




Speech By  
**Hon. Stirling Hinchliffe**

**MEMBER FOR SANDGATE**

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Record of Proceedings, 20 May 2020

## **JUSTICE AND OTHER LEGISLATION AMENDMENT BILL**

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs) (6.19 pm), in reply: At the outset, I thank all members who contributed to the debate on the Justice and Other Legislation Amendment Bill. As I indicated in my earlier speech, the bill proposes miscellaneous amendments to over 30 civil and criminal law acts within the justice portfolio and across a broad spectrum of subject matter. The primary focus of the bill is on providing fairness, legislative clarity and operational efficiency in court and government processes.

As noted by members who contributed, a substantial part of the bill relates to amendments to the Coroners Act 2003 which will extend the operation of that act to all inquests regardless of when a death occurred and otherwise support the operation and efficiency of the coronial system. I shall address some of the matters raised during the debate about the coronial amendments. There is one thing that we can trust the LNP to do, and that is to use this place to comment on current matters before the court. I suspect that it will not be the last time the member for Toowoomba South uses victims of crime for political point-scoring. Unfortunately, they just never learn. The shadow Attorney-General was so outraged that he never wrote to or raised with the Attorney-General the particular issue that he raised in the debate today. The member for Toowoomba South stood in this House and criticised this government for not acting quickly enough to bring that particular reform before the House.

Let me remind the House that this recommendation came about by way of a report published in late 2018. Since then, consultation occurred on the issue before arriving at a policy position after removing the right to silence—a very big step that the member for Caloundra highlighted was indeed a very big and significant step—so it is entirely appropriate that the consultation on this big, major step took some time. It came to fruition with the introduction of the bill before the House in November 2019. It is quite over the top, ridiculous and a bit ‘boy cried wolf’ to suggest that the government dragged its feet in acting on this reform.

A number of members mentioned the advertising issue. Clause 186 of the bill will remove the requirement for the minister to advertise for applications from appropriately qualified persons to be appointed as senior members and ordinary members of QCAT. This is consistent with equivalent acts in Victoria and New South Wales; that is, for the Victorian Civil and Administrative Tribunal and the New South Wales Civil and Administrative Tribunal. What we see here is a case where the government has reformed things, responding to the nature of how communications work and how engagements work, just to effectively take out the requirement to advertise in the paper.

The bill will remove the requirement for the minister to advertise for applications from appropriately qualified persons to be appointed as senior members and ordinary members. This amendment provides greater flexibility in the way that senior and ordinary members are appointed. This ensures that the appointment process will continue to be fully transparent and that Queenslanders’ confidence in these processes can be maintained. To that end, QCAT will continue to have public

processes for the appointment of members, including advertising and seeking expressions of interest from time to time. In fact, some members explained that and then did not see the logic of it. That is extraordinary.

This omnibus bill is entirely appropriate. I did hear a number of members opposite critique the fact that it is an omnibus bill. It is the nature of government, particularly in large, extensive legislative portfolios like justice and Attorney-General, that there are omnibus bills from time to time in order to manage the way in which improvements and adjustments to legislation respond to legal matters, legal cases, or the discovery of inconsistencies or potential misinterpretations. It is absolutely appropriate, and those who critique omnibus bills demonstrate their unfitness to govern. They demonstrate their inability to be ready to govern in this state. That is the nature of how this works. It shows they would have us mired in the minutiae of a separate bill on every single different issue that may result in an amendment to an act of this state. The statutes are littered with lots of little things that need to be addressed and proper reforms that need to happen. None of them constitute major reform in and of themselves. That is why it is appropriate that there are omnibus bills to address these matters. That is why it is entirely appropriate, and to that end I commend the bill to the House.