




Speech By
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MEMBER FOR COOMERA

Record of Proceedings, 20 May 2015

PARLIAMENT OF QUEENSLAND AND OTHER ACTS AMENDMENT BILL

 **Mr CRANDON** (Coomera—LNP) (8.06 pm): I rise to give a contribution as the deputy chair of the committee that examined the Parliament of Queensland and Other Acts Amendment Bill 2015. At the outset, I join with the chair of the committee in acknowledging our secretariat and, of course, the other members of the committee for their tireless work in pulling the report together. I encourage everyone to take the time to read it. There are some good debates in the report. Most importantly, members will find that all of the evidence supports a recommendation that was received from the tribunal itself to ensure that the Premier's promise to the people of Queensland would be satisfied, but in a way that would not in any way hamper the tribunal's independence.

Two parts of the bill are without dispute; we are all supportive of them. Our committee had some debate about the crossbenchers selecting their own representative on the CLA. There was a great deal of debate on that, but at the end of the day the committee was able to come together and agree. I will talk about that briefly in a little while. Issues relating to the Queensland Independent Remuneration Tribunal formed the more substantive part of the deliberations that we undertook in our many meetings and discussions at various times, with some of us spending up to three hours in teleconferences to be part of those very important discussions.

Initially the committee received five submissions and there were five witnesses at the public hearing. The five witnesses were the Australian Lawyers Alliance; the Queensland Independent Remuneration Tribunal; the Hon. Jim Fouras AM; the Accountability Round Table or ART, represented by the previous integrity commissioner, Dr Solomon; and the Clerk of the Queensland Parliament, who is a very independent clerk who was able to give us good advice in relation to how we could proceed with this. In our discussions, community sentiment was mentioned. Sadly, none of that community sentiment came to the committee. I do not now believe there was any community sentiment in relation to this matter that would force us to change what we have, which is a good system, that is, a good independent tribunal. However, the suggestion was put forward in the committee.

The witnesses who attended the hearing were: Dr David Solomon AM, representing the Accountability Round Table; Professor Tim Brailsford, the chair of the Queensland Independent Remuneration Tribunal; Ms Joanne Jessop, member of the Queensland Independent Remuneration Tribunal; Mr Neil Laurie, the Clerk of the Parliament; and the Hon. Jim Fouras AM, a former Queensland Speaker and retired member of the Queensland parliament.

Mr Rickuss interjected.

Mr CRANDON: I will not take that interjection at this stage. I have some very important things that I need to talk about. I make the very strong point to this parliament that in the committee we were always very careful to talk about the real issue. The real issue was the independence of the tribunal. It has nothing to do with MPs' salaries today, what they were five years ago or what they might be in five years time. It is about the independence of the tribunal. It is important for us to stay on track in

that regard. It is about independence. It is about the freedom of the tribunal to make the decisions that it needs to make without political interference.

The majority of comments in relation to the tribunal were that its independence should continue. It is very important for us to remember that. I read out a list of submitters to the committee and witnesses at the committee hearing. All of them talked about the independence of the tribunal. All of them were in support of the tribunal maintaining its independence. Let me give an example from the transcript of the committee's hearing. Professor Brailsford stated—

Over the past 20 months since our establishment, I believe that we have acted very fairly, certainly independently, we have acted impartially and we have been consultative. We have gone out to public submissions. We have received I think over 2,500-odd public submissions and they are all up on the website and continue to be so. We have been very transparent, we have been very open and we have been open to media scrutiny the whole way through. We have worked very closely and effectively with the Clerk.

...

Surprisingly, the tribunal's role has been, not by intent, one where we have assumed some national leadership. Other jurisdictions either had or have, since our establishment, incorporated their own remuneration tribunals. We have found that our work tends to lead those of other jurisdictions to the extent where now we get semi-regular requests for advice from the other states and jurisdictions.

It is important to understand that the Queensland Independent Remuneration Tribunal is seen as a leader when it comes to independence in determining the wages and conditions of members. The Hon. Jim Fouras stated—

Can I make one suggestion to the people here who are doing the job: I think if you have an independent tribunal, it should be independent. I think this idea of playing politics because we are going to be doing it like that is not the way to do things.

That is what a previous Speaker of this parliament—a Labor Speaker of this parliament—said when speaking to our committee about the independence of this tribunal. The Clerk of the Parliament stated—

I accept the right of political parties during campaigns to make political election commitments. I accept the right of incoming governments to implement those. The difficulty that I have at the moment and this is no disrespect to the Tribunal at all as I said in my submission, is that you have an independent tribunal but at the same time you are in a way at least capping or limiting it to some degree.

Three independent people gave evidence before the committee—one of them being a previous Labor Speaker of this parliament, a well-regarded member of the Labor Party and a well-regarded member of this parliament—and each one of them talked about the independence of the tribunal. It is very important to look at the evidence.

We have two choices in this House. We have two choices in our committees. We can look at what the policy is and then go out to the marketplace and look for the evidence to support that policy or we can look for the evidence and develop our policy from that evidence. In this case, we were not able to achieve what we needed to achieve. We looked at all of the evidence and we could only come to one conclusion—that is, the independence of the tribunal should remain. Indeed, the tribunal itself brought another solution to our committee. They did not just come along to talk about the problem; they came along, as we would expect, with a solution to the problem—with a way of satisfying the Premier's promise to the people of Queensland but at the same time retaining their independence as a tribunal that will determine forevermore what our salaries and other conditions should be in a completely and utterly independent way.

In our discussions I raised the issue of independence many, many times. I went to the internet, as we all do, and I googled the word 'independence'. What does it mean? What is the definition of independence? The definitions are: not influenced or controlled by others in matters of opinion, conduct et cetera; not subject to another's authority or jurisdiction; autonomous. As a House, if we do not vote to disallow the aspect of this bill that will put a cap on the independence of the tribunal we will go against the concept of independence as supported by all those who came before the committee and spoke about that aspect of the bill.

I mentioned the CLA before. I think the chair has probably covered that very well. As I mentioned earlier, we were able to come together and have a good win. It is a good win for the parliament. I thank the Premier for her gracious decision to allow the recommendations that were made by the committee. The Independents and those sitting on the crossbenches are now able to select their own representative to be on the CLA. As part of the recommendation we have stated that if in another parliament or sometime in the future there is a deadlock then the Leader of the House at the time, whoever that might be, is able to make a decision. I acknowledge that a two-day turnaround for the Independents and crossbenchers to come to a decision on their representative on the CLA is certainly adequate time. That allows the parliament to move forward and conduct its business in an

appropriate way. At the same time, it gives the Independents and crossbenchers the opportunity to select their own representative on the CLA.

I go back to the issue of the tribunal. All of us supported the tribunal continuing in its role. It was a unanimous decision that the tribunal should continue in its role. Where we differed was around its independence. Those on this side of the House supported independence and those on the opposite side of the House—the government side—did not support independence. They supported interference. They supported interference in something that has worked—that has worked so well that other jurisdictions have come to them and asked for their advice.

We supported the goal that the issue of MP salaries should never again be addressed for politically motivated reasons. They supported setting a precedent for people to point to, as was referred to by the Clerk in his words—and I am paraphrasing—that you have done it once, you can do it again. So we are out there in the marketplace and there is a pay rise coming and the so-called independent tribunal puts the pay rise recommendation forward, and there is an outcry in the marketplace and we can bring it back to the House and change it. We can retrospectively cancel it out, as we are proposing in the House today, and rewrite the rules yet again. Politically motivated reasons are the only reasons why something like that would happen.

As I mentioned earlier, we pointed to the evidence that supported not changing the act to instead embed the requirement as put forward by the tribunal. To read directly from our report—and this is paraphrasing the independent tribunal—the tribunal's submission suggested that another way to enshrine the intent of the government's policy reform is to embed the benchmark of the Public Service wage conditions within section 29 of the act which deals with the principles and factors the tribunal must have regard to when making decisions. It is giving the tribunal a set of things that it needs to give consideration to. The independent tribunal made it very clear to us on more than one occasion—certainly in its written submission and in its testimony—that it already did take those matters into consideration. I talked earlier about how many submissions it received. The independent tribunal suggested, 'Why don't you just put it into section 29? Why don't you simply say that we need to give consideration to the factors when making our decisions? That would work.' That was the argument that we put forward. Remember I said that this is all about independence. It is not about salaries. It is not about what we are going to get. It is all about the independence of the tribunal. We put this independent tribunal in place some 21 months ago and it has worked. It has worked so well that other jurisdictions, as I said earlier, have been coming to us and asking us for our advice.

Those opposite ignored the only evidence provided to the tribunal. There was no evidence to the contrary. I will use the term here—because I wrote it down a moment ago—'community sentiment'. Twenty-five months ago there was plenty of community sentiment about all of the issues. Where did that come from? That came from the fact that a previous Labor government decided it was going to ignore the legislation currently in place—break the law, in essence—and not pass on the salary and wage decisions from the federal government to this parliament. That is fine; we all copped it. We were not here for the money. None of us—not one of us here—is here for the money. Each and every one of us is here for our communities. But that was the community sentiment. Where was the community sentiment while we were considering this bill? There was not one submission from anyone in the community. Certainly not one person from the community has spoken to me or any of the members on this side about this issue. It was a non-issue for them. It was in the mind of the Premier during the election campaign to throw that in as a sweetener or a feel-good measure to offer to the community. There was no evidence whatsoever.

To round things off, we said that the Premier's promise could be accommodated by taking the recommendation from the independent tribunal to embed the benchmark of the Public Service wage conditions within section 29 of the act. That would have done the job. That still will do the job. I call on members to support the independence of the tribunal. Do not go down the political path and support the concept that at some future date someone is going to use political motivation to make it look good for them in the community again.

Finally, I call on the crossbenchers—I hope they are listening in their rooms—to please support the suggestions and recommendations that we make—

Miss Barton: Shane is here.

Mr CRANDON: Good on you, Shane. There he is over there. Sorry, the member for Dalrymple—

Madam DEPUTY SPEAKER (Ms Grace): Order! The member should be referred to by his proper title.

Mr CRANDON: My apologies, Madam Deputy Speaker. I call on the crossbenchers to support the recommendations that we make, and that is to embed those points in section 29 of the act.