




Speech By
James Lister

MEMBER FOR SOUTHERN DOWNS

Record of Proceedings, 13 September 2023

JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Mr LISTER** (Southern Downs—LNP) (2.29 pm): I rise to make a contribution on the Justice and Other Legislation Amendment Bill 2023. Moments ago I had the privilege of introducing myself to the Milosevics in the gallery. I do not think I can offer anything in addition to what many others have said about the value of Sophie's Law and the enormity of this advance in our legal system to help those who will unfortunately face the same situation as the Milosevics did with their unborn daughter Sophie. As have many others, I would like to sincerely recognise the contribution by my honourable friend the member for Lockyer Jim McDonald, and recognise that this is an innovation that has come about through the participation of many, including the past two attorneys-general. I echo the sentiments that were expressed by the member for Condamine in saying that this is one of those moments when we can say that we have been present and part of something that is good. That might be a vanity, but it is a very human vanity that we can all share in this particular case. I am very proud to be a supporter of the bill for that reason, if for no other.

I would like to mention the amendments to the Electoral Act. I associate myself with, echo and reflect the comments made earlier by my honourable friend the member for Warrego. Like I do, she has an electorate where there are many postal voters. Impediments to recognising the genuine will of the elector in choosing a candidate to represent them in an election are very important. It was irrational and contrary to the interests of democracy to have a system where a postal vote could be ruled out of order simply because it was not enclosed in the correct envelope. This will be an important innovation, particularly for people like me who have large electorates with a lot of postal voters.

The bill will amend the Electoral Act to expand the definition of 'special postal voter' to include electors who are patients in a hospital that is not a polling place and electors who are ill or infirm and unable to travel to a polling place or those caring for the ill or infirm. Members in this House will know that some years ago I took some time off for my mental health. I actually was an inpatient at a mental health hospital to get myself together. Before that, in my time in the Australian Defence Force, I was an inpatient at the Keith Payne Unit, which is the veterans psychiatric unit at Greenslopes Hospital. It is an unfortunate fact of history that while I was an inpatient there there was a federal election. I want to be clear this is not an attack on the Electoral Commission of Queensland, but it is a warning nevertheless. While I was there, although I had already voted in the election, those who were visiting the hospital as a declared institution went to every square centimetre of that hospital and collected every single vote—except for the veterans in the Keith Payne Unit. Many of those with whom I was sharing digs for that time that I was a patient there were unable to vote. I believe that was an oversight by the hospital, because I had anticipated that that may happen. I had raised it with hospital management and urged them to take pre-emptive steps to not prevent the visitors from the Electoral Commission from going to the Keith Payne Unit, but it seems my advice fell on stony ground. Of all people in our society, those who have put their lives on the line for their country ought to be at least equal, if not first in the line to be able to cast their votes. Whilst this applies particularly to hospitals and so forth, which are not a declared institution, I provide a cautionary warning to the community that that is unacceptable.

I urge the Electoral Commission of Queensland to ensure that in any similar situations they do not miss people because they are out of sight and out of mind. That was a very unforgiveable oversight in our democracy. I say that not only as a veteran myself but also as the shadow assistant minister for veterans and also as a representative of veterans in my electorate. I acknowledge the presence in the gallery of Phillip and Carol Clark, who are very dear friends of mine. Phillip is a Navy veteran and, like many, he has suffered some physical and mental consequences due to his service. He is a great guy—and so is Carol, who has been a supportive partner to him through life. I am proud to have you both here. When we mention these sorts of things about veterans, we are talking about Phillip Clark here—not just a name.

I would like to add my concerns to those already expressed about this being an omnibus bill. It is a mark of disregard for this House. It is, I believe, a discourtesy to this House for the government to introduce so many omnibus bills. One could forgive the use of omnibus bills for something like the COVID emergency perhaps, but it seems to be the default position that the executive here pull together all of the legislative amendments they want at a cabinet meeting and they get dumped into one single bill. The advantage for the government is twofold, and both of those advantages are at the cost of the public interest. There is less scrutiny in an omnibus bill than there might otherwise be. It is a natural effect of there being so many acts proposed to be amended. It complicates the committee process as well. It means that the bill cannot be seen in isolation, which is the way it ought to be.

Mr Power interjected.

Mr LISTER: I have an interjection from the great mandarin from Logan! He is a great specialist in this, of course.

A government member interjected.

Mr LISTER: I would say that the member for Logan, being a member of the Labor Party and a supporter of the government, is not in a very good position to offer an opinion on this. I think the government uses this as a smokescreen to avoid scrutiny and to avoid exposing to the community what it is trying to do. Another disadvantage, of course—others have mentioned it before—is that this bill ought more properly to be called ‘Sophie’s Law’. If the amendments which were necessary for Sophie’s Law were contained in a single bill, it could be called Sophie’s Law. This would be an enduring reference to Sophie, who I understand would be nine years old now, and to her family and the difficulties they have faced. Other than that, I will be supporting the bill.