




Speech by

Michael Crandon

MEMBER FOR COOMERA

Hansard Thursday, 23 August 2012

PUBLIC SERVICE AND OTHER LEGISLATION AMENDMENT BILL

 **Mr CRANDON** (Coomera—LNP) (4.12 pm): I rise to make a contribution to the Public Service and Other Legislation Amendment Bill. The Finance and Administration Committee, of which I am the chair, took responsibility for this bill, and I thank all of those on the committee for their efforts. The staff—Deborah Jeffrey, Maggie Lilith, Marilyn Freeman and Lyn Whelan—were also involved in pulling this report together. On behalf of the committee, I would like to thank those who took the time to provide submissions and those who met with the committee and provided additional information during the inquiry, as well as the departmental officers for their cooperation in providing information to the committee on a timely basis. The committee recommends—and I note that the Attorney-General pointed this out—by a majority that the Public Service and Other Legislation Amendment Bill 2012 be passed.

The Premier introduced the Public Service and Other Legislation Amendment Bill 2012 to the Legislative Assembly on 31 July 2012, and the bill was referred to the committee. The Legislative Assembly agreed to a motion requiring the committee to report back to the Legislative Assembly by 13 August 2012, which gave us about two weeks in total. The committee had limited time to consider the bill due to its urgent nature. The committee's consideration of the bill included calling for public submissions and a public department briefing. We also considered expert advice on the bill's conformance with fundamental legislative principles.

The committee advertised the inquiry and the request for stakeholders to provide written submissions on 1 August. We also wrote to many stakeholder groups inviting them to give written submissions. The closing date for submissions was Monday, 6 August. We received five submissions—from the Queensland Law Society, the Queensland Council of Unions, the Queensland Teachers Union, the Queensland branch of the United Firefighters Union of Australia and the Electrical Trades Union. In other words, although we heard in the House today some complaints about the short time frame and what have you, we did manage to receive five quite specific and in-depth submissions to the committee. The detailed submissions are available on the parliament's website. We held a public briefing on the bill with officers from the Department of Justice and Attorney-General and the Public Service Commission on Wednesday, 8 August 2012.

As has been noted by the Attorney-General, the objectives of the bill are: to transfer the administrative arrangements for Public Service appeals under the Public Service Act 2008 to the Queensland Industrial Relations Commission; to amend the Public Sector Ethics Act 1994 to replace annual ethics training with an emphasis on employees having education and training in ethical standards at induction and regularly throughout their employment; to transfer the public interest disclosure oversight agency function from the PSC to the Queensland Ombudsman; and to transfer the administrative functions from the president to the vice-president of the QIRC and expand the ability for parties to access legal representation in matters before the QIRC. The committee recommended that the bill be passed, as was noted a short while ago.

I want to talk about the matter of the urgency, and this needs to be understood by all. The committee report states—

The PSC advised that the urgency in relation to the Bill is due to the transfer of the Public Service appeals registry functions. They advised that recent legislative changes transitioning the hearing and deciding of appeals to the QIRC became operative from 1 July 2012. The administrative functions that supported the hearing and deciding of appeals, the registry function, currently remain with the PSC. So the urgency is to ensure that the transition to the QIRC is finalised.

The explanatory notes state that there has been no community consultation on the bill. Many of the submissions were critical of the lack of community consultation. However, it is important to note that the department advised that, in relation to the IR Act amendments, this was a matter of government policy. In regard to the amendments to the other acts, the PSC advised that there was no community consultation as a matter of government policy. Importantly, they did consult internally and considered that the proposed amendments—and this is the bit that was left out by the member for Mulgrave—were not matters that would have a high level of interest to the community. It is all very well for the member for Mulgrave to say that the community was not consulted, but the reality is that this is all about the Public Service and that members of the community really were not all that interested, so the member for Mulgrave has taken things out of context.

It is apparent from comments made in submissions and the subsequent departmental response that there is misunderstanding by stakeholders about the intent of some aspects of the proposed amendments. I make the point that in the future we do need to strive for more realistic consultation times, particularly when legislation affects numerous stakeholders. I want to make the point that we are not all that overjoyed with the short time frames. However, there is urgency built into this particular bill, as I outlined a short while ago. Let us face it, in the 53rd Parliament we saw many bills come through this place that were regarded as urgent bills. In fact, I seem to recall a couple of bills that were so urgent that we changed the rules of the House to ensure they were tabled in time so that the then Treasurer could stand up and start debating them. To say that consultation time frames have been shortened dramatically and beyond anything that has happened in the past when the government has determined there is an urgency in relation to the bill is not realistic.

An overview of the concerns raised by various organisations that made submissions can be found in the committee's report. As mentioned earlier, all submissions are on the parliament's website. The report itself also outlines responses from departmental officers regarding concerns raised. I note that there are amendments to be moved during consideration in detail that have not been considered in this report. Once again, I thank all participants in this important legislative process for their input on this particular bill. I commend the bill to the House.