




Speech By
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MEMBER FOR NUDGE

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CONSTITUTION OF QUEENSLAND AND OTHER LEGISLATION AMENDMENT BILL

 **Ms LINARD** (Nudgee—ALP) (4.24 pm): I rise to speak in support of the Constitution of Queensland and Other Legislation Amendment Bill 2016 incorporating the amendment foreshadowed earlier by the Premier in relation to the absolute majority requirement. Under the bill, the core matters of the parliamentary committee system will be enshrined in the Constitution. As the Premier stated in her introductory speech, the Constitution as the foundation document upon which Queensland's system of parliamentary democracy in government is based is the appropriate statute for these provisions.

The bill amends the Constitution to provide that the Legislative Assembly must, at the commencement of every session, establish at least six portfolio committees; that every bill introduced into the Assembly must be referred to a committee for a minimum review period of six weeks unless declared urgent; and provides that annual appropriation bills must be subject to the budget estimates process. This in effect is what is already occurring currently in portfolio committees. However, it is asserted that statutory recognition of the same will, as the Committee of the Legislative Assembly described in their review of the parliamentary committee system, report No. 17, place a psychological political impediment on altering them without just cause. I strongly agree with this assertion.

Queensland's parliamentary committee system has evolved significantly since the Fitzgerald inquiry and report in the late 1980s and significant reform in 2011. I have been merely an observer of its evolution for much of the past 15 years and now have the privilege not only of participating in its robust processes but also of chairing the challenging and multifaceted Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee. The significant reform of the committee system and introduction of the current portfolio committee system in 2011 was, as the Speaker, Peter Wellington, commented in his foreword to the CLA review of the committee system, 'arguably the most significant reform to the Queensland parliament in over 100 years'.

Since 2011 the number of hearings and briefings conducted by committees in each financial year has increased threefold, a measure indicative of the far greater stakeholder consultation and participation that is now occurring. As a unicameral parliament, there must be checks and balances for the accountability of the parliament to ensure the integrity of our contribution to a robust democracy and for the comfort of the Queensland public and its institutions.

In their submissions to the bill's inquiry, Queensland Advocacy Incorporated and the Queensland Teachers' Union both noted the importance of a strong committee system due to the absence of an upper house. QAI stated that it supports any strengthening of the committee system as one of the key checks and balances that augment the separation of the executive and the legislature. The QTU stated that the absence of an upper house increases the importance of committees in assisting the parliament to effectively hold the government to account on behalf of the Queensland people.

The enshrining of core matters of the parliamentary committee system itself in the Constitution of Queensland will provide more certainty around the continued existence of the parliament's powers through the committee system to scrutinise government activity. Importantly, only the core matters will be captured, allowing the committee system to adapt and evolve, as it has over the past 30 years—and particularly so over the past five years—and as it will continue to do so into the future.

It was interesting to note that some submitters proposed that petitions with a certain minimum number of signatories be referred to the relevant portfolio committee for automatic inquiry. I had the opportunity to hear some of the discussion in this regard firsthand when the member for Logan was convalescing at home with a nasty case of the flu and I took his place in a committee hearing. I note that in the New South Wales parliament the minister is required to respond within 35 calendar days to a petition that has 500 or more signatures. In the case of a petition with 10,000 or more signatures, the petition is set down for discussion in the House at an allotted time with a time limit of 16 minutes I believe. I certainly recognise the importance of petitions; I use them regularly within my own electorate to test and represent the will of my constituents.

I do not support petitions forming an automatic trigger for an inquiry by the relevant committee. Petitions should form an important part of the parliament's consideration and awareness of what is of concern and interest to the community; however, to make it an automatic trigger is to also make it open to capture by highly organised and/or motivated interest groups who may seek to control the debate but who may not be necessarily representative or reflective of community sentiment. This can have the effect of diverting committees from the already significant legislative and inquiry responsibilities they carry, a point made by the CLA in their report on the bill. I look forward to seeing consideration of this idea progress and Queensland learning from other jurisdictions how best to give a voice to community members and groups through this important mechanism.

To further strengthen the parliamentary committee system the bill amends the Parliament of Queensland Act 2011 to give the portfolio committees a general power to initiate inquiries on their own motion on matters within their respective portfolio areas. This will then also further support the proposal regarding petitions, as portfolio committees will have the power to initiate inquiries on their own motion and therefore into a petition related to their portfolio areas.

A robust and active committee system significantly enhances the democratic process and the public's participation in that process. Committees effectively take the parliament to the people by making public the deliberative processes on bills and inquiries through public submission and hearing processes and the tabling of committee reports. Committees enhance the openness and accountability of both the policy and administrative functions of government, provide a forum for the investigation of matters of public importance and allow us as members the opportunity to enhance our understanding and mastery of often complex matters of public policy and legislative reform. They promote bipartisan decision-making when the will is present.

The Health, Communities, Disabilities Services and Domestic and Violence Prevention Committee has conducted 19 inquiries on bills and referrals from the House over the past 15 months with another six currently underway. We have had the opportunity to inquire into significant areas of policy reform including mental health, child safety, disability services, domestic and family violence, preventative health and tobacco reform and there are further medicinal cannabis, domestic violence reform and abortion law reform proposals. In addition, an inquiry into the operations of the Queensland Health Ombudsman and the Queensland health complaints system overall are currently before the committee.

The current committee system demands compromise and it demands constructive contributions. The system itself is demanding. There is rarely a week that passes when my committee is not conducting hearings—sometimes multiple hearings—and participating in meetings to deliberate on the workload of the committee in both sitting and non-sitting weeks. We read hundreds of pages of submissions, briefs, data and supporting documents in preparation for meetings and hearings and often thousands of pages throughout the course of each inquiry. We are currently conducting hearings concurrently on four separate bills. We do not always have the opportunity to hear from every submitter who would like to come before us; nor are we able to give them as long as they would like when appearing before the committee. The committee has experienced high workloads along with sometimes restricted reporting time frames, which was gratefully acknowledged by the CLA in their report.

None of the work carried out by committees would be possible without the significant contribution that stakeholders and the public make by taking the time to lodge submissions and appear before the committee to assist and inform their deliberations. From experienced professionals and academics to interested parties, our committee system is designed to be robust and dynamic. It would not work without frank and forthright opinions and advice. Committees could also not operate without the

significant skill and expertise provided by committee secretariats. They are extremely professional, impartial and show tremendous dedication to the parliamentary process and supporting committee members. They also do long hours in service to the parliament.

Mr Deputy Speaker, I make one final observation. Committee outcomes are often directly reflective of the will and tone brought to deliberations by those members present on the committee. As I said earlier, the current committee system demands compromise and it demands constructive contributions. When members seek to make both, our system works and the public interest is served. When members are obstructive and put politics and point-scoring first, the system fails. I have experienced both. Putting estimates aside, I would like to acknowledge the constructive tone that we have always been able to maintain in the health and communities committee under past and present deputy chairs and I believe our outcomes have been reflective of that constructive approach.

We gave a commitment to Queenslanders at the last election that we would be a government of accountability and transparency, and this bill is a further demonstration of that commitment. The bill strengthens the constitutional and parliamentary arrangements of Queensland's democratic system, and accordingly I commend the bill to the House.