




Speech by

Trevor Watts

MEMBER FOR TOOWOOMBA NORTH

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PENALTIES AND SENTENCES AND OTHER LEGISLATION AMENDMENT BILL

 **Mr WATTS** (Toowoomba North—LNP) (8.21 pm): I rise today to speak on the Penalties and Sentences and Other Legislation Amendment Bill 2012. I will deal with some of the technical issues in the bill, but in response to the member for Bundamba I would like to read something that was submitted to the committee from the Queensland Nurses Union, and I will come back to it later as well. They stated in their submission—

The payroll system failure occurred through administrative incompetence and the introduction of ineffectual technology by the executive arm of government.

That was the Labor Party, and three of those people now sit on their front bench. That was administrative incompetence. I will come back to that later, but I will first go through some of the more technical parts of the legislation briefly.

This bill will facilitate the provision of evidence to commissions of inquiry. The bill amends the Commissions of Inquiry Act 1950 to remove the power for a regulation to override provisions of an act. A new section 5(2A) is inserted to provide that any person may give information to a commission of inquiry despite any confidentiality clauses in any other legislation. This is important because there are some inquiries where we need to have the ability to both compel people and summons people to give evidence at the inquiry. It is important that confidentiality is protected, so there will be two new confidentiality provisions to regulate the disclosure of information. These will protect an individual's rights to privacy without impacting on the work of the inquiry.

I note that on 28 June 2012 the Governor in Council approved the Commissions of Inquiry Order (No. 1) 2012, which established the Child Protection Commission of Inquiry to review Queensland's child protection system. This will help to protect our children and develop a policy to ensure that happens. This bill will make sure that people can be summoned and compelled to give evidence properly and not be protected by other acts.

The bill also deals with a simple oversight in relation to relationships. With the changes to the Relationships Act 2011, the bill now basically recognises that that relationship can be included in civil proceedings. This is a good and technical change that was required.

Another technical change addresses the expiry of rules of courts and tribunals. The bill amends the Land Court Act 2000 and the Childrens Court Act 1992 to address the expiry of the Land Court Rules 2000 and the Childrens Court Rules 1997 on 1 September 2008 and 1 September 2010 respectively. The amendments give validity and certainty to matters heard and decided using the rules during the period of expiration and ensure that in future the rules of the courts and tribunals will not expire.

I would like to move on to a couple of parts of the bill that I think are the meat of the bill. The Penalties and Sentences and Other Legislation Amendment Bill shows that we in the LNP are not soft on crime, like our Labor counterparts have proven themselves to be, and that we are competent managers,

not incompetent managers and administrators like our Labor counterparts have proven themselves to be. During the campaign, the LNP pledged to boost funding to front-line police out there on the beat, and this will be achieved by increasing the value of a penalty unit from \$100 to \$110 and introducing a nominal administration fee on all criminal justice matters in the Supreme, District and Magistrates courts, where there will be a charge of \$300 for someone who is found guilty in the Supreme and District courts and \$100 for someone who is found guilty in the Magistrates Court. There is an important principle here—that is, the person has been found guilty. At the moment, the taxpayer of Queensland funds all of the associated court costs. This will put some of the responsibility back on to the people who have been found guilty. Even those who often get let off lightly, with no conviction recorded, will have to pay these fees—and I think justly so.

The good part is that these two changes will increase revenue. It is projected that \$22.5 million will be raised by the change in the penalty unit, while the offender levy will provide another \$12.6 million. Collectively, that will give a total of approximately \$35 million which will help to fund and boost the front-line police. This goes further to proving that the LNP will be tough on crime. We will hold people who have been found guilty of crimes accountable, and we will reuse the resources from that to help make sure people are safe in their homes and that we have a good police presence on the street.

I was pleased to hear the Attorney-General talk about SPER earlier today. Some submissions were put forward that said that it will be difficult for people to pay these fees. Remember these are people who have been found guilty of committing a crime in a court after all the evidence has been heard, but some said they will have difficulty taking responsibility for the crimes they have committed. A community engagement team will be used to help the disadvantaged take their responsibilities and ensure they can pay the fee when they have been found guilty of committing a crime.

I wish to move to the recovery of overpaid wages, and this is important. I will go back and read from the Queensland Nurses Union's submission again so that we are all clear of what the union for nurses thinks of Labor and its administrative capabilities. I quote—

The payroll system failure occurred through administrative incompetence and the introduction of ineffectual technology by the executive arm of government.

That was the Labor government—incompetent administratively—

Mr Newman: I didn't notice that from their reaction previously.

Mr WATTS: I will take the interjection from the Premier. Everybody in Queensland noticed, Premier. They noticed it on 24 March.

Mr Newman: No, this seven here in Queensland.

Mr Bleijie: They don't get it yet.

Mr WATTS: They do not get it yet that they were incompetent but the rest of Queensland knows that they were incompetent administrators. They showed that on 24 March and we thank them for their confidence. We will move forward to fix up the mess, the chaos, the debt and the disaster that was created by the Labor Party when they were administering this state.

The bill amends the Industrial Relations Act to facilitate the recovery of wages that have been overpaid to health staff. It is very important that the people of Queensland are able to recover these wages. Lots of comments have been made that this could be done this way, that way and everything else. We will still go through a process so that people are not unfairly treated, but at the end of the day we do not want to unfairly treat the people of Queensland by continuously running a system that has no ability to recover the money that has been overpaid—a system that has proven itself to be a complete and utter disaster.

The bill will protect employees from having their pay amounts reduced inappropriately by the repayment of deductions. The maximum deduction for the recovery of overpayments is 25 per cent of the amount that would otherwise be payable. As we move to change the pay cycle so that we can administer this dinosaur of a pay system that has been implemented which does not work, employees will be given a one-off transitional loan to assist them. A question was asked about how that will be treated in relation to tax. I was pleased to hear the Attorney-General let everybody know that the FBT component of that loan will be borne by the government. So there will be no disadvantage to the nurses and the doctors who were paid so poorly under the previous administration as the FBT component of that loan will be paid for by the government.

I would like to finalise my comments if I may. It is time to get Queensland back on track. It is time to fix up the law and order disaster that has been left to us in terms of people getting off with light sentences and having no conviction recorded, and we have several bills before the House that will go towards achieving that. We will hear a lot of bleeding hearts complaining that these people have been disadvantaged, that this should not happen and everything else. I would just like to remind everybody that

these are people who have been found guilty of committing a crime and that is why they will pay the administrative charges.

Further, we will fix up the payroll system. These changes are desperately needed so that we can do that in a competent and efficient manner and so that we can look after the money of the people of Queensland—something that was sadly lacking in the Labor government during its term in office. I commend the bill to the House.