




Speech By  
**Hon. Yvette D'Ath**

**MEMBER FOR REDCLIFFE**

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Record of Proceedings, 18 March 2020

**PUBLIC HEALTH AND OTHER LEGISLATION (PUBLIC HEALTH EMERGENCY)  
AMENDMENT BILL**

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice) (8.55 pm): I rise to support this bill. As the Premier has noted, the COVID-19 pandemic is perhaps the greatest challenge of our lifetime. We need our democratic institutions to be responsive to this emergency in order to maintain our way of life and to safeguard our community's wellbeing. We need to be prepared for all scenarios.

I want to acknowledge the contribution of the Minister for Local Government, the member for Sandgate, in relation to the amendments that go to the local government elections scheduled for 28 March. The amendments in part 5 of the bill focus directly on ensuring any by-elections occurring before the general election on 31 October this year are conducted in a way that minimises and mitigates any risks posed by the COVID-19 pandemic. This bill ensures the individual who issued the writ for the by-election, being either the Speaker or the Governor, can postpone the by-election and substitute an appropriate day as they see fit. Given the rapid progression of the pandemic, it is important that a significant degree of latitude is provided, should postponement occur.

I want to take up the point raised by the member for Toowoomba South. He pointed to section 392J, saying that it has a sunset provision of 12 months. I appreciate that that 12 months takes us beyond the next general election. It is correct that any by-election that occurs this side of the general election would not continue beyond that election. Any extension would obviously not go beyond the general election. If those seats were still vacant at the time of the general election, they would be filled at the general election.

We certainly hope—and I do not envisage—that there would be any by-elections after the general election that would be caught by these provisions. On the most current advice, we are talking about six months in which we could be dealing with this pandemic. What we sought to do was try to align the provisions as much as we could with the local government elections. For good reason local government requires that 12-month time frame. We sought to bring it into line with that. I can assure the member that we certainly do not envisage that happening. We hope that they would not need to be used.

The ECQ can already respond to any emergent situations arising on polling day. The amending provisions ensure that the ECQ will not be constrained by a 34-day time limit on setting the date for the resumption of polling. Instead the focus will be on when the poll can be conducted practicably and, most importantly, safely. The ECQ will also have the power to provide more flexible time frames for postal vote applications, facilitate alternatives to electoral visitor voting where visitor voting poses a health risk to an issuing officer and expand the class of electors who can make an electronically assisted vote.

The bill also provides for a regulation-making power so that we can take any further steps necessary to ensure the safest possible voting experience for all Queenslanders. Finally, the ECQ will also be given the power to issue a direction in relation to the distribution or display of how-to-vote cards as well as other election material. The ECQ may also regulate the way people canvassing for votes conduct themselves at a polling booth.

I started my contribution noting that the COVID-19 pandemic will require changes from us all—big and small. This will not be a normal election. Parties and candidates and their volunteers need to meet this challenge at our forthcoming by-elections. This is not business as usual. Queenslanders will expect a vigilant approach that prioritises safety. That means practising social distancing at polling booths.

I have posted this afternoon the most up-to-date fact sheet of the ECQ that talks about between 9 am and 11 am allowing those most vulnerable, those over 60, to come in and vote early and separately to others and some of the other initiatives—the extended hours for pre-poll and the Saturday pre-poll. I ask members to please get that message out through their social media as well and to talk to any candidates and volunteers in their area to reinforce the importance of this. This election can only work if we adhere to the advice of the health professionals. Please ask them all to practise these guidelines.

It means alternative methods of communicating our how-to-votes to electors. The ECQ has already communicated to candidates its expectation that caution be taken when distributing electoral material at pre-poll booths. I know the language used by the member for Toowoomba South was not intentional, but when we use language such as ‘this will be significant’ when we are talking about changing elections, let us be really careful to get a clear and consistent message to voters out there. This bill provides the ability to alter elections; this bill does not initiate such change. It is really important that we get that message out there.

As of today, no decision has been made to alter the election date. It is still 28 March. All actions taken to date are to support the delivery of the by-elections and the local government elections on 28 March. We need to reinforce that with people. To make that happen, we need to follow the advice and operate in a different model than we are used to when it comes to these elections.

I also, like others, want to thank the Electoral Commission—the staff and volunteers. This is not what they were planning at the start of the year when they were looking at conducting local government elections. Then they ended up with a by-election and then they ended up with another by-election. Now they also have a pandemic to deal with. I know that the system has not been working perfectly. It is under extreme demand, but the work that they have been doing is extraordinary. They are working tirelessly.

What we do know—and the Minister for Local Government said this this morning—is that voters are turning out. They are not looking for excuses not to vote. In fact, they are turning out in droves. They want to be heard. They want their voices to be heard. They want a say in democracy. They want to choose their next councillors and mayors and they want to have a say in the by-elections. It is great that they are doing that.

I thank the Minister for Local Government, his staff and his department, which is also working very closely with my department on these amendments and working with the ECQ to make this as efficient an electoral process as we possibly can. In relation to this bill, I acknowledge the tremendous work of all ministers, along with the departments, the parliamentary drafters and the parliamentary staff. I particularly want to single out the Minister for Health and his extraordinary efforts since this pandemic first started and also Dr Jeannette Young. She is extraordinary. I am so proud that she is our Chief Health Officer. I think she is leading the way. It is an exhausting job that they are doing and we want to acknowledge that.

I also want to echo comments earlier. Let us make sure that we respect everyone out there at the moment, especially our health workers. They do not deserve to be abused or criticised for the decisions they are making. They are doing it in the best interests of all Queenslanders. Let us respect everyone who goes to work, whether it is our shopkeepers or anyone else. Let us do what we do in any other natural disaster—actually come together and support each other.

**Mr Powell:** What—have parliament sit?

**Mrs D’ATH:** I think that says it all.

**Mr Powell:** It happens with every other disaster—we sit.

**Mrs D’ATH:** I take that interjection. When I was a federal member, parliament was suspended so we could deal with the fires in Victoria.

**Mr Powell:** Yes, for a day or two days. How many months did it suspend for?

**Mrs D’ATH:** There are circumstances and there are times when you need to—

**Mr DEPUTY SPEAKER (Mr Kelly):** Order, members! We will not have quarrelling across the chamber, member for Glass House.

**Mrs D'ATH:** There are times when you need to act and prioritise the work of this parliament and prioritise the work of the government which is working every minute of every day to deal with this virus across all of the portfolios. We need to continue to do that. We need to recognise that that has to be the priority of the government right now, just as it is for the federal government. That is recognised by the Labor opposition in Canberra—

**Mr Powell:** And they're sitting.

**Mrs D'ATH:**—in Victoria—

**Mr Powell:** And they're sitting.

**Mrs D'ATH:** I take that interjection. They are sitting to pass urgent bills and then they are going to rise. That is it. That is a bipartisan position that they have taken. It is a shame we could not do the same here. This is a very important bill, and I commend it to the House.