




Speech By
Hon. Dr Steven Miles
MEMBER FOR MURRUMBA

Record of Proceedings, 21 March 2018

HOSPITAL FOUNDATIONS BILL

Second Reading

 **Hon. SJ MILES** (Murrumba—ALP) (Minister for Health and Minister for Ambulance Services) (11.16 am): I move—

That the bill be now read a second time.

Our hospital foundations do amazing work. They work closely with the community to deliver projects they need. They complement our hospital and health services in the work that they do and raise money for vital services and research. They bring a lot of cheer to sick Queenslanders with community activities and events, but their act has not been updated in almost 40 years. The Hospital Foundations Bill 2018 will modernise how they operate and let them get on with the job of helping sick Queenslanders. This bill also amends the Drugs Misuse Act 1986 to support Queensland's burgeoning industrial cannabis industry.

The Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee tabled its report into the bill on 15 March 2018. I thank the committee for its careful consideration of the bill. The committee made one recommendation in its report—that the bill be passed.

The legislation currently governing hospital foundations has not been substantially updated since the act came into force in the early 1980s. This bill will replace the outdated act with a contemporary legislative framework for Queensland's hospital foundations as they continue to provide invaluable support for our public health system. This will assist the foundations to manage their day-to-day business. Oversight of higher risk financial transactions will of course be retained.

The bill also ensures that the Minister for Health has appropriate powers to inquire into a foundation's operations should there be any concerns about the foundation's governance or financial viability. The bill also amends the Drugs Misuse Act 1986 to allow the industrial cannabis industry to diversify into food production in Queensland. Selling hempseed foods became legal in Queensland on 12 November 2017, but the current legislation prevents the existing Queensland based industrial cannabis industry expanding into domestic and export food production avenues. The bill will allow local industrial cannabis growers to develop the industry on a commercial basis while safeguarding against illicit activities. Allowing the production of hemp food products in Queensland will have a positive impact on rural and regional areas by creating new jobs right across the supply chain.

Over 4,000 Queenslanders volunteer in our hospital foundations. They raised an incredible \$74 million last financial year alone. I know the members in this House are excited to talk about the achievements of their individual foundations today, but I will mention a foundation that everyone in this House knows well.

The Children's Hospital Foundation held its fourth annual telethon in conjunction with Channel 9 in November last year. The Children's Hospital Foundation raised over \$12 million to fund lifesaving medical research, new equipment and to provide patient and family support programs. I acknowledge

the former minister for health, the member for Woodridge, who kicked off fundraising at the launch of the telethon by pledging the government's support of \$1 million. Over the last four years, the telethon has raised a whopping \$46 million for Queensland kids. That is the kind of incredible work we want to support with this bill.

I will be moving amendments during the consideration in detail stage of this bill. These amendments have been circulated along with the explanatory notes. The amendments clarify the operations of the Mental Health Act 2016 and ensure that information sharing arrangements to support the Queensland Drug and Alcohol Court operate as intended. I will speak briefly to these amendments.

The Mental Health Act 2016 enables prisoners and persons involved in the criminal justice system to access mental health treatment. The 2016 act, which repealed the Mental Health Act 2000, made significant improvements to the delivery of mental health treatment and care services in Queensland. The new act places Queensland at the forefront of mental health legislation nationally. The amendments that I will move during the consideration in detail stage clarify that time spent in an authorised mental health service, known as an AMHS, under a classified patient admission, particular judicial orders or forensic and treatment support orders continue to be recognised as a period of detention or imprisonment. Section 543 of the repealed act expressly provided for periods spent in an AMHS to count towards time served.

I am advised by my department that there was no intention to change this policy. However, an equivalent provision to section 543 was not included in the new act. The government is satisfied that, even in the absence of an express provision stating that this time counts towards a sentence, the broader legislative framework still operates to ensure that this time is and should be counted as a period of detention or imprisonment. Queensland Corrective Services and the Department of Justice and Attorney-General have therefore continued to count time spent in an AMHS as time served in detention or remand. However, in the interests of clarity, I intend to move amendments to make this express in the Mental Health Act.

The amendments to the Mental Health Act 2016 expressly state that time served in an AMHS under these orders is considered time served in detention or imprisonment and retrospectively validate this provision's application to 5 March 2017, when the Mental Health Act commenced. The Mental Health Act provides for categories of forensic orders and treatment support orders which support recovery in the community. The amendments clarify that the time a person spends on this kind of order does not count towards time served.

The amendments will also enable the Chief Psychiatrist to share information about the pre-sentence detention of a person in an AMHS so that authorities can ensure only time served as an inpatient is taken into account. These amendments are beneficial. They clarify the longstanding practice under successive governments that time served in an AMHS is counted as time served. The new information sharing provisions are internal to government and are operational in nature to ensure that time served is calculated correctly. My department has consulted Queensland Corrective Services, Youth Justice and the Department of Justice and Attorney-General on the proposed amendments. These agencies support the amendments.

While I am talking about mental health facilities in this state, I want to thank our incredible, dedicated mental health workers. Last week the Palaszczuk government governed from the booming region of Ipswich. While I was fortunate to have plenty of wonderful experiences out there, the thing that really stood out was my visit to Wolston Park, now known as The Park. The Park is a 70-bed, high-security inpatient centre for mental health. It is the only service of its kind in the state. It provides highly supervised, supportive and secure inpatient services to people with very complex mental health needs. These are people who have committed a serious indictable offence or who are involved with the criminal justice system, so it is not always the easiest place to work.

I was fortunate to meet staff and patients and speak with them about their care. I saw firsthand the Consumer Companion Program, which has recently been introduced into the high-security setting following its success throughout all other mental health inpatient units within West Moreton Hospital and Health Service. It is a program for volunteers who have had their own mental health struggles to come and work with people in the facility, using their own lived experience of mental illness to offer meaningful support, encouragement, hope and mentorship to others facing similar situations. I met one volunteer who is teaching a young man to play bridge.

This program is a key initiative of West Moreton Hospital and Health Service. It gives the companions and patients time for one-on-one interaction, structured activities and peer support, but most importantly it provides them with hope for recovery. It is a credit to the staff at The Park that they are championing these kinds of initiatives that have a real impact on the lives of the people they work with. It is also a great example of how patients are at the heart of everything we do in our healthcare

system and their input leads to better health outcomes for all Queenslanders. I wanted to make special mention of the staff here today, to say thank you for the sometimes difficult but very important work that they do.

I will also move amendments to support the operation of the re-established Queensland Drug and Alcohol Court. The Queensland Drug and Alcohol Court recommenced operations on 29 January 2018. The court is supported by a multidisciplinary review team. It is critical that information can be shared between agencies on this team. The Penalties and Sentences Act 1992 and the Justice and Other Information Disclosure Act 2008 include the Department of Health as a treatment order agency. However, this does not capture hospital and health services, as they are statutory bodies. The amendments will ensure that hospital and health services are a treatment order agency for the purposes of the Drug and Alcohol Court. An amendment to the Hospital and Health Boards Act 2011 will ensure chief executives of HHSs can delegate their functions to share information to appropriately qualified health service employees. The amendments will ensure the multidisciplinary review team supporting the Drug and Alcohol Court can operate as intended.

Queensland has a world-class public health system. This health system is supported by the amazing staff and volunteers of Queensland's hospital foundations. In 2016-17 foundations collectively reported revenue of approximately \$74 million. This revenue goes back into our health system to fund lifesaving research, sponsor doctors, nurses and other health professionals to complete further education and training, deliver specialised medical equipment and provide support services to patients and their carers.

This bill supports the operation of these foundations now and into the future. The amendments to be moved during the consideration in detail stage will ensure our criminal justice system operates as it was intended to. It is appropriate that these clarifications be made today to provide certainty to the agencies involved in administering the provisions. I again thank the committee for its detailed consideration of the bill. I also acknowledge the support provided by hospital foundations and hospital and health services during development of the bill. I commend the bill to the House.