




Speech By
Joan Pease

MEMBER FOR LYTTON

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HEALTH LEGISLATION AMENDMENT BILL

 **Ms PEASE** (Lytton—ALP) (5.45 pm): I rise to contribute to the debate on the Health Legislation Amendment Bill which proposes amendments to two key acts: the Hospital and Health Boards Act 2011 and the Tobacco and Other Smoking Products Act 1998. It is worth noting from the outset that the LNP only know how to cut funding, cut staff and cut resources from our health system. They would not have the foggiest idea about health governance.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Kempton): Members, I am struggling to hear this contribution. Can we keep the noise down, please.

Ms PEASE: Thank you for your protection, Deputy Speaker. This may explain their knee-jerk reaction to this legislation before the parliament. I would like to begin by talking to the amendments to the Tobacco and Other Smoking Products Act 1998. We support measures that strengthen enforcement against the illicit vape market. The bill will enable the expedited forfeiture of seized vaping products and allow courts to order convicted offenders to reimburse Queensland Health for costs incurred in enforcement.

Queensland families, schools and community health professionals have been sounding the alarm over the rising use of vapes, in particular by young people. I was extremely proud to be part of the committee that inquired into the matter of vaping under Labor. As a result of our recommendations some of the toughest tobacco and vaping laws in the country were introduced. For those opposite who have got up one after the other to say that we as a government did nothing before you guys came in, I have information that you might find useful. I have a copy of the vaping inquiry into reducing the rates of e-cigarette use in Queensland. Those members opposite might like to cast their eye over it. That was in August 2023. I will table that report.

Mr DEPUTY SPEAKER: Member, through the chair, please.

Ms PEASE: I would also like to table the Health, Environment and Agriculture Committee report No. 10 of the 57th Parliament, *Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024*, dated August 2024. I would also like to table the government's response to our initial report.

Tabled paper: Copy of Health and Environment Committee: Report No. 38, 57th Parliament—Vaping: An inquiry into reducing rates of e-cigarette use in Queensland [634](#).

Tabled paper: Copy of Health, Environment and Agriculture Committee: Report No. 10, 57th Parliament—Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024 [635](#).

Tabled paper: Copy of Health and Environment Committee: Report No. 38, 57th Parliament—Vaping: An inquiry into reducing rates of e-cigarette use in Queensland, government response [636](#).

Mr NICHOLLS: Mr Deputy Speaker, I rise to a point of order on the point of relevance. Yet again this is not something that is covered by the bill. Whilst there has always been a discussion, and I accept the discussion, about vaping, tabling reports that are already reports of this House is completely irrelevant. We are debating a completely different piece of legislation: the destruction, seizure and forfeiture of vapes. This is completely irrelevant to it.

Mr DEPUTY SPEAKER: I take the point. I do not think that is relevant to the bill.

Ms FARMER: Mr Deputy Speaker, I rise to a point of order. With the greatest respect, various members on the government's side—

Mr DEPUTY SPEAKER: Take your seat. I do not propose to argue it. Member, keep your debate to the matter before the House.

Ms PEASE: I refer to the explanatory notes and, for the benefit of the House, I will continue with my speech. Unfortunately, obviously the Minister for Health is not happy to hear a bit of history. I am trying to give a bit of history and a bit of an education.

Mr POWER: Mr Deputy Speaker, I rise to a point of order.

Mr NICHOLLS: Mr Deputy Speaker, I rise to a point of order. I take personal offence at the comment made by the member and ask that she withdraw.

Mr DEPUTY SPEAKER: The member has taken personal offence.

Ms PEASE: I withdraw.

Ms FARMER: Mr Deputy Speaker, I rise to point of order. There was an existing point of order, with the greatest of respect, that has not yet been heard.

Mr DEPUTY SPEAKER: I am in control of this.

Mr POWER: Mr Deputy Speaker, I rise to a point of order. It is a longstanding tradition that in debate members refer to the reports that have come before the House that led to the introduction of laws and that inform other members of the House about the nature of the debate.

Mr DEPUTY SPEAKER (Mr Kempton): Take your seat, please. Member, I will give you some leeway in terms of your presentation on the history, but I ask you to return to the bill, please.

Ms PEASE: Thank you, Mr Deputy Speaker. As I said, I will move on. In relation to the recommendations in the report, the member for Southport was a member of that committee and he participated actively in it. We came together and worked in a bipartisan way to come up with recommendations that the government of the day accepted. As a consequence, a number of pieces of legislation were put in place. Now we see some amendments put forward. We are calling out the government for again acting without thinking about the practical consequences, as have been highlighted by the Waste Management and Resource Recovery Association of Australia.

Mr DEPUTY SPEAKER: Member, you cannot stray into that argument. It has been ruled on a number of times tonight. I warn you not to persist or I will sit you down.

Mr POWER: Mr Deputy Speaker, I rise to a point of order. My understanding of the ruling this morning was that someone could not take a singular line in a submission and construct an entire argument about it. We have not—

Mr DEPUTY SPEAKER: Member, I do not propose to argue about this.

Mr POWER: We have not in this case—

Mr DEPUTY SPEAKER: I do not propose to argue.

Mr POWER: I am making a point of order. In this case we have not seen but a sentence since first mentioning this and no argument has been constructed around it.

Mr DEPUTY SPEAKER: There has been a number of rulings today in relation to the matter that I just referred to. The report itself says that those comments are outside the debate and outside the bill. I ask you to remain relevant. If we go back to this, I will warn you.

Ms PEASE: As we know, vapes contain lithium batteries that can leak, overheat or explode as well as liquid nicotine, heavy metals and carcinogens. That combination possesses significant environmental, health and safety risks.

I am interested in talking about this bill that has been introduced—this kneejerk reaction—but that does not fulfil all of the expectations. It is interesting that it has come about in such a hurried manner and has been called urgent. I wonder if that has something to do with the donation of \$55,000 made by the British American Tobacco company to the National Party. They made that donation to contribute towards access to the government, to bring about reducing illicit tobacco sales. Not only have British American Tobacco done that; Philip Morris has also made significant donations to the National Party.

Mr NICHOLLS: Mr Deputy Speaker, I rise to a point of order. My point of order goes to relevance again. None of the matters that have been raised by the member are relevant to the debate here, which is about the forfeiture, seizure and destruction of vapes and vaping products and the inclusion of additional materials as illicit tobacco substances. The member fails to draw any coherent connection to the bill before the House.

Mr SPEAKER: Member, please take a seat while I get some advice in relation to that.

Mr de BRENNI: Mr Deputy Speaker, I rise to a point of order. I note the minister's contention that the member for Lytton's commentary is not relevant. I would submit for your consideration that indications or opinions of members about the motivations of key stakeholders in the tobacco industry and a government response to products that they sell are directly relevant to this bill. To suggest otherwise would be absurd.

Mr DEPUTY SPEAKER: Member, I ask you to come back to the bill, which relates to the seizure and forfeiture of vapes.

Ms PEASE: The opposition supports certain parts of this bill, particularly the measures aimed at combatting illegal vaping. Having been on that committee, I know what a terrible and insidious product it is. I am happy to do anything that removes access for our young people and, indeed, anyone.

Unfortunately, we cannot support part 2 of the bill, which amends the composition requirements of hospital and health boards. It is our responsibility to ensure legislation enhances good governance, public health and practical outcomes, not simply ticks and flicks political boxes. On the hospital and health board amendments, why do we not support part 2? Because the proposed amendment in part 2 of the bill would mandate that each hospital and health board must include a clinician currently employed or engaged by that specific service. Let us be clear: this proposal stems from another kneejerk reaction that was an election commitment by the LNP. It was a move designed for election time. Rather than improving governance, it is an unnecessary duplication of existing legislation. In fact, under section 23 of the current act, boards must already include one or more clinicians. Moreover, of the 16 hospital and health services in Queensland, 13 already have a clinician serving as a deputy chair or chair.

Government members interjected.

Mr DEPUTY SPEAKER: Members, interjections are not being taken.

Ms PEASE: Thank you, Mr Deputy Speaker. I am so pleased to be getting advice from those opposite who talk about integrity and question the words of the Integrity Commissioner. Some people who have been in this House for 18 weeks have the audacity to stand in this place and question the word of our Integrity Commission, which made it very clear that they did not stand up for this position.

Government members interjected.

Ms PEASE: I love being yelled over by the males opposite.

Mr DEPUTY SPEAKER: Just proceed with your presentation, please.

Ms PEASE: Of most concern is that the bill introduces real and significant risks for the integrity of board governance. The Queensland Integrity Commissioner, Linda Waugh, advised the Health, Environment and Innovation Committee of the potential for conflicts of interest. I am prepared to take the word of the Integrity Commissioner. If someone is both an employee of the HHS and a member of the board, their dual role creates a conflicted reporting structure. As an employee, they report to the chief executive; as a board member, the chief executive reports to them. How can the chief executive be expected to remain impartial in a disciplinary matter involving a board member who is also their employee? On the other side, how can that employee exercise impartiality when making decisions about their employer?

The Integrity Commissioner was clear: even with conflict of interest plans in place, this model creates complexities and an administrative burden. For a government that is talking about removing red tape, it is creating more. These perceived conflicts are not just theoretical risks; they undermine public trust in how our health services are run. There are better and simpler models to achieve the same aim—for example, appointing clinicians from outside the service or ensuring comprehensive consultation with frontline staff across a HHS to inform board decisions.

Some stakeholders at the public hearing acknowledged these alternatives. They supported the idea that clinical voices should be heard and should inform governance, but this should be achieved without putting governance integrity at risk. For all of these reasons, the opposition will not support part 2 of this bill. It is a political stunt and distracts from the government's ongoing failure to deliver genuine support for frontline health workers.

Government members interjected.

Ms PEASE: I am delighted to hear them all laughing over there when we are talking about governance and the protection of our HHSs—some of the most important bodies in Queensland. The opposition supports the amendments to the Tobacco and Other Smoking Products Act but calls for urgent planning on disposal. The opposition cannot support the amendments to part 2 of the bill as they pose an unacceptable risk to board governance. This government must stop using legislation as a vehicle for slogans and start delivering clear, coherent policy. Queenslanders deserve health laws that are workable, balanced and respectful.