




Speech By  
**Joseph Kelly**

**MEMBER FOR GREENSLOPES**

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Record of Proceedings, 13 September 2016

**CONSTITUTION OF QUEENSLAND AND OTHER LEGISLATION AMENDMENT  
BILL**

 **Mr KELLY** (Greenslopes—ALP) (4.54 pm): I rise to speak in support of the Constitution of Queensland and Other Legislation Amendment Bill 2016. I, too, commend the Premier for bringing this bill to the House and commend the CLA for its good work in this House.

**Ms Boyd** interjected.

**Mr KELLY:** I will not go through that—I take that interjection—because I would rather talk about the importance of this bill. Like many people in Queensland I thought I had a reasonable understanding of parliament, but it is only when you get here that you really start to build that understanding of the 800 years of institution that has been built here and the important function that it plays in our society. I certainly see the committee system in Queensland as playing an incredibly important role in our community and it is certainly something that I have learnt a tremendous amount about since being elected. I really would not have had much of an understanding beforehand of the role of the committee system, but as something that has evolved as a mechanism to increase transparency and accountability it has certainly achieved that.

The submission from Queensland Advocacy Inc. accurately described the system very well in its submission in that committees are well placed to perform the functions which the House itself is not well placed to perform, such as investigating, interviewing witnesses, discussing matters in detail and formulating reasoned conclusions. I have certainly greatly enjoyed—possibly enjoyed the most of anything I have done in this place—being involved in the committee process and I have found those discussions of matters in detail quite interesting and intriguing. These are cross-party committees and you are forced into close contact with people whose views vary greatly from your own, but you are forced to consider their views. On my committee it has been great—I note the member for Moggill in the chamber—to have other people who share my background in health and, just as we would not probably agree frequently with each other in the workplace, it is not uncommon that we would not agree here. However, the committee system gives us a forum to discuss issues with one another and to work through those things. As health professionals—and as all health professionals will tell you—we do know it all, but this system forces us to listen to the community and listen to the views of average people so that when we are considering things like vaccination bills or smoking bills we are forced to think about how they impact on people and what they mean to average people. That not only helps us to produce better legislation; it improves us as health professionals as well.

I note that QAI also refers to our committee system as being quite robust and that it believes that it is one of the key checks and balances that augment the separation of the executive and the legislature. The committee on which I sit, which is chaired by Madam Deputy Speaker Linard, has considered many issues. Some have been extremely divisive in our community and all have been very complex. The committee system has given us the space and the time to consider these issues in a way

that broadens our understanding and hopefully allows us to make a contribution to improving the legislation that comes to this place. We have considered both government and private members' bills and I have been really impressed by the contribution of the organisations and the people who have made submissions. Some of our committees have attracted incredibly large volumes of submissions—one close towards 2,000 submissions—and it is fascinating to read those submissions and read people's views from very different perspectives on the same issue and it really does broaden and expand your thinking on the issues that are the subject of the legislation. I have also been really impressed with the conduct of the witnesses. They have been sincere and, for the most part, they have presented well-thought-through arguments, not always backed by sound research data but always sincerely believed.

The process of the witnesses coming before the committee has really allowed me, as a member who is involved in legislation and who often deals with issues that I will not necessarily deal with on a day-to-day basis, to build a much greater understanding of how and what we do in this place will affect people in the community and their expectations. I believe that gives us, as committee members, a really good opportunity to bring forward suggestions for improvements to legislation. The experience of the people and the organisations who make their submissions and contributions to inquiries into bills is impressive. They provide an invaluable input into the process.

One of the most important parts of this committee system is that it allows for community input. The Queensland Teachers' Union, in its submission to this inquiry, acknowledged that the committee is—

... a forum for discussion and investigation into issues of public importance—  
and gives—

... members of the voting public an opportunity to enhance their knowledge... and have input.

The Queensland Teachers' Union also noted—

Policy and administration functions of Government are made more open and accountable by the existence of Committees.

I support this bill, because it strengthens and improves the committee process. It continues that tradition, which was started by Goss, of improving transparency and accountability in this state. I certainly fully support that. This bill ensures that core matters of the parliamentary committee system are enshrined in our Constitution and that we need a majority to alter our Constitution. In effect, that means that it will be much harder for any future government to play around with the committee system.

I believe that allowing committees to initiate their own inquiries will also allow them to more fully respond to concerns in the community or issues that they may become aware of in the course of their duties. It is not infrequently that you are following a line of inquiry and you find an issue, which not necessarily relates to the terms of reference of the legislation that you have an interest in, that you think would be of some value to the community to pursue, but you have no capacity or mechanism for doing that.

Another positive aspect of the committee process that I would like to dwell upon is the effect that the committee process has on ministers and members who bring bills to the House. The committee process ensures that ministers and members bring bills to this House that are capable of meeting their objectives and withstanding public scrutiny. It has been my experience that, when the committee has made recommendations to the minister, or raised issues with members of the Public Service, or members, they have been responded to and dealt with thoughtfully. On the rare occasion—and I would have to say that I am scratching my head to think of when this has happened—that a minister or a member presents legislation that does not meet its objectives, or maybe has some other failings, generally speaking, those ministers or members would acknowledge that and seek to improve their legislation. That has generally been my experience, but there has been one notable exception.

This bill improves accountability and transparency. In my opinion, the most important thing it will do is increase the community's trust in the legislative process, because it increases their capacity to have involvement in the legislative process. The bill will also continue that important role of encouraging ministers and members to produce legislation of a high quality capable of withstanding public scrutiny. For those reasons, I commend the bill to the House.