




Speech By  
**Linus Power**  
**MEMBER FOR LOGAN**

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Record of Proceedings, 13 September 2016

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

 **Mr POWER** (Logan—ALP) (5.14 pm): I rise to speak in favour of entrenching the core matters of our committee system in the Constitution of Queensland. As a new member of this place, the committee system seems an essential part of the rigorous examination of bills and reports. Queenslanders have come to expect that they should have their voice heard through public hearings. Queenslanders have come to expect that they should see firsthand our senior public servants be questioned about the intent and mechanism of bills before the House. Members of this place now expect that the committee system be rigorous in its examination. It may have been the debate over fixed four years terms that led the House to reconsider the value and entrenchment of the committee system, but through this process I have seen members on both sides of the House, but especially on this side, have a very strong commitment to the committee system and its right and proper place in the examination of our bills. It is right and proper that these core matters of the parliamentary system be incorporated into the Constitution.

As a proxy member of the Committee of the Legislative Assembly I undertook the careful examination of strengthening the committee system. I wish to commend the members at that time, the member for Mermaid Beach—who I know is very passionate about this issue; the member for Surfers Paradise—with whom I often agreed on individual issues; the member for Southern Downs; the member for Springwood; the member for Sandgate; and, in his role as the chair of the committee, the Speaker. We undertook this at the same time that we put forward to the Queensland people at a referendum fixed four-year terms for this House. Queenslanders agreed through the referendum that fixed four-year terms gave a greater certainty to government. They agreed that it encouraged a longer-term vision and horizon for government. They expect though that this House continue to critically and publicly examine the bills put forward in the House in a method whereby they felt there was due examination and clarity. I thank the members of the CLA who undertook this inquiry. The CLA in this case acted, in effect, as the portfolio committee.

I thank the other members of the CLA who have a far greater history of the process of development of the committee system than me. The committee hearings that I have participated in have been a very genuine process. The Agriculture and Environment Committee hearings that I participated in were very genuine and although people came to them with their own views and preconceptions and even, in some cases, ideas that were generated through their long-term and committed involvement in party politics, I felt that they came through the process respectfully, exploring the differences in our personal approaches and respectfully listened to the evidence that they heard through hearings and submissions. I see that same process now serving as a member of the Transport and Utilities Committee with the fine member for Kallangur as the chair. On issues such as road safety, which

genuinely concerns us all, in committee deliberations we had frank exchanges of views and were puzzled about the best way to obtain a better system of road safety and enforcement with ideas going to and fro between committee members. I commend the chair of the committee for facilitating such discussions.

The atmosphere within the committees is one of genuine commitment to improving the legislation before us or adding value to the reports we are asked to examine. We do have a different view in this House about the way we make Queensland a better place. Long be it so that we have a contest of ideas in this place about our goals to make Queensland a better place. This leads, naturally enough, to a difference of opinions on bills, but there is a genuine attempt to explore and understand the differences that underlie our approaches.

I saw this with the CLA. We explored the views of more experienced parliamentarians than me on the process of debate of these bills that shape the future of Queensland. This was committee work at its best where MPs genuinely considered the issues and discussed the intended and unintended consequences of this important entrenchment within our Constitution. The Committee of the Legislative Assembly report firmly agreed that the bill should be passed as an important guarantee to Queenslanders that the committee system be seen as something as intrinsically Queensland as the Tree of Knowledge in your own electorate, Mr Deputy Speaker, the beaches of the Gold Coast in the electorates of the member for Mermaid Beach and the member for Surfers Paradise, or coastal rivers such as the mighty Logan River or, indeed, the Great Barrier Reef. The committee system itself is an institution that should be valued as highly as those natural features.

The CLA received eight submissions, with most expressing support for the bill or at least partial support with reservations or suggestions for further actions. The submitters valued the open examination of bills and public engagement, as we had with the examination of this bill. Submitters were invited to a public hearing on 29 July here in this chamber. As those who watched that hearing on the web would have noted, the chair apologised for my absence as I was quite sick on the day and also thanked those in the House who make our hearings publicly available. Like so many members of the Queensland public, I was able to watch the proceedings via streaming on the parliamentary website, in my case from my sickbed. I thank the House for the very public and open way in which we show the proceedings of committees, as in that case.

Key issues that we looked at included how we embed or entrench the practices of this House, while at the same time making sure that there is an ability to enhance committees and the public scrutiny of bills. It considered carefully the best path to put the core matters of the parliamentary committee system in the Constitution. Any future government seeking to weaken these provisions would be seen to be altering the Constitution and the public would rightfully and carefully examine any attempt to do that. Further, it considered that any change had to be by an absolute majority of the House, ensuring that nothing can be changed without more than half of the 89 current members, or 93 future members, casting a vote in support of such a change. Further, there was careful consideration of the circumstances under which a bill would not have to wait the required six weeks, but be declared urgent and possibly passed by the House in a shorter time frame.

In this House we all agree that there are circumstances where that is vital for good government. However, sometimes bills have unintended consequence; at other times, an emerging issue needs to be dealt with in the short term. However, it is tempting for governments to use this mechanism inappropriately. I will refrain from mentioning some of the criticisms that we could lay at the feet of the former government. I note that it is best to dutifully and carefully examine legislation over a six-week period and that currently we are going through that process with many of the bills that are before the House. As I said, it is tempting for governments to use this mechanism inappropriately. Submitters suggested a variety of mechanisms, but in my estimation they failed to consider how a less than honourable opposition could use those mechanisms to hamper good government and that, ultimately, a government will be judged if it abuses this process. A criticism of the previous government was how regularly and with such spurious reasoning it used this mechanism. No doubt it suffered at the polls because of that.

Some submitters suggested that outside experts be co-opted onto committees. The critique was that party affiliation and a possible lack of specialist knowledge can be an impediment to the close consideration of the details of bills. We carefully examined that suggestion, but we felt that there is a democratic deficit when it comes to co-opting unelected members of parliament into this process. Further, the parliament and the chamber itself would have to choose the experts, which may lead to the same problem in that those experts may have views that fit with the majority or minority of the chamber. In effect, we would still have the same problem that the submitter was concerned about. Therefore, the CLA reflected that the parliament is elected and has accountability to the public. I feel that members

take their responsibilities seriously and there is a clear airing of different views within the reporting process. Through the committee hearings, experts have a strong role to play and their voices are very powerful.

I take the Constitution of Queensland very seriously. Perhaps I will tell my grandchildren that we embedded the committee system within the Constitution of Queensland. This is an unusual debate in that we are making a constitutional change, yet unfortunately those in the opposition have not made any contributions to the debate. I wish that they had made contributions, especially as I know that the opposition members of the CLA who participated in the process were equally as passionate as the government members of the CLA and had much to add. I thank them for their contributions. I am only disappointed that they are not putting their views on the public record today. I commend the bill to the House.