




Speech By
Hon. Cameron Dick

MEMBER FOR WOODRIDGE

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**LIMITATIONS OF ACTIONS (INSTITUTIONAL CHILD SEXUAL ABUSE) AND
OTHER LEGISLATION AMENDMENT BILL; LIMITATION OF ACTIONS AND
OTHER LEGISLATION (CHILD ABUSE CIVIL PROCEEDINGS) AMENDMENT
BILL**

 **Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (7.50 pm): I am very pleased to rise this evening to speak to the government bill before the House, the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016 and echo the comments made by many members of the House tonight on both sides of the aisle. I echo those comments in strong support of this important legislative reform in Queensland.

The bill has four main policy objectives. It seeks to amend a number of Queensland statutes. Firstly, the bill seeks to amend the Limitation of Actions Act 1974 to remove the statute of limitations for claims for damages arising from child sexual abuse. Secondly, the bill seeks to amend the Civil Proceedings Act 2011 by introducing a comprehensive statutory regime to facilitate the effective conduct and management of class actions in Queensland. Thirdly, the bill seeks to amend the Legal Profession Act 2007 to replace the current funding arrangements under the Legal Practitioner Interest on Trust Accounts Fund with funding through the Consolidated Fund and improve solicitors' trust accounts administration in general. Fourthly, the bill seeks to amend the Queensland Civil and Administrative Tribunal Act 2009 to permanently embed the arrangement whereby justices of the peace hear certain minor civil disputes matters in the Queensland Civil and Administrative Tribunal.

At the heart of the bill is the proposal to amend the Limitation of Actions Act 1974. All speakers in this debate have spoken in detail about that important reform which is designed to provide justice to victims of childhood sexual abuse. The terrible stories of abuse that children have suffered, as recalled in this parliament and as recalled through the royal commission into sexual abuse in institutional settings, are, I think, an example to the community of the strong position that our institutions such as our parliament now take against those activities and the need for the establishment of an appropriate framework to provide justice for the victims of sometimes heinous crimes and conduct.

It has been the victims of that abuse who have been heroic in their struggle in many instances against the consequences of that abuse who have championed this cause and have moved the parliament to amend the law in Queensland. I want to acknowledge those victims of abuse, many who have spoken publicly about it and some who have given evidence to the parliamentary committee but others, perhaps the silent majority in our community, who will benefit from this law reform.

I have listened intently to the speeches to the parliament by many members on both sides of the parliament. Like domestic violence and the debates this particular parliament has had in relation to domestic violence, the nature of childhood sexual abuse has impacted many members in this House—

sometimes through a family or familial connection but more often than not through our work as members of parliament and the representations we have received from our constituents. I want those individuals to know that their voice has been heard and that the parliament is acting to amend the legislation.

I was very privileged when I served as the Attorney-General of Queensland to remove the limitation period for individuals who suffered from diseases caused by asbestos, who suffered very serious chronic and terminal illness as a result of asbestos related diseases.

Ms Farmer interjected.

Mr DICK: I take the interjection from the member for Bulimba, who also served in that parliament and, as a member of that government, sought to change the law and remove the limitation period. I know that not only does the member for Bulimba represent individuals who are members of advocacy organisations related to supporting and protecting individuals who suffered from asbestos but the electorate of Bulimba has had a lot of men in particular who worked in industries affected by asbestos and I know how much she has championed them. Although not central to this bill, the law was changed then as the law is being changed tonight—and it will be changed—because it is a just and right thing to do. That amendment will pass through the parliament supported by everyone in the House to remove that statute of limitation period.

I want to echo the comments of the member for Yeerongpilly, one of my ministerial colleagues, who spoke about the national commission of inquiry in relation to childhood sexual abuse in an institutional setting and the very important work of, and the very strong leadership shown by the then prime minister Julia Gillard to institute that commission of inquiry which will change our nation for the better. There is no question that to address the wrongs of the past is such a necessary step to create a positive, constructive future for our state and our nation. I echo his words when he acknowledged the former prime minister's work in establishing that. It will not only change our nation for the better but ensure that children are far better protected than they have been in the past.

I also want to comment on a couple of other amendments before the House—in particular, the amendment to the Legal Profession Act 2007 which will effectively abolish the Legal Practitioner Interest on Trust Accounts Fund, otherwise known to every legal practitioner in Queensland as the LPITAF fund. This is a very important and, can I say, long overdue reform. The fund served a very practical and sensible purpose for many years. As the demands on that fund grew, particularly demands on that fund for resources to support organisations like Legal Aid and community legal organisations, it became clear to the government and to the Attorney that that funding framework was no longer appropriate or relevant. I do commend the Attorney-General. It is not a major reform but I think for the legal profession and, in particular, for community legal centres and for Legal Aid it is a very important reform. It recognises that the government of Queensland has a responsibility to properly fund those organisations through the Consolidated Fund. That is very important. I commend the Attorney-General for that reform before the House as well.

I also commend the Attorney-General again for another long overdue reform—that is, ensuring that class actions can proceed in Queensland. Our courts have been at a disadvantage really compared to other jurisdictions that have for many years allowed class actions to proceed. We live in a competitive federation and our courts in Queensland, particularly our Supreme Court, needs the opportunity to supervise class actions initiated in this jurisdiction. Again, that is not just about the state court system, particularly the Supreme Court, being competitive; it is about providing justice to Queenslanders through the class action mechanism that has required them in the past to seek redress through our jurisdictions outside of Queensland. That is a very important reform.

I commend the Attorney-General again, as I did in the last sitting week, for these significant reforms that are being moved through the parliament. She has been responsible for a number of very significant reforms initiated during the course of this parliament, still only about 18 months old. Those reforms will change Queensland for the better.

I also want to acknowledge those individuals who quite bravely gave evidence to the parliamentary committee about their experience as well as organisations that have represented the survivors of childhood sexual abuse, in particular the Zig Zag Young Women's Resource Centre Inc. based at Camp Hill. I had the very great pleasure of being able to represent and advocate for that organisation when I served as the state member for Greenslopes. I also want to acknowledge the outstanding work of the Centre Against Sexual Violence based on Mayes Avenue in Logan Central in the electorate of Woodridge. That organisation has for many years advocated for and represented individuals who have been the victim of sexual violence and sexual abuse—a very strong advocacy organisation. I thank them for ensuring their voice was heard in this process. Again I commend the Attorney-General. I commend the government bill to the parliament.