




Speech By
Hon. Jarrod Bleijie

MEMBER FOR KAWANA

INDUSTRIAL RELATIONS (TRANSPARENCY AND ACCOUNTABILITY OF INDUSTRIAL ORGANISATIONS) AND OTHER ACTS AMENDMENT BILL

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (8.33 pm), in reply: I thank all honourable members for their contributions to the debate on the Queensland Civil and Administrative Tribunal (Justices of the Peace) Amendment Bill 2013. The government's current six-month action plan pledges to commence the justice of the peace pilot program in the Queensland Civil and Administrative Tribunal as part of its commitment to a swift and fair justice system. The delivery of swift and fair justice will help restore faith and trust in Queensland's justice system. The justice of the peace program in QCAT will contribute to revitalising front-line services in Queensland. The bill allows a six-month trial for two justices of the peace to constitute the tribunal to hear and determine minor civil matters of a value of \$5,000 or less but excluding urgent residential tenancy disputes. Limiting the trial to minor civil matters with a \$5,000 threshold focuses the trial on the more minor, less complex matters, which allows QCAT's adjudicators and other judicial registrars and magistrates to deal with more complex and urgent matters.

Expanding the role of justices of the peace by allowing their voluntary participation in the trial recognises the importance of JPs in the community and is part of the government's commitment to revitalise the wonderful asset we have in our JPs. The bill provides that the types of matters justices of the peace may hear will be non-urgent residential tenancy disputes, minor debts, claims for damage arising from motor vehicle accidents and repairs for defects in motor vehicles, trader and consumer disputes, and tree and dividing fence disputes provided the monetary value of these matters is not more than \$5,000. It is estimated that between 3,750 and 4,000 applications will potentially come within the parameters of the trial over the six-month period in the trial locations based on the number of applications made during 2011-12.

As I mentioned earlier, two justices of the peace will constitute the tribunal, one of whom must be legally qualified. The legally qualified justice of the peace will preside at the hearing, decide on questions of law and will, when the two justices disagree, make the ultimate decision. This is consistent with the approach taken in the QCAT Act where more than one member constitutes the tribunal. In line with the government's pledge, the trial will commence in early June 2013 and the sites chosen for the trial are Brisbane, Southport, Ipswich, Maroochydore and Townsville. The trial will be evaluated and the findings of the evaluation will inform decision making about the future of the justice of the peace QCAT program. The bill also amends the Queensland Civil and Administrative Tribunal Regulation 2009 to prescribe the daily sitting fee of \$100 for each justice of the peace sitting in QCAT.

I will now more broadly address some of the details that other members contributed to the debate. I will start by acknowledging all our wonderful JPs and commissioners for declarations in our communities. I want to acknowledge and thank them on behalf of the Queensland government for all the wonderful work they do, particularly JPs in our community program. I thank the Justices of the Peace Branch. Part of this revitalisation of JP services in Queensland is a revitalisation of the JP Branch. We no longer participate in the official training programs. We have given that to the registered training organisations like the QJA that are based with members who are justices of the peace. I am a

JP (Qualified). I was made a JP (Qualified) when I was 18 years old. I know the system. I know what it is like being a JP. I did not work, like the member for Bundamba, in the bureaucracy of JPs. I was a JP so I understand the system. I understand the training. I went to TAFE and did my course, which I think was a one-week course. I did the test and passed and here I am 12 years later as a JP (Qualified). The member for Bundamba can stand in here and talk about when she was in the bureaucracy of JPs and so forth; I can talk as a JP, not as a bureaucrat in the JP system, but as a proper JP.

Mrs Miller interjected.

Mr BLEIJIE: I will get to the member for Bundamba in a few short minutes, I can assure members of that, and to her horrible, terrible contribution tonight. I can assure the member for Bundamba that I will be writing to the 637 JPs in her electorate about her woeful contribution to this debate tonight and her total disregard and negligent attitude that she has towards JPs in her community.

Mrs Miller: Good!

Mr BLEIJIE: I take the interjection. 'Good,' she says. She flies it in their face. She attacks the JPs in her contribution tonight. I say I am going to write to them and show them her contribution and she says, 'Good! Do it!' The arrogance of the member for Bundamba, or as I referred to her earlier in the debate 'the baroness from Bundamba' when we were talking about titles! The member for Bundamba was going on about titles. Let us not get distracted. I will get back to the member for Bundamba's contribution in a few short minutes. I want to thank all our wonderful JPs in our communities right across our electorates for the wonderful work they do in delivering swift and fair justice across this state.

Can I also remind honourable members that the history of our JPs is an unbelievable history that goes back hundreds and hundreds of years. Members may be interested to know the historical origin of our modern-day justices of the peace. The JP system is thought to have originated in England under King Richard I who, as members may know, was also known as 'Richard the Lion-Heart'. They were known as keepers of the peace or keepers of the king's peace. The term 'justices of the peace' is thought to have derived from the 14th century under an act of parliament that referred to the good and lawful men to be appointed to guard the peace. When I travel to electorates right around Queensland and I talk to constituents, often I give the historical context of how modern-day JPs originated. The JP branch of my department has just travelled to Far North Queensland to conduct great additional training and development. Eight hundred JPs from across the far-north area attended. I thank those members for participating. Often it is the case that I ask JPs where the ancient JP title came from and I am always surprised that not many people know.

I remind honourable members that this year we celebrate the diamond jubilee of the coronation of Her Majesty Queen Elizabeth II. Members may not know it but tonight, just across the road at the Dutch club, the Dutch community is celebrating the abdication of Queen Beatrix in favour of her son, Willem-Alexander. In about 2½ hours, he will take the throne from his mother. When we are talking about JPs and 'Richard the Lion-Heart', I am reminded of our great monarch Queen Elizabeth II, who is celebrating the diamond jubilee of her coronation this year and who celebrated her diamond jubilee last year, and the abdication of Queen Beatrix in favour of her son, King Willem-Alexander. I congratulate the Dutch community on the celebratory function that was held earlier this evening. I wish them all the best tonight. At 11 o'clock tonight at the Dutch club they will be watching the proceedings on the big screen. No doubt, all the members of the opposition will be there, watching the royal procession and the coronation of the new king of the Netherlands. Obviously, I am biased as I have a Dutch background and I wish the Dutch community all the best. However, my allegiance will always rest with Her Majesty Queen Elizabeth II, the Queen of Australia.

Having dealt with the historical context of this matter, I come back to the bill and the debate before the House. I thank the Leader of the Opposition for her contribution tonight. Although she had a go at me at some stages throughout the debate, I think she recognises the importance of this bill and, in jest, made some comments. We had a bit of fun with it. I think the Leader of the Opposition would be horrified that, in a debate on a bill that the opposition supports and that talks about JPs in our community, the member for Bundamba essentially led a charge against the bill. Despite the fact that the opposition supports the bill, the member for Bundamba made derogatory comments with respect to JPs in our community, and particularly in her community. We on this side of the House and, I suspect, the Leader of the Opposition support JPs. The Leader of the Opposition said she had enormous—

Mrs MILLER: I rise to a point of order. I find the Attorney-General's comments offensive and I ask that he withdraw them.

Mr DEPUTY SPEAKER (Mr Krause): Order! Attorney-General, I ask that you withdraw the comments.

Mr BLEIJIE: I withdraw. Unlike the member for Bundamba, the Leader of the Opposition said she had enormous admiration for JPs in our community and I support that comment. The Leader of the Opposition talked about the role of JPs, who are called on to witness documents, wills and warrants for police. She said that some have complex issues to think about before they can decide specific criteria. She said that the opposition supports the bill, which is nice. She talked about our election commitment, which was a clear commitment to reinvigorate and revitalise our JP program in Queensland. That is all about speaking to JPs, liaising and communicating with JPs. We did that by informing government. We have spoken to JPs. I go to as many community JP functions as I can. We have handed out hundreds of long service certificates.

The Leader of the Opposition said that she wrote to me requesting that she be granted the opportunity to do a JP workshop in her electorate and wondered why I had not replied. It was a very good question from the Leader of the Opposition. I am happy to advise that, funnily enough, a copy of a letter dated today has arrived. I will table a copy of that letter and I also note that a copy has been delivered to her office. That letter states—

I would be delighted to support such an event. As part of the Newman Government's election commitments, I have requested that the Justices of the Peace Branch focus on compliance and support for all Justices of the Peace and Commissioners for Declarations. The Justices of the Peace Branch of the Department of Justice and Attorney-General has provided professional development workshops in a number of electorates in the past, and could conduct a workshop as part of the event. I have requested that the Registrar and Manager of the Justices of the Peace Branch liaise directly with your electorate office staff to make the necessary arrangements to facilitate the event. Further, I would be very happy to attend and speak at the event and present Long Service Awards to any of your constituents who may be eligible to receive them. Once again, thank you for requesting this important event in your electorate.

I table a copy of that letter for the Leader of the Opposition.

Tabled paper: Letter, undated, from the Attorney-General and Minister for Justice, Hon. Jarrod Bleijie, to the Leader of the Opposition, Ms Annastacia Palaszczuk MP, relating to justices of the peace and commissioners for declarations training event in the Inala electorate [\[2534\]](#).

I will deal with a few of the issues raised by the Leader of the Opposition, who quoted a couple of newspaper articles claiming that JPs will replace lawyers. They will not. Believe it or not, member for Bundamba, the Queensland Civil and Administrative Tribunal already has members who are nonlawyers and who decide important matters for the state of Queensland. Not all members of QCAT are legally qualified. To those people who have argued that the world will come crashing down because—God forbid—we will have common-sense, respectable and intelligent people from the community deciding matters under \$5,000, I say: it already happens. QCAT, which is a lean mean justice machine, does deal with some matters where the adjudicators have to be lawyers. However, there are also ordinary members who are not required to be lawyers. In QCAT already there are nonlawyers deciding matters. Guess who set that up? The Labor Party! The Labor Party set up QCAT, with my support. If the issue is raised, as it has been in the debate, that we have nonlawyers deciding these matters, I say that QCAT was set up that way by the Labor Party. I am continuing this process so that, instead of just having nonlawyers, we will have JPs who participate in the justice system in Queensland and do a mighty fine job.

We consulted quite widely on this. Yes, I accept the issue raised by the Leader of the Opposition with respect to some of the amendments in terms of training. When we sent out the original draft bill for consultation, we talked to the likes of the Queensland Justices Association, the Gold Coast justices of the peace association and other groups in Queensland. We tinkered with the edges as we received feedback. That was the whole point of the consultation. Soon it was discovered that plenty of non-legally qualified people wanted to apply for the position of JP. However, there was a threshold of about five years practice as a lawyer before one could do JP training, which was not catching a lot of people, so we relaxed it. However, the point is that a legally qualified person and a JP of some experience will sit on these matters and, of course, the legally qualified person will be the presiding officer in the matter. If there is a tie in the verdict, obviously that person will make the call.

As I said to the Leader of the Opposition, I am more than happy to attend at Inala and I look forward to it. I have been there a couple of times already. I went to the South West Brisbane Community Legal Centre. I saw the dongas that the community centre is in and it is a terrible state of affairs. I am working with them to try to get some more funding, because they had been underfunded by the Labor Party for many years. I am a fundamental believer in community legal centres and we are about encouraging them. We have given \$750,000 more to the Women's Legal Service. The South West Brisbane Community Legal Centre does a fantastic job. Just as I visited that centre, I am more than happy to visit the electorate of Inala and talk to JPs about our positive plans for change. The member for Bundamba interjected before saying that this has all been done and that former attorneys have done this in the past.

Mrs Miller: They have.

Mr BLEIJIE: I take the interjection and say to the member for Bundamba, 'No, you're wrong.' This government is doing what the Labor Party did not do for JPs. We are actually encouraging and supporting JPs. We have outsourced the training provided by the JP branch to JPs, believe it or not.

Mrs Miller: You shouldn't have.

Mr BLEIJIE: I take the interjection from the member for Bundamba who says, 'We shouldn't have outsourced the training.' We have outsourced it to JP organisations. If anyone can deliver to JPs I would suspect it would be the Queensland Justices Association.

Mrs MILLER: I rise to a point of order, Mr Deputy Speaker.

Mr DEPUTY SPEAKER (Mr Krause): Order! Member for Bundamba, what is your point of order?

Mrs MILLER: My point of order is that the JP branch has excellent training officers and they have done an excellent job for many years—since 1990.

Mr DEPUTY SPEAKER: Order! That is not a point of order, member for Bundamba. Please resume your seat!

Mr BLEIJIE: So stuck in the past is the member for Bundamba. While talking about the member for Bundamba, let me deal with another issue she raised. She was going on about why we do not set up another category of JP (QCAT). Under the legislation there is not technically a JP (QCAT) but they are defined as JP (QCAT). Do members know why we do not have a category like that? I ask the member for Bundamba whether she would like to know why we do not have a category for that? The reason is that the JPs asked not to have one. In a letter dated 17 January 2013—

Mrs Miller interjected.

Mr BLEIJIE: She says 'rubbish'. I will table a copy of the one page I have here.

Tabled paper: Extract from letter, dated 17 January 2013, from Queensland Justices Association to Jo Linde, Principal Legal Officer, Department of Justice and Attorney-General, relating to the draft Queensland Civil and Administrative (Justices of the Peace) Amendment Bill 2013 [\[2535\]](#).

I will quote from it for the member for Bundamba. A letter to the principal legal officer, strategic policy, Department of Justice and Attorney-General on 17 January 2013 states—

The duties of the Justice of the Peace (QCAT) can be assigned to a current Justice of the Peace (Qualified) or Justice of the Peace (Magistrates Court). We do not believe another level of honorary Justice is warranted.

The difference between the Labor Party and this side is that we listen to people who do this every day. We have JPs—

Mrs Miller: Who's it from?

Mr BLEIJIE: It is from the Queensland Justices Association. It is from the body that represents the JPs in this state.

Mrs MILLER: I rise to a point of order, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Member for Bundamba, what is your point of order?

Mrs MILLER: The Queensland Justices Association does not represent every JP in this state.

Mr DEPUTY SPEAKER: Order! Member for Bundamba, that is not a valid point of order. Please resume your seat!

Mr BLEIJIE: Not only does she attack the 637 JPs in Bundamba, she now attacks the associations representing JPs in Queensland. I also mentioned the Gold Coast justices association. There are many organisations representing JPs in Queensland. There are some JPs who are not members of particular organisations.

But I tell you what: if I am going to get advice from anyone on JP reform in Queensland, I am going to go to an association, not the member for Bundamba, who had an opportunity during her 20 years in government in this state to do all this. But it gets better. Let me tell honourable members what she did not do in government for the 20 years—

Mr DEPUTY SPEAKER: Order! Attorney-General, please refrain from referring to members opposite as 'you' and refer to them using their parliamentary title.

Mr BLEIJIE: Thank you, Mr Deputy Speaker. Let me tell honourable members what the member for Bundamba did not do in the last 20 years. What have I done? This government has re-established the JP advisory council. I am getting direct advice from JPs who are on the ground in

our community doing all this work. That is about to commence. We have re-established the JP advisory council. We have expanded the JPs in the Community program. I believe we are giving them all new T-shirts that are being prepared.

We have introduced a formal mentoring program. New JPs coming in can be mentored by senior JPs who have been doing it for a lot longer. We will shortly introduce compulsory training prior to the appointment of all the categories. At the moment people can do a course or not do a course and do a test. We will be introducing compulsory training so all our JPs start on a level footing.

We will be removing the JP (C.dec) category. We will be declassifying it. The Labor Party created all these categories. We have 80,000 JPs out there on JP (Qualified), JP, C.dec, JP (C.dec)—it is a complete mess. We are going to fix that. We are going to review the code of conduct. This government has done that, not the member for Bundamba and not the Labor Party for 20 years in government. If the member for Bundamba wants to say, 'We've done it all,' I can tell her that they have not. We are on the ball. We are listening to JPs in our community. We have the utmost respect for JPs in our community.

I will deal with the issue raised by the Leader of the Opposition with respect to the limit changing from \$3,000 to \$5,000 after the initial consultation. That was as a result of discussions I had directly with the president of QCAT. We had a few meetings in that respect. We thought JPs would be able to handle this. This is about instilling a common-sense purpose in our justice system in Queensland. For matters under \$5,000 Queenslanders will be able to go into QCAT and they will have two common-sense people—not judges, not judicial officers—from our community dispensing justice according to the law. I think this is exciting.

We had about 131 applications for non-legally qualified JPs for the six-month trial at five sites. JPs everywhere I go are excited by these opportunities. They are excited by the fact that we are revitalising the JP branch. Because those in our JP branch are not doing the training, they are getting out to more and more JPs, talking to them about issues and updating them on different things. Rather than doing the initial training we have them doing the ongoing professional training in our communities. As I have said, in the last couple of weeks they have been to Far North Queensland, where they saw 800 JPs. The feedback on the ground is that JPs are loving it. The registered training organisations, the RTOs, are doing the initial training and organisations and the JP branch are running the additional training and the JPs are loving it.

The member for Ipswich talked about there being nothing new here. We also have the JPs (Magistrates Court), who operate in a different jurisdiction—not the QCAT environment. This has been happening. It is legislated and it is happening. I thank the Minister for Tourism for her support, particularly of JPs on the Gold Coast, and for her contribution to the debate tonight.

Now I will talk about the member for Bundamba. I am preparing myself for a lot of points of order about offending comments. The member for Bundamba was talking about training. She said that we will have people who have gone through one week's training dispensing justice and it should be the case that the longer you have served in something the better you are. This member has been here for 15 years and I do not see her getting any better. I see a downward trend from the member for Bundamba. I can say that it is not about the amount of time you spend in a profession because if we apply that threshold—

Mrs MILLER: I rise to a point of order, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Member for Bundamba, what is your point of order?

Mrs MILLER: The *Hansard* proof will determine that the minister is now misleading the House. He is verballing me and I am offended and I ask that he withdraw his statement.

Mr DEPUTY SPEAKER: Order! Member for Bundamba, that is not a point of order.

Mr BLEIJIE: 'Verballing'—coming from the member for Bundamba, coming from you.

Mrs MILLER: Mr Deputy Speaker, I find his comments offensive.

Mr DEPUTY SPEAKER: Order! Are you making a point of order or are you asking for statements to be withdrawn?

Mrs MILLER: Yes, I am. I am making a point of order in the sense that the minister is misleading the House in his so-called comments of what I have said. I am offended and I ask him to withdraw the comments.

Mr BLEIJIE: I am offended by your presence in this place.

Mr DEPUTY SPEAKER (Mr Krause): Order! Member for Bundamba, there is no point of order. If you find a matter personally offensive, that is a different matter.

Mrs MILLER: Mr Deputy Speaker, I find the matter personally offensive and I ask that you request the minister to withdraw it.

Mr DEPUTY SPEAKER: Attorney-General, please withdraw.

Mr BLEIJIE: I withdraw, Mr Deputy Speaker. Can I say to honourable members that my point has just clearly been made. The member has been here for 15 years and does not understand the standing orders of this place, Mr Deputy Speaker.

Mrs MILLER: Mr Deputy Speaker, I rise on a matter of privilege suddenly arising. I understand that it was the member for Ipswich who actually made the comments that the Attorney-General is talking about and I ask that you rule on it.

Mr DEPUTY SPEAKER: Member for Bundamba, there is no matter of privilege. Member for Bundamba, you have made several frivolous points of order today. You have been warned previously under standing order 253A. I now ask that you withdraw from the chamber for one hour.

Whereupon the honourable member for Bundamba withdrew from the chamber at 9 00 pm.

Mr DEPUTY SPEAKER: I call the Attorney-General.

Mr BLEIJIE: Thank you, Mr Deputy Speaker, and I welcome the member for Rockhampton in leading the opposition's charge on this debate. Knowing the member for Rockhampton as I do I can say that now we might get some civility in this place. But I have not quite finished with the member for Bundamba and her woeful contribution to this debate tonight. As I said, she has 637 JPs in the electorate of Bundamba. Just before the member for Bundamba left the chamber she said that it was the member for Ipswich. Let the record show that the member for Bundamba was criticising the training program, the week-long training program. She was questioning who trained these individuals. I wrote down all her issues. She asked who wrote it and what the qualifications will be. She was attacking JPs—I cannot read my own writing for the next one but that is okay—and she was basically writing off every JP in her electorate. So, Mr Deputy Speaker, I was addressing the comments that the member for Bundamba made with respect to JPs. As I said, I would submit to the House that the member for Bundamba essentially does not trust JPs to carry out their functions in this trial.

Ms Trad: That's not what she said.

Mr BLEIJIE: The member for South Brisbane has now come to the defence of the member for Bundamba. If anyone can be trusted to deliver this sort of justice in Queensland, it is JPs. I have an immense amount of respect for the JPs in Queensland because they are upstanding individuals and community members, and I think—I know—they will fulfil their roles.

There are appeal mechanisms available. If there is such a time when someone requires an appeal, they will essentially go through the same appeal mechanisms they do in QCAT, to the appeals tribunal. They can seek leave to do that. There are some protections there. I am hoping and hopeful that this trial will be a great success, because if this trial is a success and we can roll this out to other regions right across Queensland, if we can assist QCAT by rolling this out to deal with minor civil disputes under \$5,000, I think we will have a better justice system for all. We will have people from our communities participating in our justice system, and I think that will be great.

I thank the member for Broadwater for her contribution. She talked about when I visited her electorate and I met her mum, who she said is a JP. That was then followed by the member for Bulimba, who also said that I went to his electorate and I met his mum, who is a JP as well. There is a common theme here: all these members are introducing me to their mothers. I do not know which other mothers I have met. I thank the member for Bulimba's mother, who is a JP I understand, and the member for Broadwater. I love going to these community JP programs. I encourage all members, if they have not already, to contact the JP branch and we must go out to their electorates to do this JP training because the JPs really love it.

The member for Beaudesert, the great Deputy Speaker in the chair at the moment, talked about class warfare and titles. It is strange, coming from the Labor Party, that they would be requesting more titles. I agree. That is why I said the 'baroness from Bundamba' does not quite suit. But she came in here advocating for more titles—completely against Labor Party philosophy that everyone is equal. We understand that people should be rewarded for their individual efforts. JPs should be rewarded for their efforts. If the member for Bundamba thinks that a reward of \$100 a day is a great reward and that the JPs are doing this because they can pay the mortgage off with 100 bucks a day, then I think the member for Bundamba is living in fantasy world. Well, I figured that out a while ago, but it was reinforced tonight.

I thank all honourable members for their contributions. I thank the member for Gladstone for her contribution tonight as well. She asked what consideration has been given to the implementation of

similar procedures in smaller centres. As I said, I am hoping that these trials will be a great success and then what we want to do is roll them out right across Queensland. I look forward to going to Gladstone in the next couple of weeks, as I understand. Today, member for Gladstone, I signed JP certificates of appreciation to all your community members and I look forward to presenting those at a morning tea or afternoon tea with you.

Mrs Cunningham: They do a good job.

Mr BLEIJIE: They do. I take the interjection from the member for Gladstone, and I am looking forward to handing out those certificates of appreciation when I travel to her electorate in the next couple of weeks. I also thank the member for Southport, whose electorate the trial will be located in, for his contribution tonight and for wanting to see people step up and provide this vital community service.

I will finish by talking about the member for Hervey Bay, who I cannot see in the chamber—there he is. The member for Hervey Bay said I was not listening but he is not listening to me now. The member for Hervey Bay talked about the winners of *My Kitchen Rules*. I know my daughters were watching. It was one night that we let them stay up late because Elle lives at Minyama in my electorate, just around the corner from my office. Of course the member for Hervey Bay's constituents won the night, but I congratulate Jake and Elle for a thorough effort they put into *My Kitchen Rules*. They did the Kawana electorate proud. Despite coming second to the member for Hervey Bay's constituents, there are no hard feelings, member for Hervey Bay. But I do congratulate my constituents, particularly Elle, for getting through to the final. I commend the bill to the House.