defendant said or did when considering whether the defendant was mistaken about whether the other person gave consent; and a defendant's voluntary intoxication is not relevant to the reasonableness aspect of the excuse of mistake of fact.

Through the bill's amendment of the Criminal Code Act, these principles would be incorporated into the definition of 'consent' provided in section 348 of the act. The bill would also implement the commission's recommendation to fix an inconsistency in the Criminal Code by clarifying that the definition of 'consent' contained in section 348 applies to all offences in chapter 32 of the code. As has been said, these amendments essentially codify existing case law, but that case law is not always available and these changes, I am sure, will also have an educative effect. These changes affect offences including rape, attempted rape, assault with intent to commit rape and sexual assault. These are some of the worst offences anyone can commit.

In my professional role as a police officer and investigator I have had to investigate these offences. I have supported many victims and helped achieve some sense of closure for them through convictions achieved in court. As we know, the court process is only part of the healing for some. A transitional provision within the bill would allow for these amendments to be applied prospectively to offences within the chapter charged after the date of commencement whilst also being applied retrospectively to offences committed prior to the date of commencement.

While generally supportive of the bill and overwhelming consent with its other amendments, some concerns were raised by submitters to the aspects of the bill I have outlined. The Queensland Sexual Assault Network highlight that the bill's amendments of consent laws were a missed opportunity to broadly assess the operation and practical application of current legislation that would improve the safety of women and encourage them to report to police and engage with the criminal justice system. It was their feeling that the bill fails to fully address the failings of existing legislation and the criminal justice system in relation to sexual violence.

Arguing that passage of the bill be halted or slowed to allow for a broader review, the Sexual Assault Network also identified several ambiguities in the bill's amendment of section 348. In their opinion, clause 8 of the bill does not adequately account for all circumstances under which sexual violence could occur, identifying the inclusion of the word 'only' in the Queensland Law Reform Commission's recommendation as an allowance for passivity to amount to consent under certain circumstances. They highlight the commission's own research which demonstrates that 37 per cent of sexual assault and rape survivors experienced a freeze response to their attack.

The network raised further concerns over clauses 8 and 9. They suggest that clause 8 unnecessarily places the onus on the victim to withdraw consent even in circumstances where a sexual encounter has changed in nature, while clause 9 removes the requirement for a defendant to take reasonable steps towards ensuring consent is given. These concerns were shared by the Women's Legal Service and Rape & Domestic Violence Services Australia. The Women's Legal Service also referred to the bill as a missed opportunity, stating in its submission—

This bill as is, is a missed opportunity ... a clear and unequivocal benchmark for the whole community about acceptable norms for the community to expect in consensual sexual relationships.

In response to these criticisms, the committee proposed additional consultation to address sexual violence; however, it is unclear whether this process would alleviate the concerns raised by submitters. Clearly, the bill is not perfect—as submitters have noted, it may well have benefited from additional time in consideration and development—but, despite these failings, it is a solid benchmark to work from. While this bill alone will not complete the task of stopping sexual violence, it should contribute to the achievement of its goal.

I note the joint statement by the Premier and the Attorney-General on 11 March announcing a wideranging review into the experience of women across the criminal justice system to be undertaken by the Women's Safety and Justice Taskforce. I welcome this review but, seriously, I have to say that it is not before time that these changes were made to stamp out sexual violence once and for all. Remember, in Australia one in five women have been sexually assaulted and threatened since the age of 15, while one in two will have experienced sexual harassment in the same period. These are horrifying statistics, though the one that horrifies me most is that 97 per cent of these offences in Queensland are committed by men. It is easy for many men to shy away from the fact and say, 'I have not attacked anyone. It's not my problem,' but the fact is that, like it or not, all men are part of the problem. Culture can be described as 'this is what we do around here'. I feel sick when I hear about incidents and events where this poor culture is on display.

Good leadership to build a good culture is necessary for us to pervade all aspects of our community life to change this culture. We need to support champions right across our community so that this culture can change, so that what is happening now is not 'what we do around here'. Men need to step up, set the example and get champions out into all community groups right across our nation to set the example that this is not acceptable. The bill as it is is not perfect but, along with my colleagues, I commend the bill to the House.

 **Hon. MC de BRENNI** (Springwood—ALP) (Minister for Energy, Renewables and Hydrogen and Minister for Public Works and Procurement) (12.37 pm): I rise today to join others to speak in support of the Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020. Our government prides itself on making real change to improve the lives of people in this state. We also pride ourselves on being a caucus of elected representatives who truly embody the diversity of the communities from which we come. That diversity equates to real outcomes for all walks of life. It is because of our government, our Premier and this Attorney-General that we are making a better society for Queensland women by ensuring that women make up at least 50 per cent of our boards, by giving women autonomy over their own bodies by decriminalising abortion or by setting quotas to ensure more women can get decent, secure jobs in our booming construction industry. The Palaszczuk Labor government has delivered these reforms because we believe in an equal society.

I am incredibly proud to be part of this government and proud that on this side of the House we are surrounded by many incredibly talented women MPs. When I sit in the cabinet I am proud that we have such strong women ministers as well, led by a woman Premier, because this is how change happens. This is how we get gender equality in Queensland. It is through leadership and it is with respect, and that starts at the top—at least it does here in Queensland anyway. As we continue to listen and act on the calls for reform from victims of sexual assault in this state, we are proud that our government is enshrining these issues of consent in the Criminal Code.

We took this issue to the election alongside our economic recovery plan. We made it clear that we would reintroduce this bill. We made it clear that we would implement all five of the recommendations made by the Queensland Law Reform Commission in its review of consent laws and the excuse of mistake of fact. We support the four principals that the Law Reform Commission recommended be enshrined in the Criminal Code—that is, confirming that silence alone does not amount to consent, that consent initially given can be withdrawn, that regard may be had to anything the defendant said or did or did not say or do to ascertain consent when considering whether the defendant was mistaken about whether or not the person gave consent, and that a defendant's voluntary intoxication is not relevant to the reasonableness aspect of the excuse of mistake of fact.

As women and men call for their governments to protect women by holding men to account, we are not grandstanding. What this government is doing is taking action where it counts, keeping women safe and holding perpetrators to account. I want to acknowledge the accounts shared by women in this place, in this state and across this country in recent weeks, and many of those women have shared their own experiences as part of this debate.

I want to share for a moment the observations that I have made in my career prior to being elected to this place as a trade union official. I have always worked in female dominated industries as a trade union official and the main observation that I made was that the disregard that some men show

to women by not recognising that no means no is absolutely part of an historic and entrenched power imbalance, and that is only made worse particularly in the workplace by the continued inequality of wages for working women across this country which in turn in fact enslaves—captures—many of them in financial dependence on perpetrators of acts that are, in many cases, abhorrent.

In my working life I have had the privilege to work alongside great women to pursue pay equity in community services and in child care, and consistently the other observation I made is that conservative governments in this country react and have reacted with either indifference or vehement opposition when it comes to improving pay and conditions for women workers in Australia. In fact, it was the Abbott government that killed the fund established by Labor to meet the costs of pay equity for child-care workers, shamefully describing it as a slush fund. As a result, those predominantly women workers continue to be underpaid.

The bill we are debating now is incredibly important, but so are all of the other steps that we must take in this place, in every workplace, in every community and in every home. There are a number of White Ribbon ambassadors in this place too. Some of them sit on these benches, and I am one of them. To address the historic and entrenched unfairness, inequality and injustice that women experience, it has been said that dealing with this challenge requires men to step up. Men on this side and in this place are stepping up, but on this side of the House men are not just stepping up; we are often stepping aside to allow opportunities for women to succeed. I commend this bill to the House.

 **Mr BERKMAN** (Maiwar—Grn) (12.43 pm): I rise to make a contribution on the Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill. I first wrote to the Attorney-General asking for reforms to introduce an affirmative model of consent and restrict the use of the mistake-of-fact defence in June 2018. I was supporting years of calls from survivors and advocates on this issue. When the government finally referred the issue to the QLRC, it seemed like another unnecessary diversion and an abrogation of its responsibility but a small step forward nonetheless. When that report and this bill followed, that hope of progress was very much diminished and, for some, lost.

The government admits that on the issue of consent specifically this bill only codifies existing case law. Survivors have expressed so clearly the ways in which the current system is not working. They have made the case that a QLRC review and a bill were warranted to effect this change, but the government is leaving the law essentially unchanged and simply reaffirming it in legislation. Queensland's laws will remain outdated and inadequate under this bill and will continue to have a trickle-down effect on how sexual assault complaints are investigated and whether charges are laid.

Although the bill clarifies that silence alone does not amount to consent, it leaves open the possibility that passivity can amount to consent in some cases. An affirmative model of consent as outlined by my colleague the member for South Brisbane would mean consent must be clearly and positively expressed for each act through words or actions. This bill will codify case law that says a defendant's voluntary intoxication cannot be used to argue mistake of fact, but intoxication will still lower the bar for defence. This is because, while voluntary intoxication cannot be used to support the reasonableness of a mistaken belief, it can be used to argue the mistaken belief was honest.

Our current laws and the bill also recognise that consent cannot automatically be inferred from a lack of physical resistance, such as the freeze response, but defendants can still refer to these factors when relying on the mistake-of-fact defence. On these issues, the bill simply does not match our contemporary understanding of consent. The bill should go further and limit the mistake-of-fact defence so that it only operates where a defendant has taken reasonable steps to ascertain consent.

I want to address some specific comments made by the Attorney-General in her second reading speech. The Attorney-General correctly noted that the defendant need not take any steps to ascertain consent but a jury can consider any steps they did take, but she then said that that includes anything the defendant did not do or did not say. I share the concerns of advocates, including the Women's Legal Service, about the breadth of considerations that can still be relied on in arguing mistake of fact. This bill should do more to limit the continued broad application of this defence. The minister also said—

... our law on consent explicitly states that consent must be given.

On my understanding and on that of key advocates, this appears to be an oversimplification and one with grave consequences for victims/survivors of sexual assault. What the code actually says is consent means consent freely given and voluntarily given by a person with the cognitive capacity to give consent. Under the current law, which, again, is reflected in this bill, consent cannot be inferred from silence or a lack of resistance—for example, if they freeze or are intoxicated, asleep or unconscious—but a defendant can still refer to these factors when arguing the mistake-of-fact defence.

Let us consider this in the context of a concrete example. On a date someone says that they would like to have sex. They subsequently fall asleep and wake to find the other person raping them. These laws might acknowledge that they did not consent, but they do not prevent the defendant arguing their mistaken belief that there was consent in these circumstances. This is an age-old excuse—

**Ms Fentiman:** But it has to be reasonable.

**Mr BERKMAN:** I take the interjection—‘It has to be reasonable’—and how often have survivors told their stories of it being argued that it was ‘reasonable’ in those circumstances? The law does not work at the moment and for you to sit there and pretend as the Attorney-General—

**Madam DEPUTY SPEAKER** (Mrs Gerber): Pause the clock. Direct your comments through the chair please, member for Maiwar.

**Mr BERKMAN:** Thank you. The law is not working and to simply codify that law is unbelievably dismissive of the experience of survivors. This is an age-old excuse and it is time to get it out of the law. It is the responsibility of every person who wants to have sex to take steps to determine whether the other person is consenting. The evidence on this is already unambiguous. Stakeholders have been clear. Zig Zag Young Women’s Resource Centre, for example, sums it up when it says that this bill—

... makes technical and inconsequential changes to existing law, and does not address the need for more substantive change to current legislation relating to consent and the mistake of fact defence ...

However, the government says that it will further delay legislating an affirmative model of consent. What they are saying is that they will ask advocates, experts and survivors to make their case for change again. It is shameful and it should not be necessary. Respect Inc. said in its submission—

In sex work, a key aspect of consent for sexual services is payment for the services negotiated. If payment is not made or withdrawn, whether or not the sex worker is yet aware, consent is also withdrawn. When the payment and therefore consent is breached access to a person’s body and sexual labour is sexual violence.

They submitted that the meaning of consent should specifically preclude circumstances where payment for sexual services is withdrawn or not given, as the fraudulent representations provision in the act may not apply. Everyone in Queensland, including sex workers, deserves protection from rape and sexual violence. Our Criminal Code should allow them to work safely and access justice if subjected to this particular type of sexual violence. Palming the issue off to the QLRC is not good enough.

I note the Youth Advocacy Centre’s submission, which asked for greater consideration of alleged offences where both the defendant and the claimant were under 18 years old, given their neurodevelopmental stage can inhibit their ability to control impulses or to identify and express vocal emotions. They raised particular concerns about young people with autism spectrum disorder. As I have said many times in this House, our justice system overall must take greater account of the different developmental stages of children, starting by raising the age of criminal responsibility to at least 14. These are important considerations, which could have been incorporated into a bill that introduces an affirmative model of consent with a requirement for reasonable steps. It is inconsistent and potentially confusing for us to legislate a non-affirmative model of consent at the same time as we are finally starting to teach kids about positive consent.

To conclude on consent, this moment—what is happening both inside and outside of this chamber—is an historic opportunity to reframe and modernise Queensland’s outdated sexual assault laws. Just a week on from the women’s march that saw thousands of people across the country take to the streets demanding an end to rape culture, this bill seems like a missed opportunity and an insult to people who are calling for change. No-one is pretending that laws alone will end sexual violence. That requires broadscale, systemic and social education and change, and I was pleased to see the minister finally agree to look at mandatory consent training in Queensland schools, but when even our laws do not reflect best practice, when our government actively excludes affirmative consent from this bill, we are not doing our job as legislators.

There are other elements of the bill I will touch on briefly. I am very pleased to support the changes in this bill requiring the reasons behind new liquor and gambling licenses to be made public. I called for this back in 2018 following the ridiculous approval of 45 new poker machines at the Indooroopilly Pig ‘N’ Whistle in my electorate. Despite the government ignoring the huge community campaign to have that application rejected, I am pleased they took on board our request for greater transparency. I would still like to see further changes, including allowing communities to appeal these decisions, and ultimately a plan to phase out pokies from pubs and clubs in Queensland. After

underpayment scandals, the Indro Pig 'N' Whistle went up for sale and the pokies still have not been installed. I again urge the government to scrap the license, given it is clearly inappropriate and unwanted in the area.

I also strongly support the ban on inducements to open or refer a friend to open an online gambling account. I note, however, that the government rejected the recommendation, made in the same review, to restrict the opening hours of casinos. I would suggest this follows a clear and persistent pattern of this government in refusing to stand up to the biggest players in the liquor and gambling industry.

The bill makes some fairly minor changes to strengthen the government's ID scanning scheme, including to prevent licensees from vexatiously banning investigators from the premises and to create an offence for staff members who do not comply with scanning entry requirements. The Greens have previously criticised the government's ID scanning laws for their disproportionate impacts on smaller local venues alongside inexplicable exemptions for big casinos. I maintain that this is a sledgehammer approach that does not genuinely address alcohol fuelled violence.

I am also concerned about increasing the duration of an initial police banning notice from 10 days to up to one month. In particular, including 'using or possessing a dangerous drug' as an example to issue a ban is worrying. We know that excluding people from public venues, forcing them either into their home or onto the street, can be more dangerous both for themselves and for others.

Finally, I support the amendments to the Legal Profession Act to allow additional payments to be made from the Legal Practitioners' Fidelity Guarantee Fund for programs to improve compliance and trust accounting systems.

 **Mrs McMAHON** (Macalister—ALP) (12.54 pm): I rise to support the Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020. I thank the committee for its work in preparing the report. I note the bill was first introduced in the last parliament when I was a member of the Legal Affairs and Community Safety Committee. I wish to speak specifically with respect to the amendments to the Criminal Code introduced in this bill. These are the amendments that address the issue of consent in relation to sexual assaults. We are experiencing an epidemic of sexual assaults and I do not use this word lightly, with over one in five women over the age of 15 experiencing sexual assault—and it is one in 22 men. If there was a disease that affected one in five people, if there was a specific tragedy that affected people at the rate of one in five, an entire country would be moved to action.

Twenty-three and a half thousand women in this country aged between 18 to 24 indicated that they had been sexually assaulted in a 12-month period prior. That is 23,500 women in just a small six-year age cohort in a previous 12-month period. I am not talking sexual harassment or discrimination or the other forms of disrespect that women live with on a daily basis, I am talking sexual assault—a deeply invasive, confronting, humiliating and traumatising event in a person's life. Can you imagine a world in which 23,500 men in just a 12-month period had been held to account for those sexual assaults? We cannot because they are not. The reporting of these incidents and the investigation and prosecution of these men—because let us recognise the fact that the overwhelming majority are—just does not happen on any scale that would give a victim the support of or confidence in the criminal justice system.

Only a small percentage of victims of sexual assault will report the incident to police. Some report it as low as 10 per cent. Of matters that are reported, only 30 per cent are likely to result in any commencement of legal action against a perpetrator. In 2018 the QLRC reported that in Queensland only 36 of those prosecuted rape and sexual assault trials resulted in a conviction. These may be gut-wrenching statistics, quite stark and dire, but that is nothing to the lived experience of women going through this system.

I have seen it firsthand. I have been the first response officer at the scene. I have been the one on the counter when the victims, both male and female, have gathered the courage to report days, weeks and months later. I have seen the good and the bad in police response. I have sat there while a detective sought to convince me that the victim was merely regretting consensual sex; senior officers who, without even meeting the victim, were convinced that a rape was reported only because the victim's boyfriend had found out she had sex with another man. As a young female police officer I found it confronting, but quite instructive, how my male colleagues responded to sexual assault, how they viewed sexual assault. I will not even go into the disdainful response to complaints of sexual assault by male victims.

While some in the House might find the statistics on under-reporting, and specifically the number of reports that are classed as withdrawn or unfounded, appalling—and it is that—I am not surprised in the least. There is a culture of disrespect and violence against women that is endemic in our community. Whilst there is a lot of work to do with the culture of disrespect against women, which is at the core of all violence against women, I understand that this is unfortunately a long road, but we do start the journey here. As legislators we can make changes in areas under our immediate purview, and that is the legislation of this state, and we can go some way toward addressing the pitiful success rate in securing convictions against offenders.

In September 2019 the then attorney-general referred to the QLRC a review of consent laws and the excuse of mistake of fact. This was in response to a number of cases which drew attention to the issue of consent and the role that the legislation had. The QLRC's own review of trials from 2018 showed that in matters where consent was contested, the conviction rate was as low as 29 per cent compared to matters where the actual act of sexual contact was contested where the conviction rate was 41 per cent. The QLRC delivered its report and it was tabled in July 2020. The report made five recommendations around amendments to the Criminal Code. In August 2020 the Attorney-General introduced a bill to the previous parliament acting on those recommendations. It was an election commitment of this government to implement the recommendations of that QLRC report.

The lapsed bill and its amendments are introduced in this bill before the House and I will turn to the recommendations implemented in this amendment bill. Before I do so, I would just like to give a bit of a primer to my fellow members in this House about how chapter 5 of the Criminal Code works, but first I will move that the debate be adjourned.

Debate, on motion of Mrs McMahon, adjourned.

Sitting suspended from 1.00 pm to 2.00 pm.

## PRIVATE MEMBERS' STATEMENTS

### Kingsthorpe, Flood Mitigation; Toowoomba, Quarantine Facility

 **Mr WEIR** (Condamine—LNP) (2.00 pm): Since the 2011 floods the community of Kingsthorpe has been asking the Toowoomba Regional Council to assist them with ongoing storm drainage problems. Of particular concern is the run-off and subsequent inundation of the main street from heavy rain events and the resultant body of water that accumulates around the railway line. Currently there are too few culverts to allow the water to escape, causing flooding and cutting off one side of town from the other. The council has installed an automated 'road flooded' warning sign and lights at the intersection of Gowrie and East streets to warn motorists that the road is flooded.

On several occasions the community has suggested to council that they are located too far away from the flood zone and should be moved closer to King Street as they can be missed if a driver enters the main street between the two sets of warning lights. The installation of those warning lights should be a temporary measure to ensure some degree of safety whilst the bigger issue of the water inundation of Gowrie Street, which is the main thoroughfare, is resolved. The Kingsthorpe community has been told that there are no planned flood mitigation works in the immediate future, so they will just have to put up with it apparently.

The urban stormwater management plan endorsed by council in August 2019 identified key areas of concern along with potential mitigation measures that recognised that ponding occurs in the main street and along the railway line. However, given the constraints, the stormwater management plan was not able to propose any infrastructure improvements to address the ponding in the areas adjacent to the railway line. The Department of Transport and Main Roads is aware of the issue. Clearly the Toowoomba Regional Council is aware of the issue. We need both levels of government to work together to resolve the situation as soon as possible. The patience of the residents has been tested for long enough.

Clive Berghofer is an entrepreneur, philanthropist, long-time resident of Toowoomba and former member of this House. Toowoomba has been his home for 85 years. He was the principal petitioner for a petition to stop the coronavirus quarantine facility in Toowoomba. That petition, with 8,276 signatures, was tabled in the Queensland parliament on Wednesday. That is 8,276 people who have said no. The signatories to the petition fear that the project has the potential to spread the virus into the western corridor of the Darling Downs, south-west areas of Queensland and areas of northern New South Wales

where there is no capacity for the specialised health requirements needed if an outbreak occurs. That concern is entirely due to the lack of communication from this government. The Premier needs to listen to those concerns and speak to the residents of the Toowoomba region.

### Townsville, Business Confidence

 **Mr HARPER** (Thuringowa—ALP) (2.03 pm): With the indulgence of the House, I wish my wife, Amanda, who I know is watching right now with her work mates in Townsville, a very happy birthday.

**Mr Saunders:** How old is she?

**Mr HARPER:** A gentleman never discloses the age of his wife. Needless to say, I am constantly reminded that I will always be older than her. I hear that the flowers have arrived. I hope she has a great day and the kids spoil her. I cannot wait to get home. Amanda, I love you very much.

'Business confidence soars after government stimulus in Townsville'. That is the heading from an article in the *Townsville Bulletin* dated 16 February. I will table that article for the benefit of the House.

*Tabled paper:* Article from the *Townsville Bulletin*, dated 16 February 2021, titled 'Business confidence soars after government stimulus in Townsville' [\[407\]](#).

The article states—

A survey of business confidence in Townsville has recorded its second-highest result in 30 years.

The PVW Partners Townsville Business Confidence Change Index soared 10 points to about 113 in its outlook for the March quarter.

The firm's managing partner, Carl Valentine, said the results were extremely positive.

"Business confidence is at its highest in 14 years. The last time we saw results this positive was right before the Global Financial Crisis in 2007," Mr Valentine said.

That is a remarkable change and I can tell the House why business confidence is soaring. It is because of this Labor government's investment in our regional city of Townsville. It is because of the investment of billions of dollars in infrastructure. It is because of the COVID adaptation grants that were given to 913 businesses to keep their doors open in the past year and that of course resulted in over \$8 million worth of investment. It is because we are investing in CopperString, the stadium and Riverway Drive. It is because we are creating jobs and we are investing in our city.

The article also states—

Mr Valentine said JobKeeper, Cash Flow Boost and grants like HomeBuilder has really helped keep the Townsville business community alive and accelerated the recovery from the business restrictions imposed in response to COVID-19.

Of course, JobKeeper ends on Sunday. I hold grave fears for many people in my community of Townsville who will no longer receive those payments. There will be an impact on our local businesses in Townsville. Again I call on the Prime Minister to do something to ensure that those payments continue in some form or another for our tourism and hospitality industries. It is a great boost of confidence for our city to see that the investment that the Labor government has made is paying off in jobs. It is a huge investment. I cannot wait to deliver some of the commitments from last election such as Riverway Drive stage 2.

### Fire Protection Licensing Framework

 **Mr MANDER** (Everton—LNP) (2.06 pm): A Labor state government policy that will take effect from 1 May this year will potentially put 2,000 people out of work. Changes to the fire protection licensing framework will ruin the lives and livelihoods of hundreds of families and their small businesses. Men and women who have been operating in the fire protection space for years, some for decades, will no longer be able to conduct their businesses beyond 1 May. I have been inundated with emails from small fire protection business owners who are distraught that they will no longer be considered qualified to do their jobs, despite doing them for years and years, because of these state government policy changes.

Here are their concerns. These changes have been made by stealth. Midyear last year they were stuck inside a bill that had nothing to do with their industry. In fact, it was a Public Service bill. They were given little or no notice, the official advice coming from the QBCC in mid-March, barely six weeks before their effective date. That is six weeks to change the business models that they have operated under for years. The upskilling that is required because of these new qualification requirements is

unnecessary and unrealistic for those in the industry. It is unnecessary because they have operated in the industry for decades and have done so safely. It is unrealistic because it would require them to get a four-year plumbing apprenticeship despite the fact that they have to continue to try to make a living.

**Mr Hart:** And join a union.

**Mr MANDER:** I will come to the point made by the member for Burleigh. Those small businesses were not adequately represented on the ministerial subcommittee that reviewed the framework. They never had a voice to state their case and their objections. As the member for Burleigh has mentioned, this was introduced under the guise of safety when, in fact, it is really all about the Labor Party appeasing their union mates because it will mean more union members at the expense of small businesses.

These people are not unreasonable. In fact, they could accept the new guidelines coming in from 1 May but they would like to see their qualifications grandfathered. Those businesses, some of which have been involved in the industry for decades, may employ small numbers of people and they may employ up to 40 or 50 people, but they will no longer be able to do that as they will be on the scrap heap. I ask the minister to please listen to their concerns and respond so that 2,000 people will not be out of work.

### **Caboolture West, Development**

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Corrective Services and Minister for Fire and Emergency Services) (2.09 pm): I was very pleased to hear the great news from the Deputy Premier this morning about the acceleration program we will be supporting in the Caboolture West development area, an exciting development for the Caboolture region which will support more homes and more jobs in our local community. I am very pleased that this area has been selected as the pilot site for the growth areas development team. This is an initiative of the government to help accelerate land supply which will not only stimulate economic growth and provide more housing opportunities for Queenslanders and Australians to call Caboolture home but also support more jobs and housing affordability.

This is an exciting opportunity for our region. I am very pleased that this team has selected Caboolture West as the pilot site for this future growth program, to unlock that growth, to enhance housing choice and to improve housing affordability for all Queenslanders. This will bring about a massive economic boom and deliver huge job opportunities. The Moreton Bay region in particular has experienced significant growth over recent years, but I also welcome the opportunity that comes with further growth, with further opportunity to welcome people to our region.

The Caboolture West development is a massive development. It is expected that it will provide homes for up to 70,000 people. It is extraordinary. In doing so, it will also support many thousands of jobs for the whole region. It is part of our plan to stimulate economic activity by creating more jobs and more development around our state.

I know that work is already underway with the Moreton Bay Regional Council, water provider Unitywater, the Department of Transport and Main Roads, landowners and developers to deliver on this development opportunity. In support of this pilot project we are also providing \$10.5 million from the Queensland government's Building Acceleration Fund to deliver water supply, sewerage networks and a sewage pumping station. Not only will this support jobs in the delivery of that essential infrastructure; it will also be a catalytic contribution towards opening up accelerated development opportunities for the entire region. This water and sewerage infrastructure upgrade which is funded by that \$10.5 million loan will help kickstart the delivery of the first stage of Caboolture West, which will be approximately 3,000 new homes.

Many people have heard me talk about the Caboolture and Morayfield region as an outstanding place to live. I grew up there and I love living in this region. It is a magnificent place to welcome more Queenslanders and more Australians to our home. This is an exciting development.

### **Bushfires, Detection and Response**

 **Mr LAST** (Burdekin—LNP) (2.12 pm): Yesterday the Deputy Premier spoke about Queenslanders turning the Red Planet maroon. He spoke about how Labor wants Queensland to be recognised as a leading centre in Australasia for launch activities. However, in typical Labor form, the Deputy Premier has overseen a failure to launch. It is a failure which has cost jobs, has cost young Queenslanders the opportunity to be part of this exciting industry and could even cost lives.

On 14 October last year, the Queensland Parks and Wildlife Service was alerted to an illegal camp fire on K'gari—Fraser Island. This fire went on to burn out 87,000 hectares including World Heritage listed areas. While an investigation into that event is currently underway, recent years have shown the loss and damage that bushfires and wildfires can cause right here in Queensland.

What the Deputy Premier, the Minister for State Development, failed to mention yesterday is that four Queensland businesses recently demonstrated a system that detects 100 per cent of wildfires in just 10 minutes, compared to the 90 minutes or more it currently takes for a similar fire to be reported. It is a system that already monitors over 50 million hectares spanning the area from Mexico through to Canada.

The fire urgency estimator in geosynchronous orbit system, known as FUEGO, provides more time and more information for authorities to assess and plan their reaction to a wildfire. As the name implies, the FUEGO system utilises satellites as well as ground based sensors, but it is the satellites which offer 24/7 monitoring that we need. Not only can we act on the threat of fires more quickly; we also have the opportunity to launch those satellites we desperately need from Queensland. Despite his apparent eagerness to embrace space projects, the Deputy Premier and this government have failed to embrace that opportunity.

The coastline in North Queensland is an ideal area to launch from geographically. Instead of embracing the opportunities on offer, this government has turned its back on regional Queensland, turned its back on protecting Queenslanders from bushfires and wildfires, and turned its back on creating jobs for Queenslanders. Space may be the final frontier, but when it comes to protecting Queenslanders and creating jobs for Queenslanders this government has again offered nothing but a black hole.

This is a far too important to let this opportunity go. We know the devastation that fires cause across this state every year, and we should be doing absolutely everything we can to embrace technology that will allow us to detect fires early and to respond. If we had done that on Fraser Island, that fire would not have been as bad as it was.

### **Maryborough Electorate**

 **Mr SAUNDERS** (Maryborough—ALP) (2.15 pm): Last week the Minister for Health visited the Maryborough Hospital to announce \$12.3 million in upgrades to the Hervey Bay and Maryborough hospitals on the Fraser Coast. This will mean the reopening of ward 1, with an extra 18 beds, at Maryborough Hospital. This is very significant for not only the Maryborough community but also the coastal strip of Maryborough that the hospital services, in Tiaro and so on. The health minister was most welcome to make that very good announcement.

The other good announcement was of \$16.46 million in the rolled-gold Works for Queensland program to be spread across the Fraser Coast. I am looking forward to working with my councillors, the mayor and the deputy mayor to make sure the Maryborough electorate gets its fair share of Works for Queensland funding. Works for Queensland is a fantastic program which has delivered so many things for the region, particularly in my great city of Maryborough. We are getting a new water park. The other day I walked past the water park development and saw that it is really coming along.

The Palaszczuk government is putting money back into regional Queensland. We are providing jobs, health care and education and making sure people have the facilities they need—footpaths and so on. That is what Works for Queensland does.

When I talk to the councillors, mayor and deputy mayor, all they can talk about is how good Works for Queensland is—how it has taken the stress off their budgets and how they can do projects that are not necessarily big but that mean a lot to the community: footpaths, road crossings, access to shopping centres and public spaces and so on. That is what a good traditional Labor government does: invest in regional Queensland with jobs, health care, education and services.

As the local member, I very proud to say that we have reopened ward 1 of Maryborough Hospital. Ward 1 has been closed for many years; it has been sitting dormant. The provision of 18 extra beds is absolutely huge for our community.

I say to the Leader of the Opposition: keep up the emails. We love them, because we are picking up more members as a result. I absolutely love it when the LNP do these emails because it gives me a greater chance to talk to the people of my electorate and tell them how good the Palaszczuk government is doing in health care right across the Fraser Coast.

Before I sit down, I would like to wish the member for Southern Downs the best. He is a very good bloke. I hope that everything works out okay for him. It was very brave of him today to stand up and talk about his issues. On behalf of the Maryborough electorate I say that we hope everything goes well.

### Whitsunday Electorate, Infrastructure Projects

 **Ms CAMM** (Whitsunday—LNP) (2.18 pm): I have spoken many times in the House about my local tourism industry and the lack of support provided by the current state government and the previous state government for my marine tourism operators and the Whitsunday electorate as a whole. I would like to draw the attention of the House to the infrastructure projects that are shovel-ready in the electorate of Whitsunday. If this government, the tourism minister and the assistant tourism minister—I note he is in the House—cannot come and meet with my marine operators, the mum-and-dad small businesses that have been doing it extraordinarily tough, operating at 15 per cent capacity versus 90 per cent capacity pre COVID, then the least they can do is advocate for my region and bring forward infrastructure funding to help support projects like the Whitsunday trails—projects that were shovel-ready during the election. I have just written to the Minister for the Environment about the walking trails that were damaged two years ago but for which we are still waiting on funding to repair. In addition, the Lake Proserpine master plan is ready to go. The Whitsunday Regional Council had to use taxpayers' money to fund that. They are more than happy to work with Sunwater in terms of our natural assets.

This morning the state government made a great announcement about financial counselling for tourism operators in the Whitsundays and other parts of Queensland that are doing it tough yet tourism operators have to fund 50 per cent of the financial counselling before they are eligible for a rebate. That is not support. That is not support for businesses that do not even know how they are going to pay their staff.

I put on the record that I have written to the federal government. I have written to the federal Treasurer. I have written to my federal counterparts to advocate for JobKeeper. The LNP has stood up for our tourism operators in our electorates. It is disappointing that the Queensland state government has chosen to pick winners and cherry-pick across the state instead of looking at the industry that has been hit the hardest.

I know that impacts are being felt by marine operators in the electorates of those opposite, but there is silence. I will not be afraid to stand up for my local community. I will go on to tell members about more shovel-ready projects. The coral reef restoration project is ready to go. There are so many opportunities and so many ways in which the government could support the Whitsundays.

### Gladstone Electorate, Hydrogen Industry

 **Hon. GJ BUTCHER** (Gladstone—ALP) (Minister for Regional Development and Manufacturing and Minister for Water) (2.21 pm): Gladstone is set to be home to a highway of hydrogen jobs as the Palaszczuk government continues to deliver our regional economic recovery plan. Queensland's hydrogen credentials hit another milestone last week in my electorate when Sumitomo Corporation formalised a memorandum of understanding with the Gladstone Ports Corporation, Gladstone Regional Council, Central Queensland University and the Australian Gas Infrastructure Group to develop Australia's first hydrogen ecosystem—right on my doorstep in Gladstone, up in the mighty Central Queensland region. By 2030, Queensland will need a fully integrated, export scale hydrogen supply chain if we are able to meet the demand from countries like Japan.

The signing of this MOU represents a huge vote of confidence in the Gladstone port and the resources workers of the Central Queensland region. This will mean more jobs now in exploration, jobs during construction, jobs during export operations and jobs right through the manufacturing supply chain. It will prove those supply chains and grow a domestic hydrogen market, with the ultimate prize of more Queensland exports from and more long-term secure manufacturing jobs in the Gladstone region. While this MOU sets Gladstone up to be the hydrogen capital of Queensland, I want to see us become the hydrogen capital of Australia, and a major global player in this renewable energy market.

Gladstone not only has an outstanding record in the development of energy exports from a standing start but also building this world-leading energy sector is critical to sustaining jobs in our resources sector and growing Queensland manufacturing. Just imagine locally built passenger ferries traversing the Gladstone Harbour, fuelled by entirely emissions-free, renewable hydrogen made locally in Gladstone. By the end of the decade, we can be exporting millions of tonnes of renewable hydrogen stamped with 'Made in regional Queensland by regional Queenslanders'.

I acknowledge my cabinet colleague Minister Mick de Brenni for his industry leadership and advocacy of the Gladstone region. He is heading up a specialist hydrogen team of industry experts to unleash regional Queensland's hydrogen potential and the thousands of jobs that will certainly flow from it. With his support, and the backing of the Palaszczuk government's plan for regional economic recovery, Central Queensland and the Gladstone region will be at the forefront of the global renewable hydrogen industry.

### Police-Citizens Youth Clubs

 **Mr BENNETT** (Burnett—LNP) (2.24 pm): Today I am here to raise issues around Police-Citizens Youth Clubs, PCYCs. First, I need to declare my interest as a national patron of the Traditional Shotokan Karate-Do Federation, TSKF, Australia. Our Police-Citizens Youth Clubs have been playing an integral role in our communities for more than 80 years, providing youth and community programs, services and facilities. They claim their three pillars—youth development, crime prevention and community engagement—underpin all they do. PCYC Queensland also claim their programs and activities encourage social cohesion, address whole-of-community needs and positively impact local communities. Sadly, our PCYCs are being hijacked by greed. These clubs have a long and proud history, but now they face the threat of closure if they do not make enough money. PCYCs are under immense financial pressure and the lack of support is seen as a cop-out by volunteers and staff.

I was approached by members of TSKF that use the PCYC facility at Lang Park over their concerns. Let me tell members, the further we investigated their situation, the more damning it became. TSKF Lang Park has provided karate as a voluntary activity for all ages at the PCYC Lang Park for over three decades. The agreement as it stood was that the PCYC collected training fees from students and no money was paid to TSKF Lang Park for their instruction. However, late last year they were informed there was going to be a change in the way PCYC operated. This change was pushed out under the guise of streamlining and standardising activities across the PCYC whereby if the activity was not offered across all PCYCs in Queensland then they would have to change to a hall hire arrangement.

TSKF Lang Park are not alone in their fight. Some other affected groups include TSKF Crestmead and TSKF Loganholme along with other martial arts such as jujitsu, taekwondo, judo and aikido. All were told to pay up or get out. It appears the jujitsu martial arts clubs from Ipswich and Carindale PCYC have ceased operations. Judo has ceased in Inala and Ipswich.

So herein lies the problem. There seems to be a shift in the operating direction of the PCYC across Queensland with a noticeable push into the 24/7 gym and group fitness space, primarily targeting non-youth members of the community. If this is the decision of PCYC management to move away from offering activities to the youth of the community, why should taxpayers continue to subsidise the operation of the PCYC and provide 60 police officers for this service every year? These clubs play a vital role in communities across Queensland, but jacking up fees, changing hall hire arrangements and the lack of consultation is grossly unfair and out of touch.

The closure of the Castle Hill PCYC in 2019 was a devastating blow for that community. I will not stop fighting to ensure more of them do not suffer the same fate. Our communities want assurances that there will be no more closures of PCYCs and we need plans to keep them, not shut them.

### Hervey Bay Electorate

 **Mr TANTARI** (Hervey Bay—ALP) (2.27 pm): I inform the House that coming off its strong health response, the Palaszczuk Labor government's strong economic response was on full display recently for the people of the Hervey Bay electorate. Supporting Hervey Bay's regional economic recovery, early works have now begun on a \$39 million project that will result in a new 22-bed mental health acute inpatient unit in Hervey Bay. As well as completing the build of the \$44 million Hervey Bay Hospital emergency department on time, which has increased the capacity of the ED, the Minister for Health and Ambulance Services announced in Hervey Bay last week an immediate injection of financial support and recurrent funding year on year to the Wide Bay Hospital and Health Service.

In addition to this, the refurbishment of the former Hervey Bay Hospital ED into a new 19-bed medical unit and the refurbishment of the previous education and training building to create a new nine-room outpatient clinic area at the Hervey Bay Hospital specifically for women's and children's appointments is an investment in health that shows this government's regional focus. This investment shows how the Palaszczuk Labor government is focused on the things that matter in the regions and they are services and jobs, and that is good for the people of the Hervey Bay electorate. It is not just

talking about it, but actually doing it. Contrast this to the cut, sell and sack approach of those opposite. The people of the Hervey Bay electorate know who is looking out for them, keeping them safe and strong and always putting them first—it is this Palaszczuk Labor government.

The Works for Queensland program has so far delivered 418 jobs for people in our region through 65 projects including important upgrades to our beloved piers at Scarness and Torquay—but that is not all. The Deputy Premier recently announced a further round of Works for Queensland, injecting another \$200 million into the regions, supporting Queensland's regional economic recovery—and, in Hervey Bay and on the Fraser Coast, another \$16.4 million to support and to add more jobs to the local regional economy. This is wonderful news for our regional economy and for regional councils across Queensland who are thankful that the Palaszczuk government was re-elected so that they could keep the jobs and the projects pouring into their communities.

I am also very pleased to confirm that, under the Building our Regions program, stage 2 of a \$1.5 million project to improve parking at the River Heads boat ramp begins this month. This stage of the project will deliver a new 74-space car park by extending the old car park and providing additional spaces for more visitors. By upgrading and expanding this car park, we are ensuring the River Heads boat ramp is more accessible for locals and tourists alike, and that will be critical in supporting local growth in tourism and hospitality jobs.

These outcomes are just further proof that the Palaszczuk Labor government will continue to keep the Hervey Bay electorate safe and strong and will continue to support our regional economic recovery, showing that Hervey Bay and Queensland is good to go.

### Electric Vehicles

 **Mr HART** (Burleigh—LNP) (2.30 pm): The government have a habit of dreaming big and trying to save the world, but they mess everything up that they touch. They blame the federal government for things that are not their responsibility. Last night I listened to an adjournment statement by the Minister for Transport about electric cars. He was all over the place. Let me put some facts around it to take us into the realm of reality.

There are 19.81 million vehicles registered in Australia—20,000 of those are EVs. Last year the EV market grew by 14,253. One of those was a car I bought. I am an MP who drives an electric vehicle. The Labor Party have a member on their side who drives one. The member for Logan drives an electric van, so I congratulate him. We have not seen any ministers driving around in electric vehicles. They talk up electric vehicles but they are not out there walking the walk. They do not have electric vehicles, so they do not know the problems that come with electric vehicles.

When the minister says we should subsidise the price of electric vehicles and that that is the federal government's responsibility, he is completely wrong. Instead, why doesn't the state government put electric vehicles into their ministerial fleet and encourage their ministers to drive around in electric vehicles so they can see what the real issues are with using them? Then they can go out and encourage people to buy electric vehicles by putting in more chargers.

I congratulate the government for putting in 18, but in reality 18 is not enough. An extra 13 will not work either. If members opposite drove electric vehicles, they would know that when they drive somewhere and their car is running out of power and the government has put in only one electric charger somewhere and another car is using it they cannot charge their vehicle. A 50-kilowatt charger takes two hours to charge an electric vehicle like mine. The government puts in seven-kilowatt chargers right beside them that take about eight hours to charge a vehicle. It is not practical.

When the government put chargers out there, the other thing they need to be cognisant of is that they should not put them right up the front of the shopping centre where they look like a disabled car park or they should not put them right where it is convenient for people to park because, funnily enough, someone else will park there who does not have an electric vehicle. They should put the chargers up the back of a car park somewhere and put in a big charger. Make it appropriate for people to use.

Then we should look at planning laws—surprise, surprise! Unit complexes do not have to have any sort of chargers built into them. What are we going to expect people to do when we all move to electric vehicles? Every manufacturer in the world is moving to electric vehicles. Sooner or later we are all going to be driving one. Are we going to drag a big electric cord out the door and hope that that will work? It will not. We need to encourage people to put electric chargers into new buildings and retrofit old ones. The easiest way for this government to learn about electric vehicles is for members to get one themselves and starting driving it.

### Pumicestone Electorate, General Practitioners

 **Ms KING** (Pumicestone—ALP) (2.33 pm): Time and time again people in Pumicestone tell me that it is hard to get a GP appointment, but this is not a situation that has come about by chance. In 2019 the federal government classified Caboolture, Beachmere and Bribie as non-distribution priority areas. That decision makes it harder to attract enough GPs to live and work in Pumicestone.

There is a fiction at the heart of the federal government's decisions about which areas should get DPA status. The federal government seems to think that the people in Pumicestone face the same challenges as people in every other suburb across Greater Brisbane. Let me take Nundah as an example. It is an inner-city suburb with a median age of 33—15 years younger than Pumicestone. Pumicestone is the oldest state electorate in Queensland. People in Nundah are not only younger but also they see their GP less. They average 4.6 visits a year and have 73 per cent of those appointments bulk-billed.

Bribie and Beachmere residents visit their GP 7.9 times per year and have nearly 95 per cent of their appointments bulk-billed. This reflects the greater health burden and much lower incomes of people in Pumicestone—almost half that of Nundah—yet Nundah boasts 109.5 GPs per 10,000 residents. Bribie and Beachmere have 74.6. In Caboolture that number drops to 68.8. People in Pumicestone see their doctor more, they have more complex health needs and their low incomes mean they need more bulk-billing, yet Pumicestone has up to 40 GPs fewer per 10,000 people. This is a matter of health equity. Pumicestone and Nundah are starkly different and that must be recognised by the federal government.

A Mr Robert Singh came and saw me at my recent mobile office at Banksia Beach. Mr Singh and his wife still travel to Brisbane for GP appointments. He loves living on Bribie, but they wished they had known how hard finding a GP would be before moving to the island. When my friend Lee's elderly mother needed an urgent appointment recently, her regular GP could not fit her in for 10 days. Lee drove her mother 30 minutes to Caboolture to receive care—a trip that takes its toll on a very sick, frail and elderly person.

Doctors and staff are also calling on the federal government to reclassify Pumicestone as a DPA area. Dr Khoo, Director at Welsby Parade Medical Centre, says there is a shortage of doctors on the island and the situation will only get worse.

I am calling on our federal member for Longman, Terry Young, to work with me to put the health needs of our community first. I am asking him to urge the federal health minister to reclassify Bribie, Beachmere and Caboolture as distribution priority areas when that decision is made in July. Let us get this done so people in Pumicestone can finally see a GP when they most need one.

### Callide Electorate, Citrus Harvest; Water Infrastructure

 **Mr BOYCE** (Callide—LNP) (2.37 pm): I rise to inform the House of the situation in the Upper Burnett area around the Gayndah and Mundubbera districts in regard to the upcoming citrus harvest, as well as other issues regarding water, water infrastructure and the lack thereof.

The citrus harvest has begun with the lemon and lime crops underway. The Imperial mandarin crop harvest will begin in the coming weeks, with the Murcott mandarin crop later in the year around August. The harvest of this particular crop will put added pressure on the availability of seasonal workers as the Murcott mandarin harvest is a date oriented crop which has to be harvested quickly by large numbers of people to get container loads of fruit ready for the international export market. The Gayndah and Mundubbera area require in the vicinity of 2,000 people to pick the crop, and that is approximately double the size of what it was last year due to better seasonal growing conditions and better rainfall totals over the recent growing period.

With the advent of the COVID-19 pandemic, this has presented some unique logistical quarantine and accommodation problems that still have not been addressed satisfactorily. I have spoken to representatives of the Citrus Growers Association and they have been working together proactively as a grower body with producers and the minister's office to advertise extensively through outlets such as Seek to attract workers to the upcoming harvest to try to address this problem. Traditionally, many of these harvesting and picking jobs have been filled by backpacker population and protocols such as the South Sea islander agreement, which has people from the Pacific islands coming to Australia on limited work visas to attend to the harvest.

Because of the COVID-19 restrictions, this has limited the number of backpackers available and has presented quarantine and accommodation problems for people coming from the islands. Where do you house these people for two weeks in quarantine and who pays for the cost of that? The quarantine protocols as they stand are slow and unresponsive to the immediate needs of the industry. The projected cost of travel and quarantine is in the vicinity of \$3,000 to \$5,000 range for every person depending on where they come from. Assistance from federal and state governments to meet these costs would be welcome. However, there has been no commitment.

With the coming closure of JobKeeper one would think there would be an influx of people looking for work; however, this assumption is not turning into practical numbers. People are unwilling to travel or relocate and have the unrealistic expectation that growers will meet and supply accommodation and related expenses. There is also added competition for workers from the hospitality industry, where it is often easier to work in a more suitable location. The fruit and berry industry in the Gayndah and Mundubbera areas is a \$100 million industry that requires the ongoing reliability of water and irrigation for fruit and crop trees.

### **Greenslopes Electorate, COVID Recovery; Easts Rugby Union Club**

 **Mr KELLY** (Greenslopes—ALP) (2.40 pm): I would like to update the House on the mighty Easts Rugby Union Club. Last time I was here I told the House they had won six out of six grand finals last year; we can now officially make that seven out of seven. They won the Australian club rugby championship, beating Gordon from Sydney. I would like the House to note that. Congratulations to—

**Ms Pease:** All thanks to you.

**Mr KELLY:** I was there and it was an exciting game, I have to say that. It came right down to the wire, 14-13. It was won right on the bell. You could not ask for a more exciting finish. I want to say 'well done and congratulations' to president Simon Box, coach Moses Rauluni, all of the team and all of the people who were there at Easts. It really is a terrific achievement. I look forward to this year's grand final period, when we will hopefully roll out eight out of eight, nine out of nine, 10 out of 10—and the list could go on and on.

**Ms Pease** interjected.

**Mr KELLY:** We might leave one consolation prize for Wynnum.

Moving on to other matters, I want to update the House on COVID recovery in Greenslopes, because every day when I drive around I see examples of COVID recovery happening in our community. As we recover from COVID, jobs are this government's No. 1 priority. One of the key ways you create jobs is by investing in infrastructure, and as I travel around I see that investment happening in our electorate. Travelling to Easts Rugby League Club, I see that they are well underway in terms of preparing for their facilities, upgrade which the Palaszczuk Labor government has made a \$1 million commitment to support. That will be rolling out at season's end. We look forward to not only having greater sporting facilities for that club but also it will be a really big boost for businesses at Stones Corner as people come to Easts to enjoy the game and then go there afterwards.

Travelling around the schools I see countless examples, Minister, of all of the fantastic investment in schools. You will be pleased to hear that Holland Park State School's STEM centre stage 2 is close to rolling out. An old dental building has been repurposed. Instead of demolishing it, we have invested in it and turned it into a world-class STEM centre. It is a great addition to that school and one of many that I have seen as I go around. There are things happening in nearly all of the state schools in my area. We have built infrastructure in nearly all of them. I am very proud of that and so is this government.

The veloway is continuing. We are now going to build an overpass over O'Keefe Street—consultation has started to occur on that—getting cyclists home safer, faster and taking cars off the road. All of those things, including sporting facilities, schools and infrastructure, are COVID recovery. That is creating jobs in our community. This is what COVID recovery looks like. If you invest in infrastructure, you create jobs and you create COVID recovery.

### **Hill Electorate, Youth Crime**

 **Mr KNUTH** (Hill—KAP) (2.43 pm): I rise to speak to the House about the impact that youth crime is having in my electorate. Due to constant public feedback, in February I launched a petition titled Stop Youth Crime. It was tabled in the parliament this week. In only a few short weeks the petition attracted close to 5,000 signatures, which shows how big an issue this is not only in my electorate but also in Far

North Queensland. Everyone in this House would agree that youth crime, particularly in regional Queensland, is out of control. Local police will tell you that there is a core group of repeat offenders. These youth understand the law, their rights, and they know that police are powerless to do anything to stop them. If they are arrested, they are back on the streets the next day committing the same crime they were originally arrested for.

I know that there are many arguments against tougher laws for youth offenders—they come from bad backgrounds or circumstances—however, it is very clear when you watch videos of these kids stealing cars or their behaviour in courts that they know exactly what they are doing. Try putting that argument to a mum of three who had her car stolen and trashed, and now she cannot get to work or take her kids to school because she cannot afford to get another car; or a business owner who had his business broken into numerous times and can no longer afford insurance. The bleeding hearts will tell you they are only kids, but these kids also know right from wrong. You can call it tough love, but we need stronger laws to act as a deterrent.

My petition, among other things, calls for the following to be considered: trialling a third option for courts in the form of relocation sentencing as a deterrent and to facilitate the rehabilitation of offenders—relocation sentencing is designed to send them out to remote locations and teach them values and skills to help break the crime cycle; ensure that courts are adequately resourced so that young offenders are dealt with expeditiously so the delay in the judicial process is not used as a reason for them to be granted bail; repeal item 18 of schedule 1, Charter of Youth Justice, in the Youth Justice Act 1992 which provides that—

A child should be detained in custody for an offence, whether on arrest, remand or sentence, only as a last resort and for the least time that is justified in the circumstances.

My electorate is very passionate about this issue, and I believe that it is very important to raise this in the House.

### Agriculture Industry

 **Hon. ML FURNER** (Ferny Grove—ALP) (Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities) (2.46 pm): Queensland's agricultural industries are ploughing along at an increased rate. Last week I had the privilege to attend AgForce's commodity boards function in Toowoomba. AgForce brought together their four commodity boards: cattle, sheep and wool, grains, and cane. As a result of ongoing investments the Palaszczuk government has made in agriculture, Queensland truly is the place to be for agricultural innovation, productivity and leadership. I note AgForce recognised this government's leadership and that we are listening to regional voices. Because we are a government that listens, we have invested in Rural Economic Development grants across agricultural industries in Queensland.

Along with AgForce I was hosted at the Victoria Hill Lamb Feedlot by Stephen and Claire Schmidt. I want to give a shout-out to Claire, who until recently was in the RFDS but is now a GP in Allora. She is a great addition to that town. A few years ago Stephen Schmidt and neighbours in Charleville constructed a wild dog fence and started to control the wild dogs. As part of the Schmidts return to running sheep at Charleville, they saw the need to finish off their own sheep and lambs regardless of the dry season. As cluster fences are built more producers are returning to the sheep industry, and as a result the Schmidts saw an opportunity to build a feedlot. The Palaszczuk government supported the Schmidt family with a RED grant. That will see the sheep and goat industry prosper and support 106 jobs in Allora.

The next day in Dalby I visited another RED grant success, MidWest Fabrications. It was good to see them again after first meeting them at the Dalby show a couple of years ago with the Governor. Father Martin and daughter Amy Schutt showed me how this government's RED grant assisted their business. The RED grant allowed them to extend the existing manufacturing factory and implement the necessary equipment to safely and effectively manufacture larger numbers of the 60-foot harvest platforms. They told me that, with the huge shift towards larger capacity machinery to increase productivity, the wider draper platforms allow producers to get their crops off more quickly and harvest more crop for less time and money while boosting productivity and lowering overheads. It will come as no surprise that this will create regional jobs. In fact, there are eight apprentices on the floor already and more to come.

These are just a few examples of our commitment to supporting industry, helping business, growing regional jobs and economies and ensuring that Queensland is the place to be when it comes to agricultural investment and jobs.

### South-East and Western Queensland, Weather Event; Member for Southern Downs

 **Mrs FRECKLINGTON** (Nanango—LNP) (2.49 pm): Queensland truly is a state of great diversity and we have been reminded of that over the last few days in relation to the rainfall we have seen across some parts of this great state. We have seen extraordinary rainfall events in the south-east and there are currently 11 dams at more than 100 per cent and spilling. This weather event has both been welcome and tragic. I offer my condolences to the family of David Hornman who we have learnt lost his life in the floodwaters at Canungra Creek.

Further to the west on the Southern Downs, we are grateful to hear that Storm King Dam and Connolly Dam in the Southern Downs have hit 100 per cent. EJ Beardmore Dam near St George has also reached full capacity. In the words of the Southern Downs mayor, Vic Pennisi, 'It hasn't rained money, but it has rained hope' for farmers and the community. I know many primary producers have also seen run-off on their on-farm dams and this has brought much relief as we enter the winter season. However, the rain has not fallen everywhere. Just weeks ago, the Wivenhoe Dam was at its lowest since 2009, sitting at only 36 per cent capacity. The recent inflows into Wivenhoe Dam are welcome, but they will not be enough to top up the dam to satisfactory levels. It has only risen by one per cent.

In my electorate of Nanango where Wivenhoe is, there has been little to no inflow at Boondooma Dam, which is currently sitting at around 27 per cent, and Bjelke-Petersen Dam, which is sitting at a low nine per cent. A bit further north at Paradise, there has been a slight increase of six per cent, but we have to bear in mind that this is at the reduced level after those opposite decided that in the middle of a drought it would be a good idea to let 100,000 megalitres go down the drain. We know that is what they have done to lower this wall. It is only the LNP that understands the importance of water and water storage across this great state of ours.

In the short amount of time left, I would like to pay tribute to the member for Southern Downs, James Lister, for the stance that he has taken in relation to mental health here in this chamber as a leader in Queensland. It will bring great awareness of this issue to men and women, but particularly to a lot of men in our regional areas. For too long, country men have not felt as though they could speak up about this insidious disease, so I am very proud to be a friend and colleague of James Lister and his family, and I wish them all the best for his recovery.

**Honourable members:** Hear, hear!

### Disability Advocacy Services, Funding; *Landline*

 **Mr MADDEN** (Ipswich West—ALP) (2.52 pm): I was recently contacted by Margaret Rodgers of Rosewood who was concerned that the funding arrangements for Queensland's disability advocacy groups are due to expire on 30 June. As Margaret informed me, there are over 900,000 people with a disability in Queensland, which means close to 20 per cent of Queenslanders have a disability. Many people with disability and their families will need the support of disability advocacy services at different stages of their lives. She advised me that the 12 independent disability advocacy groups had not been able to secure a commitment from the state government to ensure their funding was included in this year's state budget. These disability advocacy groups are represented by the Queensland Disability Advocacy Alliance and they include: Aged and Disability Advocacy Australia; Aboriginal and Torres Strait Islander Disability Network of Queensland; AMPARO Advocacy; Capricornia Citizen Advocacy; Gold Coast Disability Advocacy; Independent Advocacy North Queensland; Ipswich Regional Advocacy Service; Mackay Advocacy; Queenslanders with Disability Network; Rights in Action; Speaking Up For You; and The Advocacy and Support Centre.

They all do a great job, so I was pleased to speak with the Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships, Craig Crawford, about Margaret Rodgers' concerns. Yesterday, by way of a ministerial statement, the minister announced that the Queensland government was supportive of extending the base funding for disability advocacy services for a further two years to support this vital sector. He said that between 1 July 2019 and 31 December 2020 advocacy funding provided by the Palaszczuk government funded advocacy organisations to deliver more than 34,000 hours of support to more than 3,400 people with a disability.

While I am on my feet, I would like to acknowledge the 30th birthday celebrations for the ABC *Landline* television program. As most members will know, I have rural Queensland in my blood. As a dedicated *Landline* viewer, I was pleased to have the unexpected opportunity to personally congratulate Cathie Schnitzerling, the executive producer of *Landline*, at the Beef Week celebrations organised by Beef Australia and held at the Annexe on Tuesday evening. For those unfamiliar with *Landline*, it is not only the principal current affairs program for rural Australia but also includes segments on book reviews,

cooking, finance and country music clips produced by *Landline*. As *Landline* host Pip Courtney said of the program, 'It's part of the fabric of rural life.' I would like to thank the inaugural executive producer, Kerry Lonergan, the various reporters, producers and camera operators who always do a great job, sometimes under trying conditions and I look forward to enjoying *Landline* for another 30 years. I hope to catch up with a *Landline* crew at the Beef Week celebrations in Rockhampton in the first week of May.

### Toowoomba, Quarantine Facility

 **Mr WATTS** (Toowoomba North—LNP) (2.55 pm): I rise to talk about one of Toowoomba's favourite sons, Clive Berghofer. He has been a great citizen for Toowoomba. He has donated millions of dollars to local sport and health facilities. One of the things that has been concerning him greatly in recent times has been the suggestion that a quarantine hub would come to Toowoomba. There are many reasons he is concerned about this, not least of which is the reputational damage it could cause to Toowoomba. Clive put together a petition which has been tabled in this House. There were 8,276 people who gave their name and personal details to this House so that their objection to this facility could be recorded. I will go into a little bit about why their objection should be recorded, but first I want to table a letter from the Premier's office.

*Tabled paper:* Letter, dated 25 March 2021, from the Chief of Staff, Office of the Premier and Minister for Trade, Mr Jim Murphy, to the member for Toowoomba North, Mr Trevor Watts MP, regarding regional quarantine facility [\[408\]](#).

The letter states—

As stated in my previous correspondence of 12 February 2021, the Queensland Government is committed to exploring options for a regional quarantine centre, in consultation with the Federal Government, industry and local communities.

There has been no consultation with our local community. That is why 8,000 people have signed the petition. They are concerned about what will happen with our hospital. We have seen a growth of 18 per cent in ambulance ramping at the hospital right now, and that is with zero COVID in Toowoomba. What happens if you bring 1,000 people to Toowoomba? The statistics tell us that there will be cases that will take our paramedics off the road, that will take our ambulances out of Toowoomba, that will take our doctors out of their surgeries and that will have the potential to shut down our health facilities.

Our health facilities are already struggling so why would the government risk this? If they were going to risk it, why would they do it without talking to anybody in Toowoomba apart from one proponent? We all know that the Wagners can build a great facility and I do not doubt they could manage it better than what we have seen currently. The report from the first quarantine outbreak stated—

With the absence of a scientific determination, the cluster is most likely to be the 'result of multiple weaknesses in infection prevention and control practices'.

That is the current standard that is happening here in Brisbane. First, we need to fix this system. We do not need to bring it to a regional centre where we have limited health facilities that are already overwhelmed. We are willing to participate to help find a solution for this, but not in the absence of any communication. What happens to our police service? What happens to our hospital? What happens to our anaesthetist? What happens to the one negative pressure room we have in Toowoomba if we bring thousands of positive cases into Toowoomba for quarantine? We simply do not have the facilities to cope. I urge people to look at the petition and listen to the people of Toowoomba. They have spoken.

### Mundingburra Electorate, Health

 **Mr WALKER** (Mundingburra—ALP) (2.58 pm): I rise to report on some great news in the seat of Mundingburra in relation to health. Townsville's vaccine hub opened for business on 5 March and it was great to have the Hon. Yvette D'Ath, Minister for Health, visit our hospital for delivery of the first doses of the vaccine. We know that the vaccine plays a fundamental role in helping us beat the COVID-19 pandemic and it is encouraging to see the vaccine being rolled out with the assistance of our highly skilled nurses. A strong health response is important for a strong economic recovery. I would also like to thank our health professionals and support staff at the Townsville University Hospital for their high standard of work. It is truly appreciated.

In other great health news, I had the honour of being present at the Mater Private Hospital's business breakfast last week for the arrival of the Da Vinci XI robot. The Da Vinci XI robot provides the sort of world-class health infrastructure that will encourage young doctors and nurses to stay and practise their craft in North Queensland. It is expected to contribute to greater precision for doctors, while offering patients less invasive surgical procedures.

This new cutting-edge technology is the result of an historic agreement between the Townsville University Hospital and the Mater Private Hospital. I thank the Mater Private Hospital and the Townsville University Hospital for sharing this moment with me as well as with the health professionals and the other invited guests. What a fantastic future our community has with the addition of this new technology.

We also know that mental health plays a vital role in a healthy city. Another ripple effect of the COVID-19 pandemic has been the increase in feelings of loneliness, isolation and distress. The fantastic team at selectability recognised the benefits of physical activity on our mental health, and so the selectability Bike Shed was born. The Bike Shed officially opened in Mundingburra this month, and I was lucky enough to have an early tour with the team.

Bike Sheds are a safe place for Queenslanders to socialise, learn new skills and improve their mental wellbeing. The program includes a free bicycle loan scheme, bicycle repair workshop, breakout areas for socialising, organised group rides, easy access to other supports, and tea and coffee making facilities. Funding for this important project was made available to selectability as part of the Queensland government's \$27.75 million COVID-19 grant for service providers to help build community health, resilience and preparedness.

Just last week, accompanied by my wife, I was invited to attend the centenary celebration of the Royal Australian Air Force at the Townsville RAAF Base. The RAAF has called Townsville home for only 80 of those 100 years, however it is already such a big part of the history of our city. The Royal Australian Air Force plays such a fundamental role within our Australian Defence Force. It was my honour to help them celebrate—

*(Time expired)*

## NOTICE OF MOTION

### JobKeeper

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Tourism Industry Development and Innovation and Minister for Sport) (3.01 pm): I give notice that I will move—

That this House:

1. notes the Prime Minister's decision to end JobKeeper this Sunday, 28 March 2021; and
2. calls on the Prime Minister to reverse his decision to end JobKeeper this Sunday or, alternatively, provide new targeted financial assistance to Queensland businesses affected by the closure of Australia's international borders.

**Mr BLEIJIE:** Mr Deputy Speaker, I rise to a point of order. We had this debate last sitting. If memory serves me correctly, the minister talks in this motion about other financial opportunities. However, that was actually contained in a motion that we have already debated in this House. I would say that the same question rule would apply to this debate as we debated it two weeks ago.

**Mr DEPUTY SPEAKER** (Mr Kelly): I will take some advice. Minister, would you be able to explain how the motion is different?

**Mr HINCHLIFFE:** Urgency is the reason it is a different matter.

**Opposition members** interjected.

**Mr DEPUTY SPEAKER:** Order! I have asked for an explanation. It will be heard in silence.

**Mr HINCHLIFFE:** This is a matter that has an urgent deadline associated with it because in three days time this will affect thousands and thousands of Queenslanders and Queensland businesses. It is appropriate that the House has the opportunity to draw to the Australian government's attention how significant this is for the state.

The previous motion, the motion that was debated and passed in the sitting week a couple of weeks ago, called on the federal government to consider alternatives. This one is calling on them to fix the matter and puts forward ways in which that can happen because of the urgency of what is to confront so many thousands of Queenslanders on Sunday.

**Mr BLEIJIE:** Mr Deputy Speaker, I rise to a point of order. The motion that was moved two weeks ago lists the deadline for JobKeeper, the deadline we have known about, which is this Sunday. That is why that motion was moved by the government two weeks ago. The motion did talk about alternatives. Just because the minister now thinks it is urgent does not mean the standing orders can be sidelined due to urgency considering the parliament dealt with this issue in full two weeks ago.

**Mr DEPUTY SPEAKER:** I will take some advice.

**Mr HINCHLIFFE:** Mr Deputy Speaker, I rise to a point of order. What I have done is given notice of a motion and there are subsequent processes that might address the concerns that the Manager of Opposition Business might have.

**Mr DEPUTY SPEAKER:** I will take some advice. Having listened to all those points, I call the minister to continue.

**Hon. SJ HINCHLIFFE:** I seek leave to move a motion without notice.

Division: Question put—That leave be granted.

**AYES, 51:**

**ALP, 50—**Bailey, Brown, Bush, Butcher, Crawford, D'Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Hunt, Kelly, A. King, S. King, Lauga, Linard, Lui, Madden, McCallum, McMahon, McMillan, Mellish, Miles, Mullen, O'Rourke, Palaszczuk, Pease, Pegg, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Skelton, Smith, Stewart, Sullivan, Tantari, Walker, Whiting.

**Ind, 1—**Bolton.

**NOES, 36:**

**LNP, 33—**Bennett, Bleijie, Boothman, Boyce, Camm, Crandon, Crisafulli, Frecklington, Gerber, Hart, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Stevens, Watts, Weir.

**Grn, 2—**Berkman, MacMahon.

**PHON, 1—**Andrew.

Pair: Boyd, Bates.

Resolved in the affirmative.

**Mr BLEIJIE:** Mr Speaker, I rise to a point of order. Some time ago, before the division, I raised a procedural point of order with respect to the standing order regarding the same question rule. Precedent would have it that when a point of order on the same question rule arises, the minister would have to convince the Speaker or the Deputy Speaker—whoever is in the chair—that that does not apply. I do not think Mr Speaker has been afforded the opportunity of consideration with respect to this matter. It may be considerate of this House to delay this matter in order that Mr Speaker can consider whether the same question rule applies.

**Mr SPEAKER:** Member for Kawana, I have taken advice from the Clerk. In terms of the motion suspending standing and sessional orders, it means that the—

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

**Mr SPEAKER:** Hold on, we are not going to have competing points of order. You have already raised a point of order, member for Kawana. What is your point of order, member for Kawana?

**Mr BLEIJIE:** The motion that was moved prior to this was put on the *Notice Paper*. As I understand it, there is a motion with respect to JobKeeper on the *Notice Paper* because the minister gave notice that he will be moving it. That motion deals with JobKeeper. The House debated a motion on JobKeeper two weeks ago.

**Mr HINCHLIFFE:** Mr Speaker, I rise to a point of order. As I said to the Deputy Speaker earlier, the motion I have given notice of is just that—a notice of motion at this point in time. We have just had a vote of the House on my seeking of leave to move a motion without notice. Leave was granted by the House. The House should be given the courtesy to allow its wish to happen and allow me to move a motion. As I also flagged, I suspect the Manager of Opposition Business will be satisfied by the motion that comes next.

**Mr SPEAKER:** Thank you, Minister. Procedurally, the fact is that there has been no motion moved today at this point, other than to seek leave. Procedurally, the House has allowed that. The minister now has the opportunity, should he wish, to move that motion. At this stage there is no motion before the House.

## MOTIONS

### Suspension of Standing and Sessional Orders

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Tourism Industry Development and Innovation and Minister for Sport) (3.13 pm), by leave: I move—

That, notwithstanding anything contained in standing and sessional orders, the Minister for Tourism Industry Development and Innovation and Minister for Sport be permitted to immediately move the motion of which he has given notice earlier today, with the following time limits to apply:

- three minutes for all members
- total time before question put—30 minutes.

**Mr BLEIJIE:** I rise to a point of order, Mr Speaker. Now that the motion has been moved, I put to you the same question rule under the standing orders. The House dealt with a JobKeeper motion two weeks ago. The motion the minister has now moved is a motion on JobKeeper.

**Mr HINCHLIFFE:** Mr Speaker, I rise on the point of order. I think the Manager of Opposition Business does not know which motion we are talking about.

**Mr Bleijie** interjected.

**Mr SPEAKER:** Thank you, member for Kawana. We are not going to turn this into an argument in the schoolyard. I have points of order from both sides of the House. At the moment, there is a question before the House. I intend to put that question.

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

**AYES, 51:**

**ALP, 50—**Bailey, Brown, Bush, Butcher, Crawford, D'Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Hunt, Kelly, A. King, S. King, Lauga, Linard, Lui, Madden, McCallum, McMahon, McMillan, Mellish, Miles, Mullen, O'Rourke, Palaszczuk, Pease, Pegg, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Skelton, Smith, Stewart, Sullivan, Tantari, Walker, Whiting.

**Ind, 1—**Bolton.

**NOES, 36:**

**LNP, 33—**Bennett, Bleijie, Boothman, Boyce, Camm, Crandon, Crisafulli, Frecklington, Gerber, Hart, Janetzki, Krause, Langbroek, Last, Leahy, Lister, Mander, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Stevens, Watts, Weir.

**Grn, 2—**Berkman, MacMahon.

**PHON, 1—**Andrew.

Pair: Boyd, Bates.

Resolved in the affirmative.

### JobKeeper

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Tourism Industry Development and Innovation and Minister for Sport) (3.20 pm): I move—

That this House:

1. notes the Prime Minister's decision to end JobKeeper this Sunday, 28 March 2021; and
2. calls on the Prime Minister to reverse his decision to end JobKeeper this Sunday or, alternatively, provide new targeted financial assistance to Queensland businesses affected by the closure of Australia's international borders.

There has been an awful lot of effort taken by—

**Mr BLEIJIE:** Mr Speaker, I rise to a point of order. The motion moved by the minister has not been circulated. There was no prior advice to the opposition that the motion would be moved. The debate has started. We do not have copies of the motion. I put it to you, Mr Speaker, that, under the same question rule in the standing orders, the minister must satisfy you that we are not debating a matter that was debated two weeks ago. If the minister had given the opposition and the crossbench the courtesy of a copy of the motion then we might be able to better ascertain that, but at this stage it is up to the minister to show that that is not the case to your satisfaction.

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

**Mr SPEAKER:** Before I rule on your point of order, member for Kawana, there is another point of order.

**Mr HINCHLIFFE:** The procedural motion that was moved and passed by the House just moments ago contains the words 'that notwithstanding anything contained in standing and sessional orders'. That includes sessional order 87 which is crucial to the point that the leader of opposition business is making. I equally want to highlight that there has been some notice—it now seems some 20 minutes notice—of this motion that I gave notice of and it was provided to officers at the table and made available to members before the time at which I stood up.

**Mr SPEAKER:** Thank you. I have heard your point of order, member for Kawana. I have heard yours, Minister. I am satisfied that this motion can be moved by the House given the procedural motion that has just been passed by the House, noting that, member for Kawana, you have raised the issue of not having prior notice and not being engaged on that. I will simply note your point of order.

**Mr HINCHLIFFE:** Going to the concerns that have been raised about notice, there was significant notice that was provided to the opposition. It was provided in the form of a letter inviting co-signatories between the Premier and the Leader of the Opposition to go to the Prime Minister calling for what, I understand, is the opposition's position in this House. The opposition wants to see JobKeeper or a targeted version thereof continued. That is what it wants, yet it has gone now for 20 minutes worth of parliamentary time and effort to avoid supporting something that it apparently believes in. This does stretch the realms of credibility. What is vitally important to the people of Queensland is not the games that are being played in this chamber. The things that are vital to the people of Queensland is that the federal government's plan to end JobKeeper on Sunday, 28 March is going to be nothing short of devastating to the Queensland tourism industry.

The latest estimates we have is that close to 244,000 Queenslanders and nearly 79,000 businesses across the state are currently receiving JobKeeper. On Sunday the Morrison government will effectively be making almost a quarter of a million Queenslanders unemployed. Nearly 15,000 tourism businesses in Queensland are participating in JobKeeper, supporting up to 60,000 employees across the tourism sector alone. As we have said, narrowing it down and focusing on those sectors that are exposed is part of what we proposed in the motion. With regard to our tourism businesses, in our regions 23½ per cent of businesses on the Gold Coast and 20 per cent of businesses in Tropical North Queensland are relying on JobKeeper. Before the international borders closed, Queensland welcomed around 2.7 million international tourists every year injecting \$6 billion into our state's economy each and every year.

Today again—and I am happy to say it again—we are calling on the Prime Minister, Scott Morrison, and the federal government to extend JobKeeper and support struggling tourism operators until it is safe—and appropriately safe—to welcome international tourists back to Queensland. Thousands of tourism businesses throughout our regions have a strong reliance on that international tourism and cutting JobKeeper while it is still unsafe to reopen our international borders will have a disproportionate impact on Queensland. That is why it is important—we thought it was vitally important—to give this parliament, this House, the chance to put on record its wish that it see that be agendaed. What we have seen is alternative packages that have been put forward by the federal government that have not hit the mark, that have failed to hit the mark. I call on the House to support the motion before the House.

*(Time expired)*

 **Mr CRISAFULLI** (Broadwater—LNP) (Leader of the Opposition) (3.25 pm): Today in question time I was goaded by the Premier to co-sign a letter and just now I have been goaded by the minister to co-sign a letter. We are pretty efficient in the opposition office, so not only have I signed the letter but also it has been posted, and I will tell members why: when it comes to sticking up for Queensland, we will do it every day of the week.

The Premier was good enough to give me a copy of the letter. She has signed it. I have also signed it and on it I have written a personal note to the Prime Minister to advise him that I will not just rest there; I will also make sure that this House does some heavy lifting as well. The difference between my style and the Premier's style is she is always happy to have a whinge; I will have a win.

Members of this House have an opportunity now to come in here and have a crack at the things that we control. Those opposite can sit and whinge about Canberra all the time and they can get up and move clunky motions, or they can do something to make a difference. Right now this House needs to do a couple of things. One is that we need to stand united that Canberra must continue to support those businesses, those industries and those workers at ground zero. They need help, and we have done it in a manner forcefully yet respectfully. We believe that Canberra needs to do more.

I will tell members what my letter to the Premier shows. Since March each level of government has implemented some form of an assistance package. In the case of the federal government, it works out to be nearly \$50 per Australian. Even as we heard this morning with \$2 million for financial counselling, it is \$1.16 per Queenslander for this House. I will not allow the member for Cairns, I will not allow the member for Barron River and I will not allow the member for Cook to speak with forked tongues and say one thing in one part of the state and another here. The Premier has asked me to co-sign the letter. I have co-signed it, and I have posted it. I table the letter.

*Tabled paper:* Letter, undated, from the Premier and Minister for Trade, Hon. Anastacia Palaszczuk, and the Leader of the Opposition, Mr David Crisafulli MP, to the Prime Minister, Hon. Scott Morrison MP, titled 'Urgent extension of JobKeeper' [409].

*Tabled paper:* Letter, dated 25 March 2021, from Leader of Opposition, Mr David Crisafulli MP, to the Premier and Minister for Trade, Hon. Anastacia Palaszczuk, regarding letter to Prime Minister requesting continued support for industries impacted by COVID-19 [410].

I say to the Premier that I will work constructively every day of the week with the government, but I will tell members what else I will do: I will not let the government off the hook, because the response to COVID financially from this mob has been the worst in the nation—it has been the worst in the nation—and we have had businesses clinging by their fingertips waiting for this mob to do something. There is no way I will let the government off the hook with some shrill motion from a parliament that we have no say in when there are things we can do in here that we do control. That is what leadership looks like—having a win, not a whinge.

**Mr Bailey** interjected.

**Mr SPEAKER:** Member for Miller, you are warned under the standing orders. We use correct titles in this House.

 **Mr HEALY** (Cairns—ALP) (3.28 pm): The federal government ending JobKeeper on Sunday is a huge concern for so many industries and so many people, particularly those people involved in the tourism industry. It is concerning and there are foundations to believe that the Prime Minister has absolutely no idea of the impact this will have across many regions.

In our tourism regions 23.4 per cent of businesses on the Gold Coast, 20 per cent of businesses in the Tropical North and 12.1 per cent of businesses in the Whitsundays are reliant on JobKeeper. Operators in these regions are heavily reliant on international visitation and remain on the edge of closing their doors. We know that those businesses that are operating in the domestic sector are starting to show some good signs of recovery and are doing well. This is a very particular group. Operators in these regions need assistance. The end of JobKeeper will have significant impacts for employment and business viability across many tourism regions in our state.

While the Morrison government plans to make 244,000 Queenslanders unemployed on Sunday, the Palaszczuk government has been taking action—contrary to what we hear—to support tourism businesses in regions that have been heavily reliant on JobKeeper. In the last few weeks the Palaszczuk government has announced numerous programs to support the tourism industry, including 15,000 \$200 travel vouchers to spend on tourism experiences in Cairns and the Far North; \$1 million to give \$150 subsidies to 6,500 Queensland students to explore the reef; subsidies to attract national business conferences with more than 350 delegates to Queensland; a long-term strategic action plan for tourism recovery led by a reference panel of industry heavyweights Liz Savage, Andrew McEvoy and Brett Godfrey; \$12.2 million to the Good to Go marketing campaign to encourage Queenslanders and southerners to go on holidays in Queensland; and today the minister announced very much needed economic advice and support to Queensland tourist businesses facing hardship with Sunday's axing of JobKeeper.

The government has committed \$25 million to the Queensland Tourism Icons Program; \$25 million to the Growing Tourism Infrastructure Fund; \$15 million to support key regional airports as well as negotiate new aviation agreements to support regional areas; \$5 million for the COVID International Tourism Adaptation Grant program; \$174 million for tourism related businesses offered through the industry support program; \$137 million in approved loans for 952 tourism businesses under the Small Business COVID-19 Jobs Support Loans Scheme; \$77.9 million in Small Business COVID-19 Adaptation Grants—and those opposite think we are not making an effort here?

 **Mr JANETZKI** (Toowoomba South—LNP) (Deputy Leader of the Opposition) (3.31 pm): Does it not say everything about the underwhelming nature of this government's response to the COVID economic crisis that it took 20 minutes to get this motion moving? That says everything about the lack of vision and the lack of support that this government has on offer. It is important that we get some context. I did mention these numbers two weeks ago when we last debated this same question, but let

us look at the support on offer. The federal government has tipped in over \$28 billion in direct economic support to the Queensland economy. In contrast, the state government has put in a little over \$8 billion. That is three times the amount of direct economic support. This state government, measured against gross state product, has spent the least out of any jurisdiction in the country. The federal government has done more than its fair share.

As the Leader of the Opposition has just said, we will not stop seeking more support from the federal government to back the Queensland economy, but this state government cannot stand by and just throw rocks. If they are not blaming Canberra, if they are not throwing stones at Canberra, they are busy stealing our ideas. Those opposite blame Canberra for everything—health, roads and the COVID economic recovery. Then they steal our ideas, whether it be the vouchers to get more kids out to the Great Barrier Reef or fast-tracking infrastructure. The state Labor government is out of ideas.

We will have more call-to-action summits. We went up to Cairns and we sat down with the members of the community. Nick, Advance Cairns CEO, met with members of the government this week. I had the good fortune to meet with him as well, as he proposed a series of projects that this government could get behind, whether it is water, the Cairns ring-road or unlocking the potential of agriculture in the Far North. There are things that the state Labor government could be doing right now to support Cairns and the Far North Queensland economy. We are going to keep offering up ideas. We are going to keep having call-to-action summits because those opposite might be out of ideas, but we are just getting started.

 **Mrs GILBERT** (Mackay—ALP) (3.34 pm): Drive tourism and events are important for the whole of the Mackay-Isaac-Whitsunday region. That is why it is so important to retain JobKeeper. It is important in my region to retain the skilled workforce that we need to put on these events. We know that in the regions once people move they do not come back. It is so important that we retain these people in our regions so that they can take up the jobs. As I said, events are really important to the community of Mackay.

**Honourable members** interjected.

**Madam DEPUTY SPEAKER** (Ms Bush): Pause the clock. Minister and member for Kawana, I will ask you to stop arguing across the chamber. Please put your comments through the chair.

**Mrs GILBERT:** When we do hold great events in our region activity flows throughout the whole of the Mackay-Isaac-Whitsunday region. Rumble on the Reef was held last year and it drew a huge crowd from across the whole of Australia because it is a unique event in our region. We are looking forward to holding events like the Mackay Mountain Bike Classic, the Mackay Marina Run, the Mackay Festival of Arts and the Motorcycle Beach Races which are held down at the lovely Grasstree Beach. It is a beautiful family weekend. All these events are supported through the Tourism Events Queensland Destination Events Program. Our government supports these events, because it is so important to support jobs in our local community. I look forward to attending these events because they are fantastic.

We have and will continue to assist in the management experience and to protect the welfare of the wildlife, while building on the experience to transition to a traditional owner product with a cultural and conservation perspective, especially in the Year of Indigenous Tourism 2021. Mackay Tourism is leading a project supported by Tourism Events Queensland's Year of Indigenous Tourism Destination Program that will support the Yuwi people to build an Indigenous tour based around 'sunrise with the wallabies' and other significant sites around the Cape Hillsborough area. It was great to meet with our Indigenous ranger, Abe, the other day. He really loves getting up at four o'clock in the morning so that anyone who would like to travel to the region can go and have that wallaby experience. Julie and Asher Telford are building their catamarans so that they can start running tours out to Cockermouth Island.

 **Mr BENNETT** (Burnett—LNP) (3.37 pm): In addressing the motion I wonder how much more as a House we could do to protect the great tourism industry in Queensland if we had used the time spent in the motion two weeks ago and in the motion today putting our efforts into real positive outcomes for Queensland. We all agree—and I have no doubt—that the federal government will give more targeted support. That has been the call. It has highlighted that we in this state need to do so much more ourselves. I highlight the issues around what we can do in construction.

I mentioned last night that we have to empower our local regional marketing people to do what they do best: remove the centralised nature of tourism marketing. Everyone should be encouraging everyone in their electorates to be the champions of what tourism can be, whether they are in the outback, Wide Bay, the north or the south-east corner. They are the sorts of things I would have thought we should have put our energies into in this place for a more positive outcome.

I question what these types of debates do for Queensland's investment and tourism sector. We cannot even agree what is right for the future of Queensland's tourism sector. Why are we not encouraging more investment in hero experiences? There has not been anything new built in this state for such a long time. I think we need to refresh our minds and attitudes and, more importantly, encourage those people with the capacity to put those tourism products to market so that we can all benefit from it.

One thing that has been dismissed is our call for half-price or free rail travel from the south-east corner into the Wide Bay area, whether that be Maryborough or Bundaberg, and further north. Why not give that experience to families that do not have the capacity to travel in cars? They can arrive with money in their pockets and have a great experience. We could revitalise the whole sector and see our local tourism industry start to flourish. Those experiences could be patronised by people who might not otherwise have the opportunity.

We were somewhat disappointed at how the targeted investment and the vouchers landed, but in this House we have the capacity to do a lot more to encourage tourism. We have to look at what we can do to make sure that our national parks and other wonderful natural assets are a part of the tourism experience. I call for this House to cease debating these motions that effectively achieve nothing. We could spend the same amount of time encouraging tourism and encouraging our great state to be where it needs to be.

Quite frankly, we are losing the State of Origin. We are fighting New South Wales and Victoria. We were slipping before COVID. We need to put our efforts into ensuring that we are the destination of choice. We need to make sure that when people do come here they get everything they expect and deserve. I reiterate: let's look at alternatives. Let's open the shutters and look at things such as free rail travel into the bush. Let's make sure that tourism in Queensland is something that we are all proud of, not something that we bicker over.

 **Ms LUI** (Cook—ALP) (3.41 pm): Last week I had the pleasure of hosting the Premier, the tourism minister and the assistant tourism minister in my electorate when we held a tourism industry round table in Port Douglas. We heard firsthand from the industry how drastic the federal government's decision to end JobKeeper this Sunday will be on the tourism sector. The latest estimates are that in Tropical North Queensland there are more than 15,000 employees and nearly 5,000 businesses relying on JobKeeper. Tourism Tropical North Queensland estimates that, with JobKeeper finishing on Sunday, 3,500 people are likely to lose their jobs immediately. That is why it was so important for the Premier, the tourism minister and the assistant minister to be on the ground listening to the concerns of operators and working collaboratively on solutions, unlike the federal government Treasurer who recently visited Cairns and arrived empty-handed.

The assistant minister has already outlined the Palaszczuk government's more than \$790 million investment in delivered and planned economic recovery and support for the tourism and events sector. One of those measures, the Action Plan for Tourism Recovery, will play an important role in setting the strategic scene for the long-term recovery of the Queensland tourism industry. As vaccines roll out around the world, now is the time to look ahead and plan the next phase of recovery for Queensland's tourism industry. That is why the Palaszczuk government has established an industry reference panel. The panel will work with industry to deliver an action plan for tourism recovery. The plan will identify the important next steps we must take to position the industry for success after COVID-19, both in the interim and longer term. The esteemed panel includes highly experienced tourism industry leaders Liz Savage, Andrew McEvoy and Brett Godfrey.

The long-term strategic vision complements the action the Palaszczuk Labor government is taking right now to support tourism operators across the state. In recent weeks we have launched short-term relief measures including the Cairns Holiday Dollars program as well as the Great Barrier Reef Education Experience Program. The plan is about what comes next and the actions the industry will need to take to position Queensland for success as the COVID-19 situation continues to change. The global travel industry will be different because of COVID-19 and Queensland's tourism industry will need to be different as a result. In contrast, the federal government has abandoned the 15,000 people in Tropical North Queensland currently relying on JobKeeper.

 **Mr LANGBROEK** (Surfers Paradise—LNP) (3.43 pm): The more things change the more they stay the same. As we have heard, this is the same motion that we debated two weeks and one day ago. The same parameters are mentioned in the second part of the motion where it states 'targeted financial assistance to Queensland businesses'. I have met with two of the people about whom I spoke in the debate on the same motion two weeks and one day ago. A travel agent has advised me that the Travel Daily website shows that, subsequent to the motion, the Tasmanian government announced

targeted assistance for travel agents, a group that is at about 15 per cent of their business, as the member for Whitsunday reported in relation to marine operators. This is impacting across the state. The minister acknowledges that COVID has been devastating for tourism and the member for Cairns acknowledges that the end of JobKeeper will be devastating for tourism.

Earlier this week I met with a group from the Japanese community. Many in the multicultural community have invested in diverse businesses: not just language schools but also international trade, education, tourism investment, optional tours, bus operations, tour guiding and accommodation, all of which are affected. They make the very good point that once an industry or a company is run down and dismantled, it becomes very difficult to rebuild when demand returns.

When we look at what has happened over the past year, the Queensland government has worn none of the pain compared to commercial landlords. Residential domestic landlords have worn the pain. I quote from an editorial in the *Courier-Mail*—

Figures showing Queenslanders had spent more accessing their superannuation early than the State Government has committed to its recovery plan are telling.

Run-of-the-mill Queenslanders have worn the pain. Businesses such as the business to which I referred before have worn the pain. The article continues—

Yet on April 7—10 days after JobKeeper is removed—businesses will be whacked with their delayed payroll tax bills from March and April last year.

*Tabled paper:* Article from the *Courier-Mail*, undated, titled 'Partnerships please, not petty politics' [411].

Once again this government will not miss out at all. All businesses will have to pay the payroll tax that was only delayed or deferred. Commercial landlords are wearing the pain. Queenslanders are wearing the pain by accessing their superannuation. Businesses will have to pay their payroll tax and domestic landlords are wearing the pain. This government has given a fraction of what the federal government has given. This is the worst state for bankruptcies. New South Wales is a far bigger state with 33 per cent of the economy and we are at 20 per cent, yet figures from the 2020 calendar year show that there were 4,448 personal bankruptcies in Queensland. It is not good enough and this government is not doing enough about it.

 **Hon. MAJ SCANLON** (Gaven—ALP) (Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs) (3.46 pm): I appreciate following the member for Surfers Paradise. Last year he was one of many Gold Coast members of parliament who were very vocal on state borders and the impact our strong health measures were having on tourism operators but who are very quiet when it comes to the federal government's decision to keep international borders closed and the impact of discontinuing JobKeeper.

**Mr Mickelberg** interjected.

**Ms SCANLON:** I can hear the interjections from those opposite and I want to be clear: this government absolutely supports the federal government's decision to keep international borders closed. We have been very clear that we prioritise the health of Queenslanders at every opportunity, unlike those opposite who called for the borders to be opened 64 times at the height of the pandemic. Had that been expanded across our state it would have had a much heavier consequence on tourism operators.

Ten Gold Coast LNP members of this parliament spent 20 minutes trying to avoid talking about the fact that JobKeeper will stop on Sunday. When we consider the impact that that will have on the Gold Coast, I think that is pretty poor form. Eight of the 10 postcodes in Queensland with the highest number of JobKeeper recipients are on the Gold Coast. At the end of December 49,000 families and individuals were receiving JobKeeper and on Sunday they will have no idea how they will keep the lights on and put food on the table.

I heard the member for Broadwater talk about our government taking responsibility. I remind him that under the Newman government they cut \$180 million from the tourism sector. That is in stark contrast to this government, which was heavily investing before COVID and afterwards. I heard the member for Surfers Paradise talking about commercial tenancy. We have provided a number of initiatives for commercial operators. We have delivered funds such as payroll tax relief and electricity rebates. We have provided small business loans and small business grants. We have also provided industry support package funding.

I recall just before the election the member for Nanango criticising us for supporting big employers such as theme parks. We have provided \$11 million of tourism icon funding to Gold Coast theme parks and operators. We have provided international tourism adaptation grants for individuals and companies that we know are heavily reliant on international tourists.

I want to respond to some comments made by the member for Broadwater, particularly around the state government's measures compared to the federal government. It is a fact that the federal government gets 80 per cent of the taxation revenue in this country, so it is entirely appropriate that it should be rolling out initiatives to support individuals in this state if it wants to keep international borders closed. We agree with that, but we need to help those individuals.

Question put—That the motion be agreed to.

Motion agreed to.

## CRIMINAL CODE (CONSENT AND MISTAKE OF FACT) AND OTHER LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from p. 846, on motion of Ms Fentiman—

That the bill be now read a second time.

 **Mrs McMAHON** (Macalister—ALP) (3.50 pm), continuing: Before the break I was about to launch into a bit of a primer for our colleagues about the Criminal Code and how the chapters 5, 26 and 32 work together. Chapter 26 contains section 245, 'Definition of assault'. It states—

A person who strikes, touches, or moves, or otherwise applies force of any kind to, the person of another, either directly or indirectly, without the other person's consent, or with the other person's consent if the consent is obtained by fraud ... is said to assault that other person ...

It should be noted that 'consent' in chapter 26 is not defined. Chapter 32 contains offences relating to rape and sexual assaults, and it is within chapter 32 that we see 'consent' defined. It states—

... **consent** means consent freely and voluntarily given by a person with a cognitive capacity to give the consent.

It then goes on to give a non-exhaustive list of the ways in which the notions of 'freely' and 'voluntarily' are negated. The current definition is, however, silent on a number of facets around consent that are regularly contested through the criminal justice system.

Last but not least is the working of chapter 5 of the Criminal Code, 'Criminal responsibility'. This is the bit in the Criminal Code which outlines what may be colloquially referred to as defences. The onus is on the prosecution in just about every criminal matter to negate each and every possible defence in chapter 5 beyond reasonable doubt. People who are not intimately familiar with the criminal prosecution system may not be aware how important this particular chapter is in relation to the success of investigations and subsequent prosecutions of every criminal charge.

The onus of proof on the prosecution to prove to a level of beyond reasonable doubt is a heavy burden indeed. It is understandable to ensure that we have a criminal justice system that ensures fair and proper hearings and trials, but it would be remiss if we did not realise the heavy burden this places on victims of chapter 32 offences and goes a long way to explain why convictions are so hard to secure. Section 24, 'Mistake of fact', states—

A person who does or omits to do an act under an honest and reasonable, but mistaken, belief in the existence of any state of things is not criminally responsible for the act or omission ...

How this translates to chapter 32 offences is pertinent where consent is an issue. The defendant need only raise their belief that they had consent at the time of the act to enliven this defence. Keep in mind that the burden to disprove that belief resides with the prosecution and therefore the evidence often of only the victim. The QLRC reported that in trials where mistake of fact was raised by the defence, convictions were secured in only 35 per cent of matters.

I would like to look at how the five QLRC recommendations that form the basis of the Criminal Code amendments help the operation of these sections going forward, particularly for victims of rape and sexual assault. The first is that the definition of 'consent' be expanded to include that a person is not taken to give consent to an act only because the person does not say or do anything to communicate that the person does not consent to the act. In short, what this means in operation is that merely because a woman does not say no does not mean that she has consented. It reinforces that consent must be given. Submission or silence does not constitute consent.

The second is that the application of consent will apply to other offences in chapter 32. This is where understanding the definition of 'assault' fits in, because currently a number of sections in this chapter do not refer to consent as an element of the offence and refer only to the section 245 definition

of 'assault', which, as I stated earlier, does not have 'consent' defined. To that end, the definition of 'assault' in chapter 32 is extended to include the aspects of consent made explicit in the new section 348.

The third is that the issue surrounding the withdrawal of consent is made clear—that consent initially given can be withdrawn at any time. It still amazes me that women of a range of ages still hold the misconception that once consent is given they lose the right or ability to withdraw that consent.

I absolutely understand why many submitters feel that this bill does not go as far as it should, but the QLRC had a specific remit and it has made recommendations. We commit to implementing those recommendations. I understand that a much larger conversation needs to occur. I absolutely support the need for one-stop shop services.

 **Mr LANGBROEK** (Surfers Paradise—LNP) (3.55 pm): I rise to speak to the Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020. On 2 September 2019, the then attorney-general and minister for justice referred the issue of consent laws and the excuse of mistake of fact to the Queensland Law Reform Commission. I would like to commend to members the analysis by the shadow Attorney-General, the member for Clayfield, of the background issues that led to the production of this bill. I note that the new Attorney-General has brought that bill back in. It implements the five recommendations of the Queensland Law Reform Commission's report *Review of consent laws and the excuse of mistake of fact*. The proposed amendments to the Criminal Code clarify certain aspects of the existing laws regarding consent and the excuse of mistake of fact as they apply to rape and sexual assaults.

In her introductory speech the Attorney-General indicated that the proposed amendments make explicit four legal principles that can be extracted from the current case law of Queensland. Those principles are: silence alone does not amount to consent; consent initially given can be withdrawn; regard may be had to anything the defendant said or did to ascertain consent when considering whether the defendant was mistaken about whether the other person gave consent; and a defendant's voluntary intoxication is not relevant to the reasonableness aspect of the excuse of mistake of fact.

Of the five proposed amendments, three relate to consent and two to the excuse of mistake of fact. In relation to consent, currently section 348 of the Criminal Code defines 'consent' as 'consent freely and voluntarily given by a person with the cognitive capacity to give the consent'. The bill's proposed amendments to this definition include: firstly, amendments to section 348 to insert subsection (3), which provides that a person is not to be taken to give consent to an act only because the person does not, before or at the time the act is done, say or do anything to communicate that the person does not consent to the act; secondly, amendments to section 348 to insert subsection (4), which provides that if a person does or continues to do an act after consent to the act is withdrawn by words or conduct, then the act is done or continues without consent; and, thirdly, amendments to chapter 32 to apply the definition of 'consent' in section 348 for all offences contained within that chapter.

The first change in relation to consent would amend the law to state that a person is not assumed to have consented to a sexual act simply because they do not actively express a lack of consent, by saying 'no' for example. This amendment means that affirmative consent, codified in Victoria and Tasmania, as we have heard from other speakers, has not been made law in Queensland. The second change would amend the law to state that consent can be actively withdrawn at any time by act of words or conduct. The third change would clarify that the same definition of 'consent' applies to all offences in chapter 32, including cases of rape and other cases of sexual assaults. This amendment addresses a technical anomaly.

In relation to the mistake-of-fact excuse, first the addition of sections 348A(1) and (2) clarify that whether a defendant did an act under an honest and reasonable, but mistaken, belief that another person gave consent to the act, regard may be had to anything the person said or did to ascertain whether the person was giving consent to the act. Second, the addition of section 348A(3) clarifies that, in reference to the reasonableness of a mistaken belief, regard may not be had to the voluntary intoxication of the person caused by alcohol, a drug or other substance.

The first change in relation to the excuse of mistake of fact means that juries are permitted to consider any of the steps taken by a defendant, through words or conduct, to determine whether the other person consented to a sexual act in deciding whether the defendant made an honest and reasonable mistake. The second change clarifies that a defendant cannot rely on their own intoxication to argue a mistake about consent was reasonable and therefore establish a defence.

Additionally, the transitional provision of the bill allows for the retrospective application of the proposed changes to the Criminal Code, which was of concern to the Queensland Law Society. It is known that the proposed amendment to the Criminal Code in this bill reflect legal principles that already exist under case law in relation to consent and mistake of fact. Codifying these principles in statute importantly updates the current operation of the code and assists in ensuring a proper and consistent application of the law by judges, juries and legal practitioners alike.

I note that this bill offers no substantial change to the current Queensland law on rape and sexual assault, a disappointing outcome for some. The Queensland Sexual Assault Network referred to the bill as a missed opportunity to 'broadly assess the operation and practical application of current application that would improve the safety of women, encourage them to report to police and engage with the criminal justice system'.

This view was endorsed by other stakeholders, including sexual violence survivors and advocacy groups like the Rape & Sexual Assault Research & Advocacy Institute, the Women's Legal Service Queensland and the Brisbane Rape and Incest Survivors Support Centre that have publicly expressed disappointment in the QLRC report and the concomitant amendments proposed by the bill before us. I note the comments of the Attorney-General and the shadow Attorney-General that more work is to be done in this area. The LNP will not be opposing this bill and appreciate that these amendments to the code are necessary to 'clarify, reinforce and update the current operation of the law'.

 **Mrs MULLEN** (Jordan—ALP) (4.01 pm): I am pleased to rise and make a contribution to the Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020. This is a really important bill, but we also know that it is only the beginning of a conversation—one that has started, and one that will not stop and should not stop. It is not an easy conversation and it is one that many women, men and families are having. It is certainly one I am having with my daughters, who are almost 15 and 12. It is one of the most important things I can do to protect and empower my daughters. I am pleased that as a government we are also closely looking at issues of consent and educating our girls and boys on navigating these issues.

I acknowledge the decision of the Minister for Education to progress the review of these matters and would urge this to happen as soon as practicable because I certainly know from the discussion I am having with my 15-year-old that students are already talking about these issues and they feel like our state schools need to be saying more. What I do know is that in this place, in this parliament, it is equally important to ensure our young women and men have the protection of the law in this state when it comes to issues of consent and excuse of mistake of fact.

The events of the last month have certainly elevated issues of sexual assault, harassment and violence against women. Women have been sharing their stories, and they are all extremely powerful. They all begin with a sense of entitlement—the belief of some men that they have a right to act in this way, to say sexist things to harass women, to sexually assault them or to hurt them. This entitlement must stop.

Governments need to listen. They must act. Women across Australia are demanding this. What is clear is that our government has been listening to women, not just for the last month but since we were elected in 2015. We are the government that implemented all 140 recommendations of the historic report titled *Not now, not ever: putting an end to domestic and family violence in Queensland*. We are the government that implemented Queensland's first ever framework to address sexual violence—Prevent. Support. Believe. We are the government that has sought to review consent laws and excuse of mistake of fact through this legislation. We are the government that has established an independent task force to consult on potential coercive control legislation. We are the government that is now progressing a wideranging review into the experiences of women across Queensland's criminal justice system. I am so proud to be part of a government that is listening to women, that believes women and is doing what we can to address these critical issues for women.

When the Queensland Law Reform Commission was asked to undertake a review of consent laws and excuse of mistake of fact, they did so within limited terms of reference. I value the work of the commission and their report gave detailed, expert and evidence based consideration to the law. To assist with the preparation of its consultation paper, the commission invited preliminary submissions on the issues raised in the review from the judiciary, legal stakeholders, academics and organisations representing the interests of victims/survivors. Some members of the public also provided the commission with their preliminary views.

The commission then released a detailed consultation paper outlining the key issues raised in the review and called for submissions on a number of specific questions. The commission received 87 submissions from respondents including legal professional bodies, community legal centres,

academics, individuals who had experienced sexual violence, organisations that support and represent victims/survivors of sexual violence, and members of the public. In addition, the commission held a consultation workshop with representatives from organisations that support and represent victims/survivors of sexual violence as well as victims/survivors who wished to attend.

The submissions to the review raised many issues and reflected a wide range of views. Some of the matters raised were outside the scope of the commission's terms of reference. The commission also examined a large number of rape and sexual trials and appeals in Queensland for the purpose of achieving an evidence based analysis of how the laws to be reviewed are operating in practice. They also considered the approaches and relevant law reform reports of other jurisdictions, both within Australia and internationally, in informing itself about appropriate reforms.

The bill implements all five of the commission's recommendations in its final report by amending the Criminal Code to make explicit four legal principles that can be distilled from the current case law of Queensland. These principles are: silence alone does not amount to consent; consent initially given can be withdraw; regard may be had to anything the defendant said or did to ascertain consent when considering whether the defendant was mistaken about whether the other person gave consent; and a defendant's voluntary intoxication is not relevant to the reasonableness aspect of the excuse of mistake of fact. I hope you are listening Senator Abetz.

The bill also implements the commission's recommendations to fix an inconsistency in the Criminal Code by clarifying that the definition of consent in section 348 applies to all offences in chapter 32, including the offence of sexual assault contained in section 352(1)(a). These amendments to the code are intended to strengthen and clarify the operation of the law, ensuring a consistent and correct application of these important legal principles by judges, juries and legal practitioners.

As the Attorney-General stated in her first reading speech, the government acknowledges that this bill does not go as far as some key stakeholders would wish to improve women's safety and experience in the criminal justice system. Again, our government has listened with the Premier announcing a wideranging review into the experience of women across the criminal justice system to be undertake by the Women's Safety and Justice Taskforce led by Margaret McMurdo AC.

Our recent announcement to legislate against coercive control is only the first part of the work being done by the task force that is also going to examine issues faced by women when accessing the criminal justice system. We know that women face barriers when reporting against domestic, family and sexual violence. While as a government we have made significant progress to prevent and respond to domestic, family and sexual violence in Queensland, we know there is more work to be done. It is recognised that the experience of the criminal justice system for women as victims, survivors or accused is different than it is for men. Sadly, we know that women and girls are disproportionately affected as victims of sexual assault, but it remains one of the most underreported crimes and only a small proportion of reported cases are prosecuted in court and achieve a conviction.

We have heard the data. One in five Queensland women have experienced sexual violence since the age of 15. One in four women have experienced violence at the hands of their partner. We want to make sure these crimes are being reported and justice is being done. Our government is committed to generational change and that is why we are leading an ongoing program of reform to end domestic, family and sexual violence and to improve the criminal justice system for all women. I look forward to having that conversation with my daughters. I commend the bill to the House.

 **Mr PURDIE** (Ninderry—LNP) (4.08 pm): I rise to speak to the Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020 and contribute more broadly to the discussion in this parliament and to the discussion that all Queenslanders must continue to have to prevent sexual assault, better support victims of crime and ensure justice is served.

According to the 2016 ABS Personal Safety Survey, one in six women have experienced at least one sexual assault since the age of 15 compared to one in 25 men. Regarding the laws that are in place to deal with these crimes, in December 2018 news.com.au published the following statistics: in Queensland an estimated 30,000 sexual assaults occur each year, yet in 2017 just 4,751 sex crimes were officially reported to police. Around half that number proceeded to trial—2,446 cases—but, of them, only 835 resulted in a guilty verdict. This means that fewer than one in five victims who report to police achieve a conviction in Queensland. Of the 835 perpetrators found guilty of sex offences in Queensland in 2017, roughly half—44 per cent—were released straight back out on the streets with a mere slap on the wrist such as a fine, community service order or a suspended sentence. What is also of concern is that perpetrators who did go to jail received very brief sentences. Now we are to consider if the amendments contained in this bill will deliver better protection for victims, stronger laws to instil more confidence in the system, and increase reporting.

The Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020 was first introduced in August 2020 and received a backlash from community legal services, academics and survivor advocacy groups who were among the 52 submissions received by the 2020 committee. They were outspoken in their belief that the amendments to the Criminal Code ‘simply maintain the status quo and would not make women safer, or encourage more survivors to go to court, especially those suffering domestic violence’.

Before I speak to the bill in detail, I would like to highlight that, after examining the bill and considering stakeholder concerns expressed in 2020, the 2021 committee recommended that urgent consultation take place to address sexual violence ‘including examining the experience of women in the criminal justice system ... and possible future areas for reform such as attitudinal change, prevention, early intervention, service responses and legislative amendments’. I commend the committee for this recommendation. However, I question the government’s decision to proceed with this bill before this consultation could take place.

Clearly this bill is not perfect, and I echo the list of concerns raised yesterday afternoon by our shadow Attorney-General, the member for Clayfield—but, for want of a better reality, it is at the very least possibly a step in the right direction. The amendments contained in this bill attempt to remove the 110-year-old legal defence in the Queensland Criminal Code that allows accused rapists to beat their charges if juries accept they had a ‘mistaken but honest and reasonable belief that sex was consensual’. Research has shown that this defence has been used by repeat violent offenders including those who were drunk or where survivors had a language barrier.

According to the chief executive of the Women’s Legal Service, Angela Lynch, there are about 46,000 instances of sexual violence each year in Queensland, and two-thirds of defendants who use the mistake-of-fact defence get off. Just as grim of a statistic is that in 2018 there were only 308 perpetrators convicted, which highlights the incredibly low number of cases being reported to police, the inadequacies of the law to achieve a conviction, a complete lack of faith in the system and the fact that the onus of proof is on the victim and not on the perpetrator.

It is right that the community is screaming out for change. I would like to acknowledge the bravery of those rape and sexual assault survivors who have been campaigning for many years for the government to modernise Queensland’s antiquated laws. As stated in the bill’s explanatory notes, the Criminal Code is to be amended to ‘strengthen, modernise and make the law more accessible for all Queenslanders and facilitate a more consistent and correct understanding of the law by judges, legal practitioners and juries,’ ensuring that it is ‘clear and unambiguous in its statement of the law’.

Primarily the bill’s objective is to enact the recommendations of the Queensland Law Reform Commission in its *Review of consent laws and the excuse of mistake of fact* report. The commission received 87 submissions from legal bodies, academics, victims of sexual violence and other organisations that support them and, in addition, the transcripts from 135 rape and sexual assault trials, 40 appeal decisions and another 76 trials that were referred to it at its invitation.

The bill implements all five of the commission’s recommendations by amending the Criminal Code to make explicit four legal principles: silence alone does not amount to consent; consent initially given can be withdrawn; regard may be had to anything the defendant said or did to ascertain consent when considering whether the defendant was mistaken about whether the other person gave consent; and a defendant’s voluntary intoxication is not relevant to the reasonableness aspect of the excuse of mistake of fact.

The bill also seeks to clarify the definition of ‘consent’ contained in section 348 and applies to offences listed in chapter 32—which includes sexual assault. The other offences in chapter 32 are rape, attempted rape and sexual assault with intent to commit rape. The reason for the disconnect between the legal fraternity and other stakeholders is that their interpretation of the bill appears to lie in the fact that the QLRC determined that the mistake-of-fact defence should not be scrapped per se—instead, that the definition of ‘consent’ should be expanded in the Criminal Code. The QLRC also determined an alleged offender should not need to take any particular ‘steps’ to get consent, but juries could consider anything they said or did when considering whether the mistake-of-fact defence should apply. Unfortunately, it appears there is ambiguity here—something the bill sought to correct.

The committee also recommended that more consideration be given to the application of the new laws as it relates to youth offenders. The Youth Advocacy Centre claimed that the application of these amendments to young people between the ages of 10 and 17 would be problematic as there is not an adequate distinction made between a young person and an adult in the Criminal Code, although minors experience an entirely different social, physical and emotional reality.

The statistics about youth offenders in this space is alarming. In 2018-19 alone, 108 boys and four girls aged between 10 and 17 were charged with rape; 343 boys and 74 girls were charged with other sexual offences; 64 boys and 317 girls aged between zero and 14 were reported victims of rape or attempted rape; and 23 males and 46 females aged 15 to 19 were also reported victims. Given the scale of this crisis and the committee's suite of urgent recommendations, it appears there is still more work to be done.

In closing, I support any amendments to archaic laws in order to better protect and support Queenslanders. In this regard I commend the bill to the House. However, I believe the government should and could have engaged in a deeper conversation with Queenslanders to determine what that looks like.

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (4.16 pm): I rise to speak in favour of the bill. In doing so, I join my colleagues from all sides of the chamber in recognising the importance of reflecting on what we have seen over the past month. The allegations and the courage by Brittany Higgins and the disclosures made by countless women across the nation, including ministers and members of this place, have all required incredible courage. To all those who have made disclosures and to those victims/survivors who cannot for understandable reasons make disclosures, and nor should they if they feel uncomfortable about it: we hear you, we stand with you and we support you.

It was a privilege to be at the March 4 Justice rally here last Monday, when tens of thousands of people—many women and some supportive men—took to the streets across our nation saying with one voice that enough is enough. This rally included a very substantial rally outside the Legislative Assembly—which was very large and very emotional. You could see on the faces of those who attended how much it meant to them to be there, to stand together, for many to speak out for the first time, but for them to know that they are not alone. It was a privilege to be there to support them as a minister and as a member of the parliament with my colleagues. The Premier, the cabinet and many members of this Palaszczuk Labor government attended. It was a real privilege. It is a start.

It is incumbent on us as representatives of our communities to call out unflinchingly any sexual harassment or sexual violence including in its milder forms of sexism and discrimination verbally wherever it exists because one inevitably leads to another. That acceptance of inequality, that acceptance of others that it is reasonable to besmirch a gender and to belittle others, is the beginning of the process that takes people to dark places. That is what we have to deal with culturally in our community. We all have a role to play in it. It is incumbent on all of us to drive that cultural and procedural change to stamp out sexual harassment and assault and also, importantly, to properly support victims/survivors when they come forward.

This legislation is an important part of that work. By implementing the Queensland Law Reform Commission's recommendations in relation to consent laws and the excuse of mistake of fact we are taking another step forward towards tackling sexual assault and violence in our community. This is a complex issue and one which requires changes to social conditions far beyond what can be legislated in law. This is also an issue which encompasses a wide range of views from a wide range of stakeholders. Some of those stakeholders believe this legislation does not go far enough, and the government acknowledges those concerns.

I want to acknowledge the work of the Attorney-General, her leadership on social reform and her work with stakeholders. I also acknowledge the hard work and leadership of the former attorney-general who originally introduced this bill in the previous parliament. At the end of the last term we committed that we would reintroduce this legislation as a priority, and that is what we have done.

The Queensland Law Reform Commission made five recommendations following their review, and this bill implements all of them. The bill amends the Criminal Code to make explicit four legal principles that can be found in current case law. Those principles are: silence alone does not amount to consent; consent initially given can be withdrawn; regard may be had to anything the defendant said or did or did not say or did not do to ascertain consent when considering whether the defendant was mistaken about whether the other person gave consent; and a defendant's voluntary intoxication is not relevant to the reasonableness aspect of the excuse of mistake of fact. This bill also fixes an inconsistency in the Criminal Code by clarifying that the definition of consent applies to all offences in relation to rape and sexual assault as is appropriate.

This legislation is only part of this Palaszczuk Labor government's commitment to addressing sexual assault and improving the safety and accessibility of our criminal justice system for victims/survivors of sexual violence. Through the Prevent. Support. Believe. framework we are

continuing to evaluate relevant processes and laws to support all victims/survivors and ensure that perpetrators are held to account for their actions. The Palaszczuk Labor government has recently announced a wideranging review into the experiences of women across the criminal justice system. This review will be undertaken by the Women's Safety and Justice Taskforce. This will be led by the Hon. Margaret McMurdo AC, the trailblazing former president of the Queensland Court of Appeal and a woman of impeccable credentials.

We know there are barriers to women reporting domestic, family and sexual violence, and we know that women's experiences of the criminal justice system have often been very different to those of men. This review will look into possible future areas of reform, including: prevention, service response, training for first responders, attitudinal change and legislative amendment. This is an important review, and it is vital that it is allowed to do its work to prevent unintended consequences as a result of any rushed amendments. We have to be sure that we have the legals right and in place, and that is something we have been careful to do. People, particularly victims, deserve that respect.

This legislation and a raft of other measures being pursued by this government are part of our ongoing program of social reform to end domestic, family and sexual violence and to improve the criminal justice system for women. I think it is fair to say that for some people in the community the events of the last month have not been a surprise. A lot of people have understood this has been much more widespread than people realise, but for some people I think it has been a revelation to see just how widespread it is. I see this reform, which has been coming for some time—well before the recent processes and rallies over the last month or so—as a very concerted response to social reform to ensure that women, rightly, can take their equal place in our community. We have made great advances but we also have a long way to go, including in some of the most powerful places in this country. I think something that has shocked a lot of people is that depravity can be so close to the halls of power of this nation.

I commend the bill to the House. I am proud to support the bill. I see it as part of a continuum of reform and the review will be an important part of that continuum. This government has had a very strong record over six years of social reform in terms of domestic and sexual violence, and we will continue to do so under this Premier, this Attorney-General and this party room, which is united to ensure that women have their equal place in the community and that we achieve that.

 **Mrs GERBER** (Currumbin—LNP) (4.25 pm): Rape culture and sexual violence are never okay. No matter the circumstances, sexual predators must be punished. Given the well-documented history of laws condemning rape, I know that everyone in this chamber agrees with that statement. This bill comes in response to the Queensland community demanding stronger, clearer and more consistent laws to deal with rape and sexual assaults. This bill is necessary to clarify, reinforce and update the current operation of the law; however, let us not believe for a moment that this is the end. There are still steps to be taken to protect women right across Queensland from being sexually abused, assaulted or raped.

I would like to commend the proposed amendments which attempt to address the issues of clarity and consistency around consent and the defence of mistake of fact: that silence does not amount to consent; that consent initially given can be withdrawn; that regard maybe had to anything the defendant said or did to ascertain consent when considering whether the defendant was mistaken about whether the other person gave consent; that a defendant's voluntary intoxication is not relevant to the reasonableness aspect of the excuse of mistake of fact; and to provide consistency in the meaning of consent throughout chapter 32 of the Criminal Code.

Many advocacy groups were consulted by the Queensland Law Reform Commission and the Legal Affairs and Safety Committee, and they have expressed concerns that the amendments presented in this bill do not go far enough. They do not effectively close the loophole in relation to an accused rapist committing such crimes. It is a clear sign that there is still more work to be done. This is acknowledged by the Law Reform Commission in their report, when they state that there are limits to what the criminal law is practically and properly able to achieve and that legislative amendment is only one means of addressing these issues.

This bill proposes to update, clarify and reinforce the current operation of the law in text. Now we need practical policy changes to see that women, children and the vulnerable protected. On the government's agenda we need to see the changes advocated by submitters to the Law Reform Commission and the Legal Affairs and Safety Committee. By no means am I arguing with the necessity of the clarification this bill offers to the Criminal Code. What I am concerned about is that this

government has not presented the Law Reform Commission with the direction to investigate wider change. Such direction is necessary to see the effective protection of women, both from being violated and from having to cope with the after-effects of sexual violence.

On 2 September 2019 the then attorney-general and minister for justice referred the definition of consent in chapter 32 and the excuse of mistake of fact to the Law Reform Commission for review and investigation. It makes sense, then, that at the Legal Affairs and Safety Committee hearing last year the director of strategic policy and legal services in the Department of Justice and Attorney-General stated—

The four amendments in the bill to the Criminal Code are really just reaffirming principles that are in current case law, so the only thing they might change are directions given to a jury or the nature of directions given to a jury, the language.

For wider change to occur the government must give the Queensland Law Reform Commission the direction to investigate sexual assault legislation and rape culture as a whole.

The stories conveyed by members, both male and female on both sides of this House, sharing their stories about gender inequality and sexual violence are heartbreaking. Just last week Australia saw firsthand the March 4 Justice rallies where locals marched to support those suffering from inequality, injustice and sexual assault.

At the opening of this parliament's sitting week, the Premier stood to acknowledge the marches and exclaim 'me too'—that it was time to listen and let these women be heard. Yesterday we debated a motion condemning harassment and assault of women and highlighting the importance of equality and justice for women. It was moving to see all members of this chamber join in, supporting their fellow Queenslanders for a push for a woman's right to feel safe in her own home, to feel safe in her workplace and to feel safe in her community. It spurred hope. I plead for the government to uphold that hope—to give the Queensland Law Reform Commission the direction to investigate sexual assault legislation and rape culture more broadly. While this bill does not seek to address all the questions we have and the changes we need, it is better than what we had and it is at least a small step in the right direction.

It is all well and good for all of us to stand up in this chamber and say that women's experiences are being heard, to say that enough is enough. However, none of that will amount to much if the government do not act on what they hear. There is still a long way to go before women are effectively protected by this government. To echo the sentiments of the federal minister and member for McPherson, I will continue to fight for women in my electorate and across Queensland so that they can feel comfortable on public transport—until there is no longer a reason for them to fear for their safety when catching a 5 pm train. In the Attorney-General's introductory speech for this bill, it was stated that the implementation of these recommendations would not be the end of the government's commitment. I can only hope that this is true because much more reform is needed.

I spoke about this story yesterday and I am going to do it again today. This is the story of one sexual assault survivor I have spoken with. She was 13. She was sexually assaulted by a teacher four weeks into the beginning of a new school term. His sexual assault was verbal, it was physical and it was not okay. This teacher made her feel as though she could not speak up, that she would not be heard or believed because it was his word against hers, but she did speak up. She spoke to her family, she spoke to the school and she spoke to this government.

The school should have reported this assault to the police for criminal action and they should have reported this teacher to the Queensland College of Teachers for disciplinary action. This did not happen. After being let down for six years by a school which failed to report the grossly inappropriate conduct of a teacher—a man with a blue card—this young woman took matters into her own hands and in 2020 she called the state Department of Education to report him and the school's silence. This young woman was told that it was not their problem because she attended a private school. As a youth and a survivor of sexual violence, she was let down. Her voice, her story, her injustice fell on the deaf ears of this state Labor government. She has said to me that this bill and the proposed amendments do not help her. She has told me that more reform is needed, more policy change is needed and more protection is needed.

This experience is not isolated. The past five weeks have seen countless women share their experiences with sexual assault. It is clear that action and meaningful change is urgently needed. The Queensland Sexual Assault Network referred to this bill as a missed opportunity 'to broadly assess the operation and practical application of current legislation that would improve the safety of women, encourage them to report to police and engage with the criminal justice system'. Let us respond to this by taking action, allowing the Queensland Law Reform Commission free rein to investigate and report on what is actually needed.

As LNP members before me have stated, we support this bill, accepting that amendments are necessary to clarify, reinforce and update the current operation of the law. I look forward to seeing further action taken towards seeing effective change. Let us think about the story of the 13-year-old schoolgirl who is now a young woman and who has still not had justice served against her perpetrator. There is clearly so much room left for reform. Let us take advantage of our position in this chamber and enact real change. We need to do more to support young women and we need to do more to assist them and encourage them to stand up and hold their perpetrators accountable in a court of law.

**Mr DEPUTY SPEAKER** (Mr Krause): Before calling the Minister for Police, I want to remind all members of the parliamentary courtesy afforded to members on their feet. Please do not pass between the chair and the person on their feet at the time in the chamber.

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Corrective Services and Minister for Fire and Emergency Services) (4.34 pm): I rise to speak in support of the Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill. I would first like to acknowledge the Legal Affairs and Safety Committee for their detailed consideration of the bill in their report tabled on 12 February this year. I would also like to acknowledge the work of the Queensland Law Reform Commission in reviewing the laws of consent and the excuse of mistake of fact. Finally, I would like to acknowledge all the stakeholders and community members. This is a very important bill for them and it is also a very important debate—a debate, as many speakers have already mentioned, that is not yet over and will continue. This government supports that further consideration and debate around how we can improve community safety, particularly when it comes to protecting women from vicious and heinous crimes.

While there is always more to do, these amendments will certainly improve the operation and accessibility of the law. The recommendations in the Queensland Law Reform Commission's report are based on a rigorous examination of the operation of the laws on consent and the excuse of mistake of fact in Queensland. The Queensland Law Reform Commission's analysis should be recognised as an extensive and forensic examination of the current operation of the relevant laws in Queensland.

The Queensland Law Reform Commission concluded that some aspects of the existing law of Queensland would benefit from being made more explicit in the Criminal Code. The Queensland Law Reform Commission report made the following key recommendations: (1) that silence alone does not amount to consent; (2) that consent initially given can be withdrawn; (3) that regard may be had to anything the defendant said or did or did not say or did not do to ascertain consent when considering whether the defendant was mistaken about whether the other person gave consent; and (4) that a defendant's voluntary intoxication is not relevant to the reasonableness aspect of the excuse of mistake of fact.

The government understands that some people, including some key stakeholders, are disappointed with the recommendations made by the Queensland Law Reform Commission as their recommendations do not go far enough. That is why earlier this month the Premier and Attorney-General announced that the Women's Safety and Justice Taskforce, to be chaired by the Hon. Margaret McMurdo, will examine women's experiences in the criminal justice system in a holistic fashion and will make recommendations to the government. It is important that we allow the task force to do its work and not rush further amendments to our code that may have detrimental and unintended consequences.

There is no doubt we are at a turning point. As a society, we want to see a defining change made in the way women are treated. The amendments we are debating today will contribute to that goal, but there will always be more to do—not just in this parliament but in the community and as a society as a whole.

I wish to move to another aspect of the bill. We are also amending the Police Powers and Responsibilities Act—a piece of legislation which I have responsibility for.

**Ms Fentiman:** Your favourite piece of legislation.

**Mr RYAN:** I take that interjection from the Attorney-General. In particular, the bill will enhance the operation of police banning notices. This will keep people whose behaviour is unacceptable, and who pose a risk to others, out of our licensed premises, events and safe night precincts. The bill increases the duration of an initial police banning notice from 10 days to up to one month. I note some stakeholders raised some concerns to the committee about this extension. This increase is based on the findings of an independent evaluation. The current 10-day period, effectively covering only one weekend, is not of sufficient duration in response to the antisocial and unsafe behaviour the notices aim to address.

It is also important to note the banning notice scheme is underpinned by legislative safeguards to ensure that they are only issued in appropriate circumstances. This includes a requirement for approval from a senior police officer of at least the rank of sergeant to issue an initial banning notice.

I want to be clear about the purpose of the banning notice regime. It is not intended to be a punishment but, rather, an immediate and preventative response to remove a person from a licensed venue, event or safe night precinct to protect other community members from any behaviour that might be violent, threatening, offensive or disorderly. The bill will insert broad examples into the Police Powers and Responsibilities Act of the types of behaviour for which an initial police banning notice might be issued. This will aid police when determining whether to issue a notice and promote consistency in decision-making. This ensures obviously that the community can continue to have faith in the police banning scheme framework.

The examples include damaging property, assaulting or threatening to assault a person, photographing a person using a toilet facility from under a cubicle door, and there are many other instances where it may be appropriate for one of these banning notices to be issued. The improvements to the police banning notice scheme made by these amendments are based on both evidence and common sense.

This bill improves community safety. It continues a really important debate in the community. I encourage all members of the House to support this bill.

 **Ms PUGH** (Mount Ommaney—ALP) (4.40 pm): When this legislation was introduced we had no idea that the voices of women experiencing sexual assault and violence would become a roar, a roar that is long and loud and cannot be ignored. Our community is experiencing a watershed moment where our understanding of what it is to walk through the world as a woman is undergoing a paradigm shift. This legislation is a critical first step in taking concrete action to address sexual violence in Queensland. Let us make no mistake: we cannot address this problem through legislation alone.

I thank the amazing advocacy of Grace Tame, Brittany Higgins, Saxon Mullins, Chanel Contos and, more locally, Bri Lee, a Brisbane woman who wrote the book *Eggshell Skull*. This book was based on her own experiences of sexual assault. She lobbied hard for the review by the Queensland Law Reform Commission which has created the legislation we are speaking on today. I spoke to Bri at the start of my last term and she did not have to work hard to convince me of the importance of commissioning this review.

When Bri told her story, being a sexual assault survivor was a rare thing to disclose. She was beyond brave and she did it anyway. She is amazing and she has done so much to move the conversation around consent forward. I know that Bri and many other stakeholders shared their experience with our Attorney-General, and I thank her for her dedication to move this issue forward. It is because of these trailblazers that we have subsequently seen many MPs right across the divide share their stories of sexual harassment and assault.

I know from my conversations with the men in our communities that, for many of them, it is very clear they had absolutely no idea of the magnitude of the issue, and how could they? It is often something that victims have held close to their chest, cloaked in shame. This has kept the power in the hands of the perpetrators of sexual violence, their victims silenced by feeling that they were somehow at fault. Time and time again we have seen shocking crimes against victims of sexual violence swept under the carpet, dismissed as a women's issue and stonewalled until the issue goes away, which it inevitably did. No more!

After weeks and weeks of survivors refusing to be silenced or letting the issue die down and go away, after weeks of crying out to be heard and to be seen by our government representatives, the Palaszczuk government is saying, 'We see you, we hear you and we stand with you because we are you.' That is why the Minister for Education has met with Chanel Contos, a consent advocate, about how we stop this problem at the start and educate our young people about consent.

Sometimes we hear people, mainly men—but not always—complaining about how hard it is to work out if a partner, usually a woman, is consenting. 'It is really tricky,' they say. 'How are we supposed to know if she is consenting or not? Women are so fickle; they're so coy. They lead us on with their mixed messages.' These are the messages that women internalise from a young age: if anything happens, we brought it on ourselves, so do not complain. This is in large part due to accepted societal attitudes in some quarters of society that sex is something to be taken from a woman whether by coercing, cajoling or forcing. Having a partner who nagged their female partner into intimate relations was an all too common experience for many women of my generation. There seemed to be a widely held view that women are the gatekeepers and they need to be persuaded by fair means or foul. This

view is offensive and outdated. No-one is entitled to anything from someone else—not their time, their attention or any amount of physical contact. Consent needs, both ethically and legally, to be freely given.

If your strategy is to feed a potential partner drinks or coerce them until they give in, trust me, they are not that into you. If you cannot tell if someone likes you, please feel free to assume that, in fact, they do not. If you like them, why not tell them and then leave it up to them?

What is consent? For the benefit of anyone still confused, I will put it in simple terms so it is easy to understand. This legislation makes explicit four legal principles, and they are: silence does not mean consent; consent is not permanent as it can be retracted depending on the circumstances; just because a perpetrator is drunk does not make them less culpable; and a court can consider anything a perpetrator did or did not do to confirm consent.

So what is consent? I will tell you what it is not. It is not walking into a party and then having somebody walk up to you and grab you on the vagina instead of saying hello. He was drunk; I was sober—I was the designated driver in fact. I was there with my boyfriend, who was so shocked he could not bring himself to mention the incident for years. I, on the other hand, got stark raving mad and left my assailant in no doubt as to my feelings about it. I was absolutely furious and no-one could doubt it.

This incident happened in front of other people. While I do not recall their reactions—I was too focused on mine—I do not remember anyone telling him that what he did was wrong. To this day I cannot imagine what would possess someone to walk up to another person like that with the intention of degrading them in such a way.

Consent is not waking up in your bed in the middle of the night at your friend's house with someone on top of you pushing your clothes out of the way while you tell them to stop. He did not stop. Despite me clearly telling him to stop, to get off, to leave me alone, he did not listen. It took me many years to understand that what had occurred was rape because it was digital. It took me many years to process what had happened and to reach the understanding of the event that I have today. I did not report it because I thought that they were my friends. I thought that they saw me as their peer, their equal, and I now know they did not even see me as human.

These incidents occurred when the perpetrators and I were barely out of high school, which speaks to the critical importance of educating our young people in the school setting, the home and the community on what real consent looks like and how truly wrong it is to accept anything less than full consent freely given.

I have just laid out in grave detail the very serious consequences of failing to educate our young people properly when we consider that shortly after leaving school I was a victim of assaults and they were the perpetrators, but I am not the only one. When this legislation was introduced we could not have known the earthquake that Brittany Higgins would create when she shared her story. She is a hero.

We debate this legislation today, but we know we have so much still to do in this space. Our laws are a reflection of community attitudes and we know that those attitudes are currently undergoing a massive reset. The appetite is there for further reform not just in the legislative space but on school education, early intervention, service responses and community attitudes. It should not have come to this.

I have an 11-week-old daughter and an 11-year-old daughter—two beautiful girls. I have thought deeply about how I can protect them from an experience similar to mine and I have come to the crushing conclusion that right now I cannot. I cannot protect them from the disrespect and the lack of humanity still harboured by some quarters of society. I cannot fix it with legislation. It requires the hard work of education and cultural change in our society, and that is not work that happens overnight. It is going to involve some incredibly tough conversations with many people who may now be reckoning with their past behaviours.

We need to teach our young men that respect is essential and so is consent. I tell my story today, as many others across the House have done, not because I want sympathy but because I am demanding respect. I do not need pity. We do not need pity. We need action and we need to fix the way we see women in our society.

This legislation would not be before the House if the Palaszczuk government did not have gender parity. We need women in parliament pushing for reform, but we need the good men fighting right alongside us. I commend the bill to the House.

 **Mr LAST** (Burdekin—LNP) (4.49 pm): I rise to speak to the Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020. The review of the operation and practical application of the definition of 'consent' in section 348 and the operation of the excuse of mistake of fact under section 24 as it applies to rape and sexual assaults in chapter 32 of the Criminal Code was long overdue. We have heard from a number of members during the course of this debate in the House about statistics. They are horrendous. We need to understand that at the core of those statistics are real people. For that reason, this bill and the changes espoused in it are long overdue. While there may be some who say that the bill does not go far enough, it is a start.

These are serious offences. When we consider that rape attracts a penalty of life imprisonment and sexual assault attracts a penalty of 10 to 14 years imprisonment, depending on the circumstances, we need to get this absolutely right.

In his contribution the member for Clayfield talked about proving every element of the offence beyond a reasonable doubt. The ex-police officers in this place know all about that. That will still be the case after this legislation is passed today. Chapter 32, 'Rape and sexual assaults', of the Criminal Code deals with sexual offending against adults where the absence of consent is an element of the offence. Section 348, 'Meaning of consent', in chapter 32 defines 'consent'. Section 348(1) provides—

... **consent** means consent freely and voluntarily given by a person with the cognitive capacity to give the consent.

Section 348(2) provides a non-exhaustive list of circumstances where consent is not freely and voluntarily given.

Chapter 5, 'Criminal responsibility', sets out the limits of criminal responsibility under the Queensland Criminal Code. Under the code, unless a particular state of mind is expressed as an element of the offence itself, the state of mind of the accused is irrelevant.

The approach in the Criminal Code must be distinguished from the approach in common law jurisdictions—for example, New South Wales, Victoria and South Australia—where the accused's state of mind—that is, their intent and knowledge—must always be proven beyond a reasonable doubt by the prosecution, even if it is not expressly articulated as an element of the offence.

Chapter 5 of the Criminal Code balances the absence of an embedded mental element in each offence by providing for particular circumstances where a person is excused from criminal responsibility. Although often referred to as defences, the provisions in chapter 5 are exculpatory provisions. If they are raised on the evidence consistent with the precept of the presumption of innocence, the prosecution bears the onus of excluding their operation beyond a reasonable doubt.

Section 24, 'Mistake of fact', is contained in chapter 5 of the Criminal Code and provides—

A person who does or omits to do an act under an honest and reasonable, but mistaken, belief in the existence of any state of things is not criminally responsible for the act or omission to any greater extent than if the real state of things had been such as the person believed to exist.

The mistaken belief must be both subjectively honest and objectively reasonable. Section 24 is available as an excuse for every criminal offence in Queensland unless its operation is expressly or impliedly excused. It is embedded in our law in this state. The law in Queensland is consistent with every other state and territory in Australia in that it places the onus of proof on the prosecution to negative mistake as to consent.

On 30 June 2020, the QLRC delivered its report *Review of consent laws and the excuse of mistake of fact*. The recommendations in that report are based on a rigorous examination of the operation of the laws of consent and excuse of mistake of fact in Queensland. I note that the transcripts from 135 rape and sexual assault trials during 2018 and 40 appellate decisions from between 2000 and 2019 were examined in addition to another 76 trials that were referred to it at its invitation. That is important because it demonstrates that it was—and it needed to be—researched and understood. By going to that depth and undertaking that level of scrutiny, we have a better understanding of what we need to do in terms of changing the laws we are talking about today.

The QLRC's analysis should be recognised as extensive, constituting an almost exhaustive and entirely forensic examination of the current operation of the relevant laws in Queensland. The rigorous approach of the QLRC has produced an objectively solid evidence base for the most appropriate form of legislative amendment in response to the community concerns which gave rise to its terms of reference. The extensive and rigorous review did not find evidence to support a conclusion that Queensland's current laws should be the subject of extensive change; however, the report concluded that some aspects of the existing law in Queensland would benefit from being made more explicit in the Criminal Code.

The QLRC report made five recommendations: section 348 of the Criminal Code should be amended to include a new subsection to expressly provide that a person is not taken to give consent to an act only because at or before the time of the relevant act the person does not say or do anything to communicate that they do not consent to that act. Chapter 32 of the Criminal Code should be amended to apply the definition of 'consent' in section 348 to the offences provided for under sections 351(1) and 352(1)(a). Section 348 of the Criminal Code should be amended to include a new subsection to expressly provide that if an act is done or continues after consent to the act is withdrawn by words or by conduct then the act is done or continues without consent. The Criminal Code should be amended to provide that, for the offences in chapter 32, in deciding under section 24 whether a defendant did an act under an honest and reasonable but mistaken belief that the complainant gave consent to the act, regard may be had to anything the defendant said or did to ascertain whether the other person was giving consent to the act. Lastly, the Criminal Code should be amended to provide that, for offences in chapter 32, in deciding under section 24 whether a defendant did an act under an honest and reasonable but mistaken belief that the complainant gave consent to the act, regard may not be had, in deciding whether a belief was reasonable, to the voluntary intoxication of the defendant by alcohol, a drug or another substance. The report also recommended that an inconsistency as to the application of the definition of 'consent' to different offences in chapter 32 of the Criminal Code be remedied. The case law on this issue has very recently been clarified by the Queensland Court of Appeal in the case of *R v Sunderland*.

The amendments to the Criminal Code in this bill implement the recommendations of that report. These amendments to the Criminal Code are almost entirely declaratory of the existing law of Queensland; however, much of that existing law is found in Queensland's case law—not in the words of the Criminal Code itself. The QLRC noted that the community is the ultimate user of a law and that effective communication of legislative rights and obligations is a key component of access to justice. By making the existing law clear in the Criminal Code, the bill will strengthen and modernise the law, make the law more accessible for all Queenslanders and facilitate a more consistent and correct understanding of the law by judges, legal practitioners and juries.

It is important that the Criminal Code is clear and unambiguous in its statement of the law. Let me be very clear: we simply must ensure that the legislation in Queensland not only provides the best protections available today but also continues to be amended where necessary to ensure both that the best protections are available and that our legal system is best placed to provide fair outcomes for victims of these horrendous crimes.

Regarding the other amendments in this bill, as someone who was heavily involved in the establishment of the Townsville Safe Night Precinct, I welcome the framework to regularly review the effectiveness of that and other precincts. It is sad to say that, despite the efforts of many, we still see idiots acting inappropriately in and around licensed premises. It is easy to point the finger of blame at licensees but, in reality, we need to see people taking responsibility for their actions. I hope that under the framework for review this issue is considered because, just like our city cousins, people who work in and people who chose to socialise responsibly in licensed premises in rural and regional Queensland are also entitled to a safe night out.

 **Hon. SM FENTIMAN** (Waterford—ALP) (Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence) (4.58 pm), in reply: I thank members for their contributions to the debate on the Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020. I thank the shadow Attorney-General, the member for Clayfield, for his contribution to the debate. In particular, I note the member's comments about being open to further legislative reform that is strongly supported by evidence and that delivers a better system and outcomes for victims. I thank the member for those comments.

Before commencing my reply to issues raised, I would also like to place on the record my sincere gratitude to those women who shared their very personal experiences. Making the decision to go public is not an easy one and it is an individual choice that each woman must make independently. I thank the member for Capalaba for his exceptional contribution also.

The codification of existing case law with respect to consent and mistake of fact is an important measure to ensure the law is accessible to all. The bill will assist judges to provide properly informed directions to a jury and will inform discussion and education to change attitudes and prevent sexual violence. This legislation is only one component of the work needed to eliminate sexual violence from our community and ensure access to justice for women. I have canvassed the work of the newly established Women's Safety and Justice Taskforce in my second reading speech and take this opportunity to reiterate the critical role that the task force will play in addressing these issues.

I will now address the contributions of the member for South Brisbane and the member for Maiwar and address the amendments circulated by the member for South Brisbane. The contributions made by those members and the amendments as drafted demonstrate an absolute disregard for the careful and considered work of the professional and highly regarded members of the Queensland Law Reform Commission and the dedicated specialists who have been appointed to the Women's Safety and Justice Taskforce.

I note that the member for South Brisbane tabled the open letter addressed to the Premier and myself from domestic and sexual violence organisations, most of which I have met with personally to hear their concerns, but I note that the member herself has only consulted two of those 17 organisations according to the explanatory notes attached to those amendments. In particular, there has been no consultation with Women's Legal Service Queensland and the Queensland Council of Social Service.

The member for Maiwar, who aggressively mansplained the law to me—the Attorney-General of Queensland and Minister for Women—in his contribution called for the mistake-of-fact defence to be removed from the law. However, his own party's amendments do not do that and I thank the member for Maiwar for his advice on how to consult with stakeholders. As someone who has volunteered on the management committee for the Centre Against Sexual Violence in Logan for over 10 years and held the positions of president and secretary, I do understand the challenges faced by victims of sexual violence and it is one of the many reasons why this government was motivated to ensure a wideranging review to examine the experiences of women in the criminal justice system.

Most concerning is that in moving these amendments the member for South Brisbane attempts to steal the agency for creating solutions from the survivors of sexual violence themselves. This government wants to place the agency for creating the solutions to these issues with survivors of sexual violence by giving them the opportunity to work in partnership with the task force to present the government with holistic solutions that go beyond mere legislative change. These amendments have little to do with improving outcomes for women in the criminal justice system and have a lot to do with garnering likes on social media. Presenting the amendments in this manner and form before the House today is certainly not about developing a real policy solution to address sexual violence.

Why do I say that? The member for South Brisbane has not given any information in the material circulated about whether the member's proposed amendments are compatible with human rights. Section 13 of the Human Rights Act, which binds this parliament and all of those who serve in it, provides that a human right may be subject under law only to reasonable limits that can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom. Through the chair, I ask the member for South Brisbane to attempt to identify the rights limited by these proposed amendments and advise the House why those limitations are reasonable and justified, because it is disappointing that the member for South Brisbane has failed to provide a statement of compatibility with human rights in relation to her amendments.

What guidance do we have in this House from the explanatory notes to these amendments? According to the explanatory notes, the implementation of these amendments would not result in any additional costs being incurred, so I would ask the member for South Brisbane to advise the House whether it is her position that these amendments, which would radically change the law of this state in relation to sexual offences, would not require any further training, resources or support for our police, judges or prosecutors.

These amendments are also apparently completely consistent with the fundamental legislative principles in the Legislative Standards Act 1992. Radically changing the operation of an excuse from criminal liability in the Criminal Code raises no relevant issues relating to a citizen's rights or liberties, according to the member for South Brisbane. Through the chair, I would also request that the member for South Brisbane enlighten the House about how she came to this conclusion.

I note that the first amendment proposed by the member for South Brisbane is the introduction of objectives and guiding principles for chapter 32 of the Criminal Code. The explanatory notes tell us that these guiding principles will provide direction to society as well as judges, prosecutors, defence lawyers, jurors, victims, perpetrators and even witnesses in court proceedings about what is acceptable conduct and we are told that this would bring Queensland in line with other jurisdictions such as Victoria. What we are not told is that they go further than the Victorian provisions without any explanation as to why. We are not told that these principles include concepts and terms that are not defined in our Criminal Code.

Curiously, one of the guiding principles stipulates that a failure to immediately report a rape or sexual assault does not discredit a complainant. However, it is unclear why this would be necessary when section 4A of the Criminal Law (Sexual Offences) Act 1978 already provides that a judge in

Queensland must not warn or suggest in any way to the jury that delay in preliminary complaint makes a complainant's evidence less reliable. Can the member for South Brisbane please advise whether she considered the interaction between these provisions and any unintended consequences in drafting the amendment? Finally, there is no guidance provided in the explanatory notes to decision-makers as to how these principles should be applied to the offences in chapter 32.

The member's proposed second amendment to amend clause 8 of the bill provides that consent is voluntarily given only if each person involved in the act takes all necessary steps to ascertain consent. I would ask the member for South Brisbane to explain what the term 'necessary steps' means. How would this provision operate? What would constitute all necessary steps? How would the judiciary and jurors interpret this term because, as far as I am aware, this term has not been considered by the Queensland Law Reform Commission or any other jurisdiction in the country? Has the member for South Brisbane given any consideration to what these necessary steps will entail and the implications this will have for complainants? How will a survivor feel comfortable making a report to police if they do not even know whether an offence has been committed? Perhaps the defendant took steps but not all necessary steps. Could the member for South Brisbane please explain this to the House?

I note that the explanatory notes to the amendment indicate that the member's amendments will achieve greater consistency with the laws in other jurisdictions, including Victoria and Tasmania, but I fail to see how this will occur given that, as far as I am aware, these jurisdictions do not use the term 'necessary steps'. The explanatory notes also indicate that the proposed communicative consent model will require a person to consent either verbally or through their actions. However, proposed section 348(4) in the member for South Brisbane's amendments clearly indicates that consent cannot be implied. Would the member for South Brisbane please explain how the intention as expressed in the explanatory notes is not negated by the operation of proposed section 348(4)?

Further, the explanatory notes appear to introduce yet another term into the mix, that of 'active agreement'. The explanatory notes indicate that this term, 'active agreement', will be defined in order to limit any confusion as to what this might look like. However, there is no definition of 'active agreement' as suggested by the explanatory notes. What does the member for South Brisbane intend the definition of consent to look like? Is it 'active agreement' or is it 'necessary steps'? Under the member's proposed amendments, consent must be communicated through words alone, or can it include actions? The explanatory notes do not provide any explanation as to how the proposed provisions will operate and instead create their own confusion. There is no guidance to the judiciary, legal profession, juries or the general public regarding the interpretation of these provisions.

The member's proposed amendments will do nothing more than complicate and confuse the definition of consent in Queensland which is the exact opposite of what we are trying to achieve through the government's bill before the House. In implementing the QLRC recommendations, the bill before the House codifies the existing law to ensure the law is accessible to all, assisting judges to properly direct juries. This government has not ruled out support for an affirmative consent model in this state. As I have stated publicly on a number of occasions, this is something that the task force will consider as part of its review.

The government has listened to the experts who work in the criminal justice system every day, who have cautioned that this kind of reform needs to be considered carefully to ensure there will not be unintended consequences. Our government understands that the criminal justice system is made up of interlocking parts that need to work together, and significant law reform needs to be implemented carefully to ensure all parts of the system are resourced and prepared to deliver that reform.

In stark contrast to the government's approach on this important issue, as the explanatory notes to the member for South Brisbane's amendments indicate, the member has not consulted on these proposed amendments with legal stakeholders. The member has not consulted with the Director of Public Prosecutions or the Queensland Police Service. These are all of the bodies that the member would be relying on to implement this significant change in the law. Does the member for South Brisbane know if the Queensland Police Service has the capacity to train its thousands of members in the consequences of this new amendment on their investigations? The answer to that is no. I know this because the Commissioner of Police, Katarina Carroll, was yesterday quoted in the *Courier-Mail* as reinforcing the need for a 'considered approach' based on 'good research and best practice'.

Has the member for South Brisbane consulted with prosecutors to determine whether the form of this amendment will actually assist in increasing the rates of conviction in matters of sexual violence? Has the member for South Brisbane considered the application of the Human Rights Act 2019 and the

delicate balance between a defendant's right to a fair trial and a survivor's entitlement to justice? Has the member for South Brisbane spoken to the Queensland Human Rights Commission about these matters? Again, the answer to that is obviously no. Has she consulted with culturally and linguistically diverse groups from around Queensland on how this amendment might impact those communities? The answer to all these questions is no.

Turning now to the member's third and final amendment, which purports to amend clause 9 of the bill with respect to the excuse of mistake of fact, the effective removal of the mistake-of-fact excuse has the significant potential to cause injustice, most particularly for vulnerable defendants, including those with cognitive impairments or intellectual disabilities and there is absolutely no mention of this in the explanatory notes. It appears that the member for South Brisbane, a member of a party that positions itself as human rights champions, has not assessed the compatibility of this effective removal of the mistake-of-fact excuse with the Human Rights Act 2019. The member for South Brisbane appears to not have considered whether this proposal will limit the right to equality, the right to a fair trial or rights in criminal proceedings and whether any limitation is proportionate.

The member for South Brisbane claims in the explanatory notes that these amendments are required to reduce the complexity of the current law, when in fact the proposals are so convoluted and complex that it will do nothing of the sort. The member's proposed section 348A(c) provides that mistake of fact is not available if a person does not clearly and positively express consent due to intoxication, but the member's proposed section 348(3)(b) already provides that consent must be clearly and positively expressed. The repeated use of these terms in both the definition of consent and the negation of the mistake of fact is incredibly complex. At what point should a jury be considering whether consent has been clearly and positively expressed? When they are assessing the elements of the offence or if mistake of fact is raised? Similarly, the member's reference to a person being asleep or unconscious is also repeated in both the proposed definition of consent and the negation of the mistake-of-fact excuse. Again the question arises at what point should a jury applying these incredibly complex provisions consider whether the complainant was asleep or unconscious?

I feel it is important, in light of some of the member for South Brisbane's recent social media posts, to make it clear again that it is a well-settled area of law in Queensland that a complainant who is asleep or otherwise unconscious does not have the cognitive capacity to give consent. If the person did not have cognitive capacity there can be no consent. Survivors should feel confident reporting sexual assaults and should not believe that a sexual offence was not committed against them simply because they were asleep or otherwise unconscious. I urge the member for South Brisbane to take greater care with her use of social media on this issue. Elected members of this House have the privilege of being given a platform of authority to discuss the issues of the day that matter, but that privilege needs to be exercised responsibly, and on this issue with particular care, so as not to create unintended consequences.

The member for South Brisbane should understand the gravity of the amendments she is proposing, the risks of inflammatory social media posts and why patient, calm and careful law reform is what is required on this occasion. You cannot simply pick up legislation from another jurisdiction and drop it into Queensland law. The government understands that there are many in our community who want a stronger affirmative consent model in Queensland's Criminal Code. All members want to improve the quality of justice outcomes for women in Queensland. Preserving the rights of the accused to a fair trial and improving outcomes of victims of sexual violence should not be seen as mutually exclusive goals. This government believes that with careful, considered, evidence based law reform both ends can be achieved.

Public confidence in the criminal justice system to deliver justice fairly and accurately is a critical part of stable democracy. That is why we have established this task force, bringing together experts from a range of disciplines to make sure we get the balance right. I call on the member for South Brisbane and her party to give the agency back to the survivors to design the solutions and take a more mature and considered approach in delivering workable law reform for all Queenslanders. In conclusion, I once again thank all honourable members for their contributions during the debate. I commend the 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—



**Ms FENTIMAN** (5.16 pm): I move the following amendments—

**1 Clause 2 (Commencement)**

Page 8, after line 6—

*insert—*

- (1) Part 6, other than sections 24A and 24B, commences on 1 May 2021.
- (2) Sections 24A and 24B commence on 1 July 2021.

**2 Clause 2 (Commencement)**

Page 8, line 7, 'The'—

*omit, insert—*

- (3) The

I table the explanatory notes to my amendments and the statement of compatibility with human rights.

*Tabled paper:* Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020, explanatory notes to Hon. Shannon Fentiman's amendments [\[412\]](#).

*Tabled paper:* Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020, statement of compatibility with human rights contained in Hon. Shannon Fentiman's amendments [\[413\]](#).

Amendments agreed to.

Clause 2, as amended, agreed to.

Clauses 3 to 6, as read, agreed to.

Insertion of new clause—



**Dr MacMAHON** (5.17 pm): I move the following amendment—

**1 After clause 6**

Page 9, after line 10—

*insert—*

**6A Insertion of new ss 346A and 346B**

Before section 347—

*insert—*

**346A Objectives of chapter**

The objectives of this chapter are—

- (a) to uphold the fundamental right of every person to make decisions about their sexual behaviour and to choose not to engage in sexual activity; and
- (b) to protect the following persons from sexual exploitation—
  - (i) children;
  - (ii) persons with an intellectual, psychiatric, cognitive or neurological impairment;
  - (iii) other vulnerable persons.

**346B Guiding principles**

For applying this chapter, a court must have regard to the following matters—

- (a) there is a high incidence of rape and sexual assault within society;
- (b) rapes and sexual assaults are significantly under-reported;
- (c) a significant number of rapes and sexual assaults are committed against women, children and other vulnerable persons, including persons with an intellectual, psychiatric, cognitive or neurological impairment;
- (d) persons who commit rape or sexual assault are commonly known to their victims;
- (e) rapes and sexual assaults most frequently occur in residential locations;
- (f) there are legitimate reasons why victims of rape or sexual assault may not physically resist the rape or assault, including, but not limited to, physiological responses to aggression and fear of escalating or prolonging the attack;
- (g) rapes and sexual assaults often occur in circumstances where there are unlikely to be any physical signs of an offence having occurred;
- (h) there are legitimate reasons why victims of rape or sexual assault may not immediately report the rape or assault to police or another person and a failure to make an immediate report, on its own, does not discredit an allegation.

Clause 6A creates a new section of guiding principles to assist the criminal justice system in handling rape and sexual assault. These guiding principles provide clearer guidance to the courts, judges, juries, prosecutors and defence lawyers on the circumstances in which rape and sexual assault can occur and offer a clearer definition of consent that reflects contemporary respectful sexual relationships.

The introduction of these guiding principles would bring Queensland in line with the Victorian jurisdiction. All of these amendments have been circulated to all of the signatories on that letter and these amendments bring to the fore the agency and voice of survivors that have been ignored by the government.

**Ms FENTIMAN:** The government cannot support this amendment because there is no guidance provided for judges as to how these principles are to be applied. As I mentioned earlier, the amendment supposedly brings us into line with Victoria, but there is no explanation as to why these amendments go much further than what is in Victorian legislation and there is no explanation as to why one guiding principle duplicates section 4A of the Criminal Law (Sexual Offences) Act. This provision already provides that a judge in Queensland must not warn or suggest in any way to the jury that a delay in a preliminary complaint makes a complainant's evidence less reliable. There is no advice provided about the intersection of those two provisions.

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

Resolved in the negative in accordance with special sessional orders.

Non-government amendment (Dr MacMahon) negatived.

Clause 7, as read, agreed to.

Clause 8—



**Dr MacMAHON (5.25 pm):** I move the following amendment—

**2 Clause 8 (Amendment of s 348 (Meaning of consent))**

Page 9, line 19 to page 10, line 3—

*omit, insert—*

Section 348(1) and (2)—

*omit, insert—*

- (1) In this chapter, **consent** means consent voluntarily given to a particular act by a person with the cognitive capacity to give the consent.
- (2) Consent given to a particular act is not consent for another act even if the act and the other act are part of a sequence of acts.
- (3) Consent to an act is voluntarily given only if—
  - (a) each person involved in the act takes all necessary steps to—
    - (i) find out whether each other person involved consents to the act; and
    - (ii) ensure that each other person continues to consent for the duration of the act; and
  - (b) consent is clearly and positively expressed; and
  - (c) there is consent to the act immediately before and during the act.
- (4) Consent cannot be implied in the circumstances of the act.
- (5) Without limiting subsection (1), a person's consent to a particular act is not voluntarily given if—
  - (a) the person submits to the act due to force or the fear of force or harm of any kind, whether to that person or someone else or an animal; or
  - (b) the person submits to the act due to threats or intimidation, whether physical, verbal or through control of the physical environment; or
  - (c) the person submits to the act because the person is unlawfully detained; or
  - (d) the person submits to the act due to the exercise of actual or apparent authority; or
  - (e) the person is asleep or unconscious when any part of the act occurs; or
  - (f) the person submits to the act due to an incorrect belief, induced by or with the knowledge of any other person involved in the act, as to any fact but for which the person would not have submitted to the act, including—
    - (i) facts about the sexual nature of the act; or
    - (ii) facts about the identity of any other person involved in the act; or
    - (iii) facts about the purpose of the act (including medical, hygienic, veterinary, agricultural or scientific purposes); or
    - (iv) facts about gifts or payment promised in relation to the act; or
  - (g) the person submits to the act in the belief, induced by or with the knowledge of any other person involved in the act, that the other person will use a condom, and the other person does not do so or stops doing so at any time during the act.

This would amend clause 8 to include an affirmative model of consent. The proposed amendment of clause 8 provides a clear definition of 'consent' as free and active agreement, including an affirmative consent model and defining what constitutes 'active agreement' in order to limit confusion as to what that might look like. A clear definition includes: consent may be voluntarily given to a particular act by a person with the cognitive capacity to give that consent; consent to a particular act does not mean consent for another act; consent is only voluntarily given under situations where each person involved takes all necessary steps to find out whether each person involved consented; consent is clearly and positively expressed; and there is consent to the act immediately before and during the act.

The proposed amendment of clause 8 also includes a non-exhaustive list of consent negating circumstances including that consent cannot be implied. A person's consent to a particular act is not voluntarily given where there is an act of force, intimidation, unlawful detention or exercise of authority; the person is unconscious or asleep; the person is submitting to acts with the incorrect belief of the promise of payment; or they are under the incorrect belief that the other person would wear a condom.

I would say that nearly every person who spoke to this bill today recognised the fact that there are limitations in the bill that this amendment would help to amend. If the government votes against this amendment it is rejecting an affirmative model of consent. Today the government has an opportunity to listen to survivors, to listen to women, to listen to the signatories of that letter who have all seen these amendments and to uphold their requests.

**Ms FENTIMAN:** I note that the member for South Brisbane now tells the House that she has sent copies of her amendments to many organisations and sexual assault services, but again the explanatory notes tell us that only a handful of them were consulted—no legal stakeholders whatsoever and not the Women's Legal Service or QCOSS. As I outlined in my speech earlier, the government cannot support these amendments because they actually leave the definition of 'consent' far more confused than it is right now. There is no definition of 'all necessary steps'. I am advised that the concept of 'all necessary steps' has not been considered by any jurisdiction in this country.

The explanatory notes to the amendments outline a communicative or affirmative consent model that can be given verbally or through actions, but the actual amendment contradicts that because it states, 'Consent cannot be implied in the circumstances of the act.' That would tend to indicate that actions cannot be used to give consent. The amendments also talk about active agreement. The explanatory notes state that the amended clause would clarify consent in law by providing a clear definition of consent as 'free and active agreement', using a communicative or affirmative consent standard and defining what constitutes active agreement. However, the amendments do not contain a definition of that concept. Was that an oversight? Was it intentionally drafted to be confusing? It would leave women in Queensland in a worse position if the amendment were to be passed by the House.

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

Resolved in the negative in accordance with special sessional orders.

Non-government amendment (Dr MacMahon) negated.

Clause 8, as read, agreed to.

Clause 9—



**Dr MacMAHON (5.35 pm):** I move the following amendment—

**3 Clause 9 (Insertion of new s 348A)**

Page 10, lines 8 to 21—

*omit, insert—*

Section 24 does not apply in relation to an offence under this chapter if a person did an act under a mistaken belief as to the existence of consent given by another person in which—

- (a) the person was in a state of self-induced intoxication caused by alcohol, a drug or another substance and the person would not have formed the belief if not intoxicated; or
- (b) the person did not take positive and reasonable steps by word or action, in the circumstances known to the person at the time of the offence, to ascertain that the other person was consenting to the act; or
- (c) the other person was in a state of intoxication caused by alcohol, a drug or another substance and did not clearly and positively express consent to the act; or
- (d) the other person was unconscious or asleep when any part of the act occurred.

Clause 9 limits the use of the mistake-of-fact excuse with regard to rape and sexual assault. The amendment requires the defendant to show that they took positive and reasonable steps to ascertain the other person's consent. If they cannot show this, they cannot use the mistake-of-fact defence. The

amendment also clearly removes the defendant's ability to argue the mistake of fact when the victim/survivor was unconscious, asleep or intoxicated or had not positively expressed consent, as has happened in case law in Queensland. The government themselves have conceded that this bill does not go far enough and in rejecting these amendments cements these limitations. It ignores the voices of victim/survivors and advocates and the organisations who called on the government to have courage, but there is no courage left in this chamber.

**Ms FENTIMAN:** The government can also not support this amendment because, as the member for Maiwar said in his speech in the second reading debate, mistake of fact should be out of the law, but this amendment uses the term 'restrict', which is driven to complete removal. These amendments are very confusing and there is no guidance provided by the explanatory notes.

We are not aware of what the human rights consequences would be because there has not been a statement of compatibility of human rights tabled with these amendments. The right to equality, the right to a fair trial and rights in criminal proceedings have not been considered.

I say again that this government has not ruled out an affirmative consent model and, in fact, all of the contributions from members in this House have said that if we take the time and consult with not only sexual assault services but also lawyers, prosecutors, police and other people involved in this system then we can get this right. We need to consult to make sure there are not unintended consequences and that we do not leave the law in a more confusing state than it is in right now. That is what these amendments will do.

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

Resolved in the negative in accordance with special sessional orders.

Non-government amendment (Dr MacMahon) negatived.

Clause 9, as read, agreed to.

Clauses 10 to 24, as read, agreed to.

Insertion of new clauses—



**Ms FENTIMAN** (5.43 pm): I move the following amendment—

**3 After clause 24**

Page 22, after line 20—

*insert—*

**24A Amendment of s 364 (Expenditure from fund)**

(1) Section 364(g)—

*omit, insert—*

(g) an amount for—

(i) a program or tool to assist the law society or law practices in identifying defaults; or

*Example—*

a program of regular auditing for new law practices

(ii) an educational program for law practices aimed at improving compliance with part 3.3;

*Example—*

an educational program delivered to law practices about trust accounting obligations

(h) all other moneys payable out of the fund under this Act.

(2) Section 364—

*insert—*

(2) A regulation may prescribe the maximum amount that may be paid out of the fund under subsection (1)(g) for a financial year.

**24B Replacement of s 367 (Minister may require report about fund)**

Section 367—

*omit, insert—*

**367 Reporting requirements**

(1) The law society must give the Minister a report about the fidelity fund on or before 30 September of each year.

- (2) The report must—
  - (a) relate to the most recent financial year to end before the report is given; and
  - (b) include the following—
    - (i) details of each amount paid out of the fund under section 364(1)(a);
    - (ii) details of each amount paid out of the fund under section 364(1)(g), including details about how the amount was spent;
    - (iii) the balance of the fund at the end of the financial year;
    - (iv) a matter prescribed by regulation for this subsection.
- (3) Subsection (4) applies if, at any time, the Minister believes the fidelity fund is not sufficient to satisfy the liabilities of the fund at or about that time.
- (4) The Minister may, by written notice to the council, require the law society to give the Minister a written report about the fund on the matters stated in the notice.
- (5) The law society must comply with the requirement within 14 days after receiving the notice or within the further time allowed by the Minister.

**Mr NICHOLLS:** We support the amendment, but there are a couple of questions that I flagged during the course of my contribution to the debate yesterday. The explanation for this amendment states that funds are provided for educational programs for law practices aimed at improving compliance with part 3.3 of the Legal Profession Act. The amount of any payments from the fund for such measures is limited to an amount prescribed by regulation.

Both the new subclauses to be inserted require a program or tool to assist the Law Society or law practices in identifying defaults. The other one is an educational program for law practices. My question to the Attorney in that sense is: does she have an idea how much is expected to be expended? Given that most law schools have a program for teaching their students about the operation of trust funds, most students who study trusts learn about the fidelity obligations and duties they have and people have to do a law practice course that also requires them to understand trust accounts, what additional education is the Law Society saying they need to do in order to make sure solicitors do the right thing and do what they have learnt three times?

**Ms FENTIMAN:** I thank the member for these questions. The advice from the Law Society is that unfortunately these practitioners absolutely do need additional education. When they came to me about these proposals it was in relation to them seeing many more sole practitioners start up and needing additional support. The information provided by the Law Society confirms that the additional payments will primarily be applied to programs or tools to assist law practices in identifying defaults, particularly with sole practitioner who are just starting out. They will be doing auditing and compliance work. The new reporting requirements will ensure that additional payments are being used for appropriate purposes. I am happy to come back with some further detail after further consultation once the Law Society has more of an idea about the program.

Amendment agreed to.

Clauses 25 to 72, as read, agreed to.

Schedule, as read, agreed to.

### Third Reading

 **Hon. SM FENTIMAN** (Waterford—ALP) (Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence) (5.45 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. SM FENTIMAN** (Waterford—ALP) (Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence) (5.46 pm): I move—

That the long title of the bill be agreed to.

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

Motion agreed to.

## COMMITTEE OF THE LEGISLATIVE ASSEMBLY

### Portfolio Committee, Reporting Date; Referral of Auditor-General's Reports

 **Hon. YM D'ATH** (Redcliffe—ALP) (Leader of the House) (5.46 pm): I seek to advise the House of the determinations made by the Committee of the Legislative Assembly at its meeting today. The committee has resolved, pursuant to standing order 136, that the Economics and Governance Committee report on the Debt Reduction and Savings Bill by 14 May 2021.

The committee has resolved, pursuant to standing order 194B, that the Auditor-General's report to parliament No. 15 of 2020-21 titled *State finances 2020* be referred to the Economics and Governance Committee and the Auditor-General's report to parliament No. 16 of 2020-21 titled *Planning for sustainable health services* be referred to the Health and Environment Committee.

### ADDRESS-IN-REPLY

Resumed from 24 March (see p. 743).

 **Mr KING** (Kurwongbah—ALP) (5.47 pm), continuing: There is one more person and his family whom I have to thank for starting me on this journey. Sadly, he did not make this one. Peter Simpson was a fighter for the union and labour movement. I acknowledge his contribution. I know he thought the world of the Premier and what we were doing. He would have been proud with the result. I thank his wife, Penny, for being there with him at the time. It must have been a tough gig, but she was up for it.

I would not be in this place but for the trust the constituents of Kurwongbah have placed in me. I thank each and every member of my community, whether or not they voted for me, for contributing to the great democratic traditions of this state. Thanks also to the wider labour movement for its support of my efforts to return to this place. I am constantly amused at how those opposite demonise the Queensland union movement which spends every day looking after workers' health, safety and the things that make their lives better. I would particularly like to thank Peter Ong at the ETU, Gary O'Halloran at the Plumbers Union, Rohan Webb at the AMWU, Michael Clifford at the QCU and Alex Scott from Together. Their members are well served under their leadership.

No campaign is successful if the hard work is not put in at an organisational level. Thanks to the team at the ALP state office, led well by Jules Campbell. Thank you, your contribution has been really appreciated. Thanks also to my Moreton Bay regional parliamentary and council colleagues—Senator Anthony Chisholm and the members for Redcliffe, Pumicestone, Morayfield, Murrumba, Bancroft, Ferny Grove and Pine Rivers and their staff. Thanks for all your assistance and cooperation over the past three years and into the future.

To Mayor Flannery and councillors Gillam, Tonks, Booth and Grimwade, as well as former deputy mayor Charlton: working with you has been great and by working together our residents achieve so much more. I also make special mention of our former mayor whose vision helped bring us the rail line to Redcliffe and the university.

There is more work to do in Kurwongbah, and I look forward to continuing to deliver for my community. I stand proudly on my record. I thank locals for putting their trust in me again. It is an honour and a privilege to represent them in this place, and I will keep kicking goals for Kurwongbah.

 **Mr MICKELBERG** (Buderim—LNP) (5.49 pm): I rise to contribute to the address-in-reply debate. At the outset I would like to place on the record my congratulations to all members elected to the 57th Parliament. In particular, I would like to acknowledge the member for Southern Downs for his brave contribution this morning. He is a fellow veteran and I wish him well on his journey over coming months.

It is a tremendous honour to be entrusted for a second term as my community's voice on the issues that affect their lives each and every day. As the Governor noted in his speech, we are elected first and foremost to serve our communities—something that is too easy to forget in the hustle and bustle of life as an MP. The motto that I was elected on in 2017 was 'service, not self-interest'. I commit to honour the trust the people of Buderim have placed in me by continuing to conscientiously and faithfully serve them.

I am here because I have always believed in putting your hand up and having a go, rather than complaining from the sidelines. That is why I am here representing the community that my wife, Anna, and I chose to raise our little tribe in. I am privileged to live in and represent an area which over the last 12 months was considered the most in demand Australian suburb to buy a house in. In fact, Buderim

was the only Queensland suburb that made the top 10. Australians from all states are flocking to Buderim because of our great lifestyle, tree lined streets and strong sense of community. My first priority is to protect that way of life.

I congratulate the government on being returned and I acknowledge that Queenslanders voted to return Labor with an increased majority. There are a multitude of reasons why Queenslanders voted the way that they did. As many speakers have noted, undoubtedly the pandemic weighed on many Queenslanders' minds when they were casting their vote. Many Queenslanders were understandably scared, and numerous older voters in my electorate informed me that their vote was being heavily influenced by a desire for stability at a time of great uncertainty. This does not mean that other issues like law and order, a lack of investment in infrastructure, failures of leadership and integrity or health system failures did not matter to Queenslanders. These issues continue to be a key concern for residents in my electorate, and I will continue to voice their concerns when and as necessary.

While I accept the election result as the will of the people, it was nonetheless disappointing. It was disappointing because I know that the former leader of the opposition, the member for Nanango, Deb Frecklington, would have been an exceptional premier—an exceptional premier with a genuine vision to build a more prosperous Queensland. On a personal level, I would like to acknowledge the considerable sacrifice made by the member for Nanango and her family. I would also like to acknowledge the capable and loyal service of the former deputy leader of the opposition, the member for Everton.

To the new leadership team of the member for Broadwater and the member for Toowoomba South, I too would like to extend my congratulations. I know that they are the right people for the job of holding this tired third-term Labor government to account and on charting an alternative vision for Queensland. I am honoured to have been entrusted to serve in the shadow cabinet. I am confident that, despite the long four-year journey ahead of us, collectively this side is up to the job.

The election result was also incredibly disappointing because two of the best of us are no longer here. To my mates Marty Hunt and David Batt, thank you for all that you have done and all that you continue to do serving your communities. I look forward to both of them returning to this place in November 2024.

**Mr Minnikin:** And they will!

**Mr MICKELBERG:** They definitely will. I know that for both Marty Hunt and David Batt being a member of parliament was never a job; it was about serving their community, just as they continue to do.

Like everyone who is privileged to serve in this place, I would not be here today without a team of hardworking true believers. To everyone who handed out how-to-vote cards in the sun, whacked in signs or stood on the side of the road waving a corflute, I would like to extend my sincere thanks. Without the blood, sweat and tears of the many volunteers who show up time and time again, we on this side of the House would not get the chance to be their voice.

As I said in my maiden speech, I know that I stand here today because I am the LNP member for Buderim and I commit to faithfully continue to fight for the values that all of us on this side of the House hold dear. I would like to especially acknowledge the members of my campaign committee who were again the backbone of our campaign to retain Buderim. To Mitchell, Adrian, Frangi, Graham, Al, Ted, John, Eric, Lee and my father, Graeme: I say thank you for the long hours you all put in. I know that, like many party members, you have all fronted up for multiple campaigns and it takes commitment to drag yourself out of bed at 5 am to attend a market stall—often with the member for Maroochydore—or to letterbox for days in the sun.

Just as I could not be here without the support of many self-less volunteers, so too must I acknowledge the commitment and sacrifice of my beautiful wife, Anna, and our three beautiful children—Lara, Alex and Ella. Since I made my maiden speech in this place our little tribe has grown by one with the birth of Ella, who has brought so much joy to our lives. Soon our little tribe will grow again with the addition of another little man.

**Honourable members:** Hear, hear!

**Mr MICKELBERG:** Thank you.

**Mr Minnikin:** He's got the numbers!

**Mr Crawford:** He's branch stacking!

**Mr MICKELBERG:** I need every one! Given our newest addition is due any day, it is fair to say that my presence here this week has an element of risk attached to it, but hopefully our little man can delay his arrival until my return to Buderim tomorrow.

Being the parents of three young children, my frequent absences performing duties as a local member have placed a heavy burden on Anna, who has sacrificed time and time again to keep our family happy and healthy. For that I say thank you. I know that without all of Anna's sacrifices I would not be able to represent the people of Buderim.

To Lara, Alex and Ella, I know that my absences are hard on you guys too and you should know that I miss you all more than anything when I am away from you. No matter what has happened, my FaceTime chats with them all are the highlight of my day. The fact that they are more interested in how the parliamentary chickens are faring than what exciting thing happened in question time or the media that day reminds me every single day of what is most important.

To my eldest daughter, Lara, you are growing so quickly and I am amazed at how good you are getting at reading. I am sure that pretty soon I will no longer be required for a bedtime story because Lara can already do it for herself, but secretly I am hoping she will humour me and let me keep doing it. I will always cherish our moments hanging out or just moving the cattle, and I promise that I will try to get along to help out in your classroom again soon.

To my son Alex, I know how hard you find it when I am away. Last time I delivered a speech like this Alex could not even walk. Now he is running around and kicking a footy like a little champion. Alex's smile lights up a room and, although I will never understand his obsession with Iron Man and Spider-Man, I love his inventive Lego creations and how he cares for his mum.

To Ella, you have been the perfect baby since the moment you were born. I cannot remember the last time she woke me up in the middle of the night and, despite the fact that we are solidly in the middle of the terrible twos, the sight of Ella greeting me at the top of the stairs yelling, 'Daddy!' picks me up every time.

I am proud to be able to represent the people of Buderim in this place, but I would be disingenuous if I did not admit that the long absences from my young family were not hard. I take solace in the fact that hopefully I am making the world that Lara, Alex and Ella live in a better place.

I will change pace now. With the huge population growth the Sunshine Coast is experiencing—

**Mr Minnikin:** Bag Labor.

**Mr MICKELBERG:** That is right—our region is bearing the brunt of Labor's failure to plan and of Labor's failure to invest in key infrastructure like the roads and public transport that our community needs. Every day Sunshine Coast residents waste long hours sitting in traffic on the Sunshine Motorway.

Projects like upgrades to the Sunshine Motorway have been stalled for years. The state government's go slow on the Mooloolah River interchange has put a brake on the Sunshine Coast economy and on our community as a whole. There is barely a week that goes by when the stretch of the Sunshine Motorway at Mountain Creek in my electorate is not closed because of a serious accident. The time has long since passed for the state government to resolve the bottleneck that is the Mooloolah River interchange. Sunshine Coast residents deserve a funding commitment so that construction can start soon. More delays will only result in more lives lost and more congestion.

The Mooloolah River interchange is just one of many roads that the people of my electorate want to see fixed. One welcome commitment was the \$10 million upgrade to the Sugar Road-Mooloolaba Road interchange which the government committed to in this year's budget. Upgrading this dangerous and congested Sugar Road-Mooloolaba Road intersection is something I have been campaigning on since before I was elected in 2017. Each day 20,000 vehicles travel through the Sugar Road-Mooloolaba Road intersection, and the resultant congestion at the intersection adds considerable trip time for locals. I acknowledge and appreciate that the Minister for Transport and Main Roads took the time to meet with me on site.

Debate, on motion of Mr Mickelberg, adjourned.

## ADJOURNMENT

### Brisbane Western Suburbs, Infrastructure

 **Dr ROWAN** (Moggill—LNP) (6.00 pm): The Palaszczuk state Labor government must show leadership, they must show initiative and they must finally deliver on an integrated road and public transport plan for the electorate of Moggill in the western suburbs of Brisbane. This must be done in

consultation and collaboration with all other levels of government, including Brisbane City Council and the federal government. The South East Queensland Regional Transport Plan, which has just been released, is in some ways a missed opportunity.

I would encourage the Labor government and the Department of Transport and Main Roads to read my detailed submission to the South East Queensland Regional Transport Plan. There needs to be a definitive time line for preserved road corridors, including the Kenmore bypass, and for residents who wish to see a dedicated full traffic road bridge being constructed at Bellbowrie. With no action being taken by the state Labor government, this is an ideal time for the Brisbane City Council to commence a feasibility study with extensive traffic modelling and community consultation on such a road bridge being constructed at Bellbowrie. This needs to occur in collaboration with the state government. We are seeing this process already underway, given Brisbane City Council's investigation into the construction of a second Walter Taylor Bridge.

Community consultation is continuing to take place on the state Labor government's proposed design for the Kenmore roundabout upgrade. I continue to be inundated with correspondence from local residents who have genuine concerns about the design, scope, impact and purported benefits of the current design for the upgrade and the associated section of Moggill Road. Such feedback is indicative of broader community concerns that this state Labor government is failing to properly plan and invest in road and public transport infrastructure for the electorate of Moggill and the western suburbs of Brisbane. This includes addressing the continued safety concerns caused by overgrown vegetation, the sheer lack of adequate provision of safe pedestrian and cyclist access along state controlled roads, and the failure of the state Labor government to meaningfully work with the Brisbane City Council to implement solutions.

Despite participating in good faith in the community consultation process for the Mount Crosby-Warrego Highway interchange upgrade project, local residents are being left in limbo on the further progress and future definitive implementation of this interchange upgrade. Local residents are very concerned about the design of this upgrade as well and also the lack of transparency around community survey results, which closed in August.

In relation to educational infrastructure for the western suburbs of Brisbane, again the Palaszczuk state Labor government is failing to deliver the resources and infrastructure required by local families, both now and into the future. The Labor Minister for Education is funding \$260 million for 37 new school halls. I would like to take this opportunity to again remind the Labor Minister for Education that Kenmore State High School is in desperate need of a new hall and sports centre, along with a performing arts venue and enhanced student administration building. Further, the state Labor government must commence planning now for a new high school to service families in Moggill, Bellbowrie, Anstead, Karana Downs and Mount Crosby. It is time for Labor to deliver infrastructure in the western suburbs of Brisbane.

### Youth Insearch

 **Mr KING** (Kurwongbah—ALP) (6.03 pm): I rise tonight to draw to the attention of members a great organisation I have heard a lot about called Youth Insearch. Some members may have noticed that during the last sitting I was wearing a pin. I was hoping to get this conversation started. I have to say that everyone I have bailed up about it has been very receptive. Thank you for that.

The motto of Youth Insearch, an independent charitable organisation, is 'Rebuilding young lives' with the Y-O-U in 'young' highlighted. They use an holistic, strength based approach, helping youth aged 14 to 20 to harness their potential and 'turn their disadvantages into advantages'. Since their inception in 1985 Youth Insearch has helped over 30,000 people and is currently working with around 1,000 young people across Queensland, New South Wales and Victoria.

In February one of my staff members attended the Youth Insearch weekend workshop at Camp Duckadang as a kitchen volunteer. Volunteering regularly at this campsite, administered by Lions Clubs International, has become a tradition in her family. I want to thank Leanne and the Mogridge family for their commitment to helping our youth. I know there are equally committed volunteers next door in the member for Bancroft's electorate, and he too is a supporter of this program.

Peer-to-peer support is a cornerstone of Youth Insearch's success, with participants able to listen to each other's stories and realise they are not alone in their struggles. They can also learn from peer feedback and implement strategies they hear from others to turn their own lives around. Concerned mums, dads and grandparents can all inquire. Young people self-refer to start the process. Community intervention, organisations and high schools can also reach out.

This year I have received a number of emails in my office about youth crime. Some of these emails tell me that we need to put more kids in jail to reduce crime. While I agree there might be a time and place for incarceration and we recently introduced legislation for serious repeat offenders, I think we need more awareness of the availability of programs like Youth Insearch. For everyone listening in here and out there, if you have a troubled young person in your care please get in touch with Youth Insearch. The website is [youthinsearch.org.au](http://youthinsearch.org.au).

I want to conclude with a quote from a recent opinion piece by Youth Insearch CEO Stephen Lewin. He refers to an independent review of Youth Insearch by Urbis in 2008 which found that only 17 per cent of Youth Insearch's graduates reoffend. Mr Lewin stated—

Keeping young people out of detention is a key element to reducing juvenile crime, BUT it needs to be complemented with programs that will give young people the sense of self-worth to navigate a successful path through life. This way, everyone benefits.

I wholeheartedly agree.

### **Coomera Electorate; Volunteering Queensland**

 **Mr CRANDON** (Coomera—LNP) (6.06 pm): The member for Kurwongbah's speech is a nice segue into what I want to talk about tonight, which is volunteers from right across the spectrum. I rise to pay tribute to volunteers. They are part of the fabric of every community.

Volunteering Queensland was able to give me a few figures earlier today, and they are staggering: 26.5 per cent of Queenslanders over 15 have volunteered their time through an organisation in the last 12 months; and about 1.2 million, or 32 per cent, of Queenslanders over 15 volunteered their time outside of an organisation in the last four weeks alone helping people in their community directly. Volunteering Queensland commissioned an extensive survey and report into volunteering to serve as a benchmark dataset for the state. The State of Volunteering in Queensland report will be released in National Volunteer Week in May. I am told that 900 million hours of volunteering was conducted in Queensland in 2020. In a year where everyone thinks about COVID and its impacts, 900 million hours of volunteering was conducted. Madam Deputy Speaker, can you imagine what it is going to be in 2021 and the years ahead?

Speaking of volunteering in the Coomera electorate, if you are looking for something to do on Saturday morning there is a great place down at Jacobs Well. Come on down to Volunteer Marine Rescue at Jacobs Well and have a look around. You will be able to tour the boats and the base and you can even sign up as a member. Just \$77 a year guarantees they will be there to assist you in the event you have a breakdown and they will not charge you an exorbitant fee to do it.

What sorts of volunteers are we talking about? The member for Kurwongbah touched on one. I just talked about VMR at Jacobs Well Coastguard. The Blue Water Review is coming to look at that. There are rural fire brigades. In the next little while I am going to have a session with the local police and Volunteers in Policing to thank them and present them with certificates. We have JPs, Commissioners for Declaration, SES, Lions Clubs, Rotary Clubs and Neighbourhood Watch. We have a fantastic new organisation, Steps 4208, which is committed to mental health issues in the local community, and the Pimpama Men's Shed. The list goes on and on. I commend all volunteers for everything they do.

### **Toohey Electorate, Harmony Week**

 **Mr RUSSO** (Toohey—ALP) (6.09 pm): Today I would like to talk about Harmony Week. With my electorate of Toohey being one of the most diverse communities in Queensland, I know Harmony Week is very important to my community. It was great to see the diverse cultures and communities coming together to build communities where people feel they belong and where they are valued, included and respected.

Harmony Week is celebrated in our schools, with many fostering inclusiveness by hosting barbecues for students and the school community. Ben the chappie at Sunnybank State High School sent out the call for 700 halal beef sausages, which were ably supplied by Mabrouk continental meat at Underwood. Sunnybank High has a student population representing over 50 different cultures. The school looks forward to their annual tradition of holding a students versus police soccer match but, unfortunately, due to the poor weather, this year's game was called off.

Last weekend the Universal Education & Multicultural Exchange Association Inc. organised a community-led Harmony Day Australian citizenship ceremony welcoming our newest Australian citizens into the local community. We had the pleasure of having John-Paul Langbroek, the member for Surfers

Paradise, attend. These community-led ceremonies are a wonderful way to demonstrate values such as inclusion and connection with the local community. As the son of an Italian whose father came to Australia as an economic refugee, I really value the work done by these communities.

The Fiji Senior Citizens Association of Queensland, under the experienced guidance and direction of Surendra Prasad, along with the Universal Education & Multicultural Exchange Association, the Australian Indonesian Culture and Welfare Association of Queensland, Red Carpet Functions, the Korean community and others came together last Saturday evening in a community celebration for Harmony Day. The evening was highlighted with cultural and musical performances and an array of foods provided by the diverse communities who were there on the night. The Pakistan Australia Cultural Association also celebrated on Saturday evening, joining with family, friends and the community to recognise the Pakistan Resolution Day and to commemorate the Lahore Resolution. The president of the association told me they are one of the most recognised and oldest Pakistani community associations in Australia.

### Mining Industry

 **Mr BERKMAN** (Maiwar—Grn) (6.12 pm): Just a year after the horrific summer of bushfires, parts of New South Wales and southern Queensland were flooded this week by more one-in-100-year rainfall events. We know that warmer oceans and atmosphere can increase heavy rainfall events and make floods worse. Our state government knows this too. They say they accept the science, yet they continue to support expanded extraction and burning of the very fossil fuels driving the climate crisis—coal and gas.

After their election campaigning about the 18 new coalmines they approved last term, now they are bragging about having released 80,000 square kilometres of additional land for gas exploration. I do not know how many more times we need to explain this for them, but gas is not clean. It is not a transition fuel. It may emit relatively less carbon dioxide than thermal coal, but fugitive methane emissions are more potent greenhouse gases and potentially more dangerous for our climate overall.

The bottom line is that gas is a fossil fuel, and in a state with an abundance of renewable resources, we do not need fossil fuels. But do you know who does? Corporations like Santos which just happen to be a major donor to Labor. Labor take their money and then push their false mantra that 'what's good for fossil fuels in Queensland is good for Queenslanders'. It is an age-old lie and they keep falling for it. They fell for it when they approved the Adani mine. Even former cheerleaders for Adani, like the Isaac Regional Council, have 'lost patience' with that dodgiest of companies. Many of us lost patience long ago with these multinational fossil fuel corporations which accumulate billions in profits exploiting our shared resources, and trashing our climate at the same time.

In the same year that one in four Queenslanders lost work, thousands were homeless and household debt piled up, the Adani CEO increased his wealth by more than \$20 billion—I repeat: \$20 billion—yet his company cries poor to the government, and they fall for it. Their secret royalties deal effectively gives Adani a special low-interest loan. Their freeze on mining royalties means less funding for health, education and housing in Queensland.

How do these corporations use their billions? They try to bribe, bully or silence anyone that gets in their way. Companies like Adani will bankrupt and pursue traditional owners defending their land and ordinary people standing up to their mine, with SLAPP suits and legal intimidation. They offshore and hide their profits and use their power to pay the paltry fines levelled on them for repeated legal violations. I table a dossier prepared by Adani Watch late last year on various human rights, cultural and environmental violations perpetrated by this corporation.

*Tabled paper:* Adani Watch: Bob Brown Foundation Action for Earth Report titled 'Dossier on the Adani Group's environmental and social record', preliminary edition, October 2020 [\[414\]](#).

There is a clear pattern here, and it is a pattern facilitated by this government's dogmatic loyalty and kowtowing to fossil fuel companies. If only they made as much effort for the ordinary Queenslanders that they are meant to represent.

### Ipswich Electorate, Zonta Club

 **Ms HOWARD** (Ipswich—ALP) (6.15 pm): Tonight I want to pay tribute to the Zonta Club of Ipswich—a club that is made up of a remarkable group of professional Ipswich women who work and campaign tirelessly to advance gender equality and female empowerment. Zontians have a reputation as being the hardest working women in Ipswich. Their contribution to improving the lives of women in our local community is highly respected.

Ipswich has a long legacy of strong, hardworking women who have achieved so much for our community through their service. The Zonta Club of Ipswich is made up of such women. The long list of projects and campaigns they have worked on over the past 42 years shows why they are one of the most respected not-for-profit organisations in Ipswich. One of the things they are noted for is their commitment to improving the lives of our most vulnerable women, such as supporting Hannah's House, which provides crisis accommodation for local young women. Last year Zonta generously donated funds to help build a new carport for Hannah's House and donated new furniture to make their facility more comfortable and homelike. Zonta also donates Christmas presents to Hannah's House, helping to bring some joy to the young women staying there who are spending Christmas alone without their loved ones.

They also do incredible work with refugee women at the Ipswich Community Hubs, they work with local high schools to pack birthing kits for mothers and babies in developing countries and they put together care packages for women fleeing domestic violence. Ipswich Zontians also do an amazing job sewing breast cushions for women in the post-operative phase of breast cancer surgery and knitting baby jumpers for the special care nursery at the Royal Brisbane and Women's Hospital.

Each year Zonta celebrates female leadership in our community by holding their International Women's Day breakfast. The keynote speaker this year was Kimina Anderson, the Director of Aboriginal and Torres Strait Islander Health at West Moreton Hospital and Health Service. Kimina gave a moving and personal tribute to the matriarchs in her family, proudly speaking of their strength and courage, their proud heritage as well as the racism they endured as Aboriginal and Torres Strait Islander women living in Queensland.

Notably, however, the Zonta Club of Ipswich is well known for being a local champion for the 16 Days of Activism Against Domestic Violence campaign which kicks off on 25 November every year. Too many women in Ipswich are still experiencing physical or sexual violence at the hands of their partners or former partners, and Zonta's work in supporting women and children impacted by domestic violence is crucial. Their great work was recognised last year when they were inducted into Queensland's inaugural Domestic and Family Violence Prevention Honour Roll.

During the 16 days of activism campaign, you will likely see many local Zontians with their orange cut-out silhouette ladies and many businesses proudly displaying them. These orange ladies were inspired by local Zontian Margaret Llewellyn in 2013, and 16 of them were made up in the metal workshop of the Ipswich Men's Shed. These orange ladies are taken everywhere around town by local Zontians over the 16 days as a powerful reminder that Zonta says no to domestic violence.

Finally, I want to thank each and every one of Zonta's Ipswich members for the work they do to help advance and empower women. Your generous spirit, hard work and passionate commitment to gender equality is much appreciated.

### **Bruce Highway, Gairloch Washaway**

 **Mr DAMETTO** (Hinchinbrook—KAP) (6.18 pm): I rise to speak about the prevalent problem we have along the Bruce Highway at the Gairloch Washaway, just north of Ingham. Every time we get four to five inches of rain the highway is cut once again at the Gairloch Washaway. We have a situation where heavy vehicles get trapped from going up and down the highway and we have farmers who cannot get their produce south from Tully, Innisfail and Cardwell. We cannot have the highway being cut numerous times every year. During the wet season this year, we have had it cut three times.

This is because of two things. We have a scenario where we cannot clean our drains out and we cannot clean some of the watercourses because of government red tape, but that is a story for another day. There is a solution. Ten years ago the federal government budgeted and allocated \$40 million for the washaway to be upgraded. Unfortunately, this has not been done and the state government has not progressed plans for this solution.

I would like to quote from a document. It is a Facebook comment by Jeff Lion, a local who uses this road every day. He says—

If you wonder why the Bruce H'way has been closed three times this year at the Gairloch washaway or S bends north of Ingham, these photos will help you. This is the size of the culvert under the H'way.

It is only about this big. I will show the pictures when I table them. He goes on—

It only takes 100mm of rain to close the road. I am no engineer, but ... some decent culverts like the ones in the last picture— of this section of the highway should keep it open nine times out of every 10 years when this section floods. I table that document.

*Tabled paper:* Photographs depicting culverts underneath an Ingham highway [\[415\]](#).

The honourable Bob Katter has also got on board with this. He is furious that he was able to secure \$40 million from the federal government 10 years ago, but the state government is unfortunately hell-bent on progressing the Ingham bypass as an option for flood mitigation of the Bruce Highway. The Bruce Highway running through Ingham is the lifeblood of this town. It ensures every business has the opportunity to capitalise on the traffic that drives through. Advancing the bypass will be the death knell for this town. Even if it does go ahead, I am led to believe it could be seven to 15 years away. This is a \$670 million project. The money will have to come from the feds, and they do not have a lot right now to dish out after COVID and JobKeeper.

I am asking that the minister reconsiders upgrading the Gairloch Washaway for two reasons. The funding is there. While it is still part of the national highway, let's upgrade this section while the funding is available. I urge the minister once again to have a conversation with me and to engage with the member for Kennedy to find a solution for the Gairloch Washaway.

### Myanmar

 **Hon. CR DICK** (Woodridge—ALP) (Treasurer and Minister for Investment) (6.21 pm): There are some events where words fail us, where language is inadequate in communicating what is happening because the events unfolding before us shock us to the core. There are some events where the brutality and barbarity are so profound that it challenges our notion of human capability and our understanding of the human condition itself. These events are more than just examples of man's inhumanity to man. They are reminders of the fragility of the democratic project and the tenuous hold and influence the rule of law has on human action. What is happening in Myanmar right now is such an event.

The world continues to watch in horror as Myanmar military and security forces systematically and brutally crush peaceful protests against the coup that began last month. This brutal action by the regime represents a direct attack on democratic values and human rights. The violence is shocking; it is so profound it will be a terrible injury to that nation's history. The worst conflicts are civil conflicts and this event is sadly no exception. Even in the face of this awful assault, the bravery, courage and fearlessness of the protesters, many of whom are teenagers and young people, are extraordinary and inspiring to see.

More than 3,000 Queenslanders were born in Myanmar, including a large number of people who live in the community of Woodridge. These Queenslanders make significant contributions to all aspects of our state in medicine, business, education and the arts and to our social, cultural and community dynamic. We thank them most sincerely for that.

When I was elected to represent the people of Woodridge I promised them I would be their voice to bring about change. That is why I speak on behalf of my friends from Myanmar in the House tonight. Tonight I urge the Morrison government to do everything in its power to hold the military junta in Myanmar to account for its assault on democracy and its appalling human rights abuses and to continue to work with our Asia-Pacific neighbours, in fact, everyone around the world who longs to see the rule of law and democracy restored in Myanmar.

I am proud to serve in a Labor government that has elevated respect and human rights to the centre of political debate in this state. Our government's Human Rights Act and our Human Rights Commission show that the Palaszczuk Labor government puts human rights first. Now is the time for all governments around the world to do the same, to stand up for human rights and to stand up for the people of Myanmar.

### Surfers Paradise Electorate, Homelessness

 **Mr LANGBROEK** (Surfers Paradise—LNP) (6.24 pm): Parts of our beautiful Surfers Paradise are in danger of becoming an abyss of homelessness, drug activity and violence. Overseas tourism to Australia has declined nearly 99 per cent year on year. It has never been more important that the glitter strip lives up to its reputation as Australia's premiere tourism destination. The unfortunate reality is that there is a risk to the reputation of Surfers Paradise if the reports I am receiving from fearful and frustrated locals are any guide. One constituent voiced her concerns to me about homeless people and itinerants frequenting Surfers Paradise. She said she could supply 'at least 10 examples where she has been verbally attacked, followed, chased and threatened or stolen from by people under the influence of ice'. I table that correspondence.

*Tabled paper:* Email, dated 11 March 2021, from Ms Rebecca Shipman to various organisations, titled 'Resolving the Methamphetamine-fuelled crime plague in Surfers Paradise' [\[416\]](#).

The Sunday before last I found these used nangs in Aubrey Street, Surfers Paradise. 'Nang' is a slang term used to describe these small canisters that are filled with nitrous oxide, or laughing gas, that are increasingly being used as a recreational drug. As I noted in my adjournment speech in late February, the derelict blocks of homes in Budds Beach have nitrous oxide canisters scattered throughout and people are dealing drugs openly. I table an article which provides a visual of this.

*Tabled paper:* Article from the *Daily Mail* online, dated 21 February 2021, titled 'From paved paradise to living hell: How residents of Australia's most famous beach strip are living in fear as gangs and drug dealers take over a block of abandoned homes and use it as a base for crime' [\[417\]](#).

A *Gold Coast Bulletin* article by Jodie Callcott details that the Chaopraya Thai restaurant in Surfers Paradise has become 'a haven for teen thugs'. Local councillor Darren Taylor, though proactive about complaints about itinerants and homeless people, was driven away by these youths who threatened him to 'get out of their house'. Fearful for his safety, Councillor Taylor called the police. I table that article.

*Tabled paper:* Article from the *Gold Coast Bulletin* online, dated 4 March 2021, titled 'Surfers Paradise restaurant left to rot becomes dangerous haven for teen thugs' [\[418\]](#).

I acknowledge that homelessness and antisocial itinerant behaviour are complex issues with no simple solution, but this is no excuse for the Labor government's inaction. The state government must work with council to provide measures to address the concerns of my constituents. Thankfully, charities have long been offering a helping hand. Last week I was pleased to drop off some clothes at the St John's Crisis Centre in Surfers Paradise to be distributed to those in need. The St John's Crisis Centre committee and team of volunteers do an incredible job serving our community with the support of local organisations such as the James Frizelle Charitable Foundation after whom the kitchen was recently named. I would like to pass on my thanks to him and his board for their generosity in supporting the centre.

In the past 12 years the centre has helped more than 27,000 families including 10,000 children. However, the managers and volunteers at the centre have stressed the need for short-term housing to be provided for those families in need during the current rental crisis and interim accommodation to be made available to families who are experiencing domestic violence while they search for permanent accommodation. Many of the people who access the services of the St John's Crisis Centre are not the people creating the problems that I referred to earlier in my speech.

The Labor government must do more to protect the reputation of the jewel in the crown of Gold Coast and Australian tourism—Surfers Paradise—and provide more support for the homeless in our city.

### Pool Safety

 **Ms PUGH** (Mount Ommaney—ALP) (6.27 pm): Tonight I want to talk about an issue that is important to everybody in Queensland because we do live in a beautiful hot, sunny state, and that is pool safety. I am making a speech at the request of a local business, Robson's Pool Safety, because they deal with this issue every single day.

As members of the House may know, I have a much younger sibling. When I was a young teenager, about 14 years old, I would take Isabella to feed the dog and the food bowl was in the pool enclosure. One day I took Isabella in and she was helping me with the food. After just one second I did not hear her voice answer me when I went to put the food in the bowl. I turned around and there she was in the swimming pool. I did not hear a thing. She had fallen in the water. She was reaching for the ladder but could not reach it. It was in that moment that I realised that drowning can be completely silent and, if you are not paying complete attention, anything can happen. I was so grateful that I did turn around so quickly. I got Isabella out of the water and she was completely fine and had not inhaled any water. That really enforced to me the importance of closing the pool gate.

My parents did get a pool fence in line with the regulations before they were passed. On another occasion a little boy from up the road actually wandered up to the back of our house. It was our back pool fence that stopped him from falling into our swimming pool. We did not know he was there. His poor mum had taken her eyes off him for a moment while she hung out the washing. He came into our backyard and, if not for the fence, he would have been in our swimming pool because he was trying to get a ball that he could see. He could not get in the pool because we had a pool fence. I was so grateful when I found that little boy. I took him out to the street. His poor mother came tearing around 30 seconds later and told me, 'I just took my eye off him for a minute.' She did not have a swimming pool, but we did and thank goodness it was fenced.

Robson's Pool Safety have spent all summer conducting their inspections. In my remaining time I want to share some pool safety tips from an Australian award-winning business in this space. Firstly, do not prop your gates open. It might be slightly more convenient to do so, but having those gates saves lives and they only work if they are closed and sealed shut. Make sure you leave items like chairs, tables, toys et cetera away from pool fences. They are a great way for inquiring little bodies to climb over the fence. Make sure you get your pool fence checked periodically as a matter of course. You might not have changed anything, but something might have rusted or a bolt may have come away and you may not have noticed. That is why it is important to get this checked. Lastly, supervise. Make sure there is a responsible, sober adult watching the pool at all times.

Since the Labor government introduced pool safety laws about 10 years ago, we have decreased the number of drownings in young kids in this state by 50 per cent. Let's eliminate the other 50 per cent.

The House adjourned at 6.30 pm.

## **ATTENDANCE**

Andrew, Bailey, Bennett, Berkman, Bleijie, Bolton, Boothman, Boyce, Brown, Bush, Butcher, Camm, Crandon, Crawford, Crisafulli, D'Ath, Dametto, de Brenni, Dick, Enoch, Farmer, Fentiman, Frecklington, Furner, Gerber, Gilbert, Grace, Harper, Hart, Healy, Hinchliffe, Howard, Hunt, Janetzki, Katter, Kelly, King A, King S, Knuth, Krause, Langbroek, Last, Lauga, Leahy, Linard, Lister, Lui, MacMahon, Madden, Mander, McCallum, McDonald, McMahon, McMillan, Mellish, Mickelberg, Miles, Millar, Minnikin, Molhoek, Mullen, Nicholls, O'Connor, O'Rourke, Palaszczuk, Pease, Pegg, Perrett, Pitt, Powell, Power, Pugh, Purdie, Richards, Robinson, Rowan, Russo, Ryan, Saunders, Scanlon, Simpson, Skelton, Smith, Stevens, Stewart, Sullivan, Tantari, Walker, Watts, Weir, Whiting