




Speech By  
**Brent Mickelberg**

**MEMBER FOR BUDERIM**

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### **EVIDENCE AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr MICKELBERG** (Buderim—LNP) (4.36 pm): I rise to address the Evidence and Other Legislation Amendment Bill. Before I do, I would like to address the personal statement made by the member for Macalister. I can only imagine how hard it was to come in here and make the statement that she made. It was courageous and brave. It shows true leadership. We should listen to the message that the member for Macalister sent. What I took away from that is we must stop at nothing to protect our young people because of the lifelong consequences.

I have gotten to know the member for Macalister since we came into this place together in 2017. My wife, Anna, and Mel have been friends for much longer having served together in the Army in Timor and subsequently in the Queensland Police Service. I wish Mel, her family and children all the best in her journey to recovery.

Now I turn to the bill. This is a bill with a dry name but it is one that deals with some very important issues. As we have heard, this bill seeks to establish a statutory framework that allows protection against the disclosure of the identity of journalists' confidential informants known as shield laws. This bill will also introduce a legislative framework to support a pilot enabling videorecorded statements taken by trained police officers to be used as an adult victim's evidence-in-chief in domestic and family violence related criminal proceedings.

Perhaps most importantly, this bill will establish a process for the viewing and examination of the body of a deceased person in a criminal proceeding as detailed in the findings of the inquest into the disappearance and death of Daniel Morcombe. In my contribution today I intend to focus on the matters relating to the Daniel Morcombe inquest findings and the establishment of the shield laws. At the outset I want to acknowledge the powerful contribution to this debate made by the member for Cooper. This parliament is better for the heartfelt contributions like that delivered by the member for Cooper in this debate, and we all should be grateful for her context and lived experience.

I want to recognise the work of Bruce and Denise Morcombe in child safety and in advocating for a better legal framework to protect other families who will have their wishes respected during unthinkable times. What happened to Bruce's and Denise's son Daniel broke the hearts of everyone on the Sunshine Coast and, indeed, across the world. Daniel attended Siena Catholic College in my electorate and, like every young boy and girl, he deserved to live a full life. Local detectives and police did an extraordinary job in finding the monster that killed Daniel and finding his remains.

Bruce and Denise wanted to bring Daniel home and give him a proper burial—somewhere they could visit, grieve and talk to their son. They had to wait a painful 14 months after his remains were discovered to finally lay him to rest. No parent should ever have to experience that. This bill provides a specific process for the viewing and examination of the body of a deceased person in a criminal proceeding, a recommendation from the inquest into the death of Daniel. The LNP has been calling for this process for years and I am pleased to finally see it come to fruition.

I want to thank Bruce and Denise for their advocacy on this matter. It will provide an end to the drawn-out process in which other families, regrettably, will find themselves in the most tragic of circumstances in the future. Bruce's and Denise's service to the people of Queensland has been immeasurable.

Last year, along with many of my LNP colleagues, the minister for child safety and other members of parliament, I attended the Walk for Daniel. For the first time, my then six-year-old daughter Lara accompanied me on the walk. That morning I asked Lara what she knew about Daniel and about the Daniel Morcombe Foundation's child safety messages. I was surprised by how much information Lara had absorbed through her lessons at day care and at school. She explained how to recognise, react and report unsafe situations. She explained to me unprompted about her safety network and what to do if she or one of her friends was in an unsafe situation. Outside of 'stranger danger', that is information which simply did not get spoken about when I was a child growing up in the 1980s. In the tragedy of Daniel's death, Bruce and Denise Morcombe have fostered the legacy of a safer society for children. For that, I am eternally grateful.

I turn now to shield laws. A statutory framework to protect the identity of journalists' confidential informants is vital. I support the LNP's amendment to extend the shield laws to include informants to the CCC. In fact, all written submissions to this bill support that position.

If the last few months have proved anything, it is the importance of whistleblowers. Public servants should not be afraid to speak out. Speaking out is often the only way to achieve change, whether it be fixing the integrity crisis or a broken health system. To be frank, before I was a parliamentarian I probably did not appreciate the importance of whistleblowers and the role that journalists have in airing issues that the public deserve to know about and where change needs to occur. I used to see things in black and white, having grown up in the military. Over the last few years I have been approached by a number of whistleblowers, specifically doctors, nurses and administrators who work within the Sunshine Coast Hospital and Health Service. These brave public servants should not be afraid to tell their stories but they are. Bringing Queensland into line with other states by establishing these shield laws will provide peace of mind and generate more open discussion about fixing systems of government.

The contention that these laws should not extend to matters before the CCC does not hold water, in my opinion. Given the extraordinary powers that the CCC holds, the public deserves to have confidence that they, too, are held to account. If we have seen anything in recent months it is that there has been a lack of oversight and accountability within the highest levels of the CCC. Indeed, it took a parliamentary inquiry, led by the member for the Scenic Rim, which involved many months of work, to shine a light on the failures of the CCC and a lack of due process.

These are matters that the public deserve to know about, and whistleblowers play a role in exposing such failings. Let us not forget that within the legislation we are debating a court can still overrule these protections and that, in claiming protection under these shield laws, applicants will still need to prove, on the balance of probabilities, that the public interest outweighs any unlikely adverse effect. There is a safeguard, and it is an important safeguard. All of the written submissions supported the extension of the shield laws to matters before the CCC. The government should support the amendments to be moved by the shadow Attorney-General which will extend the shield laws to matters before the CCC.

Turning to another aspect of the bill, it is well known that more needs to be done in the prevention of domestic and family violence. This bill takes another step towards protecting victims by allowing videorecorded evidence to be accepted as evidence-in-chief—something that has existed for some time for children but now extended to adults in a limited trial. Victims should not be dragged into court to recall their abuse in a room full of strangers and should by no means have to face their attacker. Other speakers have spoken about the difficulties associated with recounting such situations. We have seen an example of the courage that it takes just this afternoon in this House.

Such a course of action, where people are forced to confront their abuser, can cause additional and unnecessary trauma, and if we can avoid it we should. We must do everything we can to make the reporting of domestic and family violence easier. I support the stakeholders' calls to increase the training for police officers in this space. I know that it is a difficult space. I understand that domestic and family violence occupies much of our police officers' time, but we must do better to ensure that every cry for help is listened to.

In summary, I call on the government to support the LNP's sensible amendments as proposed and to listen to the calls for proper protections for whistleblowers in Queensland.