




Speech By
Tim Nicholls

MEMBER FOR CLAYFIELD

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

 **Mr NICHOLLS** (Clayfield—LNP) (Leader of the Opposition) (3.45 pm): In rising today, I signal that the opposition will support the changes proposed by the Premier and the amendments that were circulated in her name earlier today. In doing so, I would like to reflect on the process that has brought us here. We have come here following a period of consideration and evolution after the important debate we had regarding the introduction of four-year fixed terms in Queensland. That debate has been going on for as long as I can remember and probably for as long as we have been in this House. As part of the class of 2006, I am sure the Premier will understand that as well. Having come from the Brisbane City Council where four-year terms were introduced some considerable time earlier, I did not need a lot of convincing about the merits of it. However, we also have to be aware of the limitations of this House and strengthening and providing better recognition of the committee system is a key component in the process of ensuring that we do have appropriate protections.

The provision of better recognition of the committee system was not a key objective of the Constitution (Fixed Term Parliament) Amendment Bill 2015 and the Constitution (Fixed Term Parliament) Referendum Bill 2015, but the changes that we are talking about today are as a result of that important debate. Like many other important policy debates in the 55th Parliament, it was the LNP that firmly put four-year fixed terms on the agenda. I acknowledge the work of the shadow Attorney-General, Ian Walker, in getting out to communities, talking to people, raising that significant issue and, in fact, submitting the legislation that ultimately, subject to amendment and with the agreement of the government, became the process through which we were able to enshrine four-year fixed terms. That agenda is now wholeheartedly supported by people in the business community and people across the political divide. There are still those who have questions about it and, in some respects, this legislation answers those questions.

There are, of course, significant advantages in having fixed four-year terms of government. They provide for better government and better public policy making, provided the right government is in power, because decisions can be made in the interests of outcomes and better services for Queenslanders rather than short-term political gain or what may be the news of the day. It removes the constant speculation from the political process and provides fairness to all political parties rather than what is in the interests of the government of the day. It provides confidence in government and certainty in government for the public and also for the business community, which drives investment, economic confidence and job creation. We are proud of our record of achievement in driving this important reform in Queensland. We are delighted that the changes we are discussing today have come about as a result of those reforms.

The bill we are debating today is the result of a considerable amount of deliberation from both the Finance and Administration Committee and the Committee of the Legislative Assembly. Its genesis started with the Finance and Administration Committee, which was tasked with looking at the two bills

introduced by the member for Mansfield to give Queenslanders the chance to vote on fixed four-year terms. As part of its inquiry, the Finance and Administration Committee found that a referendum for fixed four-year terms would have a better chance of succeeding if the parliament could demonstrate a commitment to greater transparency and accountability.

I well remember—and I see that the member for Southern Downs and the member for Caloundra are here—going back to at least 2007-08, the debate about fixed four-year terms being introduced and, because of the absence of an upper house, the necessity for a committee system to provide that role, if you like. It has been a source of constant debate. It was an issue raised by then Premier Bligh, if I recall correctly, and addressed by Crown Law advice at that stage. As the member for Callide, the member for Southern Downs and the member for Mermaid Beach will know, the introduction of a committee system was meant to address a number of shortcomings in terms of a check on executive power and provide some opportunity to do so.

It has been a longstanding debate and a matter of concern, I believe, for both sides of this House and for this parliament as a whole to drive a higher level of accountability in relation to the actions of executive governments that have majorities on the floor of this House. One of the key points of difference between Queensland and other states is our unicameral system and the absence of the upper house, necessitating the committee system.

The Finance and Administration Committee recommended the parliament enhance the accountability mechanism by entrenching the role of the committees. It made two specific recommendations in relation to those issues. They are reflected in that committee's report. Those issues were referred to the Committee of Legislative Assembly. Those issues are highlighted comprehensively in report No. 17 of the Committee of the Legislative Assembly titled *Review of the parliamentary committee system*.

The referral required the CLA to inquire into and report on issues raised in recommendation 9 regarding entrenchment of the committees and recommendation 10 regarding a review of the parliamentary committee system. Following that extremely thorough review the CLA reported that it did not support the entrenchment of the committee system but did support the statutory recognition of the parliamentary committee system in Queensland and that the appropriate statute for the provision is the Constitution act. The reasons for this recommendation are explained at length in the CLA's review of the parliamentary committee system. I do not propose to re-litigate that particular argument.

Statutory recognition not only emphasises the importance of the committees but also places a psychological impediment to alteration without a just cause. The CLA also recommended that the basic principles and structure of the committee system be recognised but only core matters should be in the Constitution act, leaving the Assembly the flexibility to adopt a committee system that suits the Assembly and allow for adaptability where required. That is an entirely sensible recommendation that makes provision for change in society, change in government and change in the priorities of the day. The core matters are retained, but the flexibility to be adaptable and to meet the needs of the day is left in the hands of the Assembly itself.

The core matters, as highlighted by the CLA, to be included were: the Legislative Assembly must, at the commencement of every session, establish a minimum number of committees of the Legislative Assembly—and that will be set at six; committees established by the Assembly will be allocated areas of responsibility that collectively cover all areas of government activity; every bill introduced into the Assembly must be referred to a committee, with certain exemptions, for a minimum period and this legislation has proposed that it be six weeks. That was in line with the committee's suggestion. The appropriation bills must, of course, always be referred for expenditure review to committees of the Legislative Assembly for examination at a public hearing.

The CLA also made a number of other recommendations including: any amendments to the act must be passed by an absolute majority; and that the Parliament of Queensland Act be amended to provide the power for portfolio committees to initiate their own inquiries on their own motion on matters within their portfolio areas. All those recommendations are reflected in the Constitution of Queensland and Other Legislation Amendment Bill.

This legislation is the result of much consideration, much thought and much debate. It goes back over many parliaments. It goes back to times when I can remember sitting on the legal, constitutional and administrative review committee. It was part of the review that was carried out by the Committee of the Legislative Assembly when the committees were introduced in 2011. It has been referred to again.

I think the amendments speak for themselves in many regards. We know the importance of having a robust committee system. We acknowledge the ability for committees to commence their own motion inquiries. We also acknowledge the necessity to ensure that those committees are established at the commencement of each Assembly. The opposition will be supporting the legislation.