




Speech By
Robbie Katter

MEMBER FOR MOUNT ISA

Record of Proceedings, 12 February 2014

**PUBLIC SERVICE AND OTHER LEGISLATION (CIVIL LIABILITY) AMENDMENT
BILL**

 **Mr KATTER** (Mount Isa—KAP) (4.26 pm): I rise to speak to the Public Service and Other Legislation (Civil Liability) Amendment Bill 2013. Our front-line services within the Queensland Public Service are the most essential part of any department. It is the men and women who perform their daily duties such as police officers, prison guards, youth workers, child safety officers, mental health workers, fire officers and nurses and doctors who are at great risk of being liable for civil or criminal lawsuits whilst performing their duties. I commend the Premier for his courage to take action and take responsibility to introduce a bill which will enable front-line employees to carry out their duties in good faith, with the confidence of knowing that the government has their back.

I recognise that the Queensland Police Commissioned Officers Union of Employees, the Bar Association, the Queensland Protective Security Officers Association, the Anti-Discrimination Commission and the Queensland Police Union support the bill. On 20 November 2013 the *Brisbane Times* reported—

The Queensland Police Union had been calling for the change for several years, after a Brisbane constable was found guilty of an assault of a 65-year-old homeless man in 2006. Bruce Rowe brought a private prosecution against Constable Benjamin Arndt following his own arrest. Mr Arndt was found guilty in 2011 and fined \$1000 and ordered to pay court costs.

Clearly this is the sort of situation that this legislation aims to address. QPU president, Ian Leavers, said this is a 'great start for police to achieve criminal and civil protections for police acting in good faith without gross negligence'. The comments from Ian Leavers resonate with other Public Service front-line employees who have to carry out their duties on a daily basis in highly complex situations such as performing protective actions to restrain a client who is showing intent to harm others or themselves. It is generally accepted that Public Service employees are acting in good faith when they perform their duties. However, there are situations which occur when employees act in bad faith.

I am very pleased that the content within the bill has made clear provisions that the government has the right to recover financial contributions from state employees who have acted in bad faith and with gross negligence. There is no place in the Queensland Public Service for this type of misconduct, including from members of this House. The government must continue to structure policies which will ensure the greatest public confidence in Queensland's Public Service. I think this bill moves towards that goal. I commend it to the House.