



Speech By
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MEMBER FOR GREENSLOPES

Record of Proceedings, 9 December 2025

HEALTH LEGISLATION AMENDMENT BILL (NO. 3)

Second Reading

 **Mr J KELLY** (Greenslopes—ALP) (12.20 pm): The Labor opposition will be supporting most elements of this bill. This is the third health legislation amendment bill introduced and debated this year. I have previously called out the lack of substantive amendments put forward in previous bills considered by our committee, so I do want to commend the minister for actually putting a few more clauses into this bill. I just cannot help wondering why all three health legislation amendment bills were not simply combined and brought in en bloc. This approach wastes significant parliamentary and Public Service resources. It suggests to me that the minister and the government do not really have an agenda and are just improvising and making it up as they go—or maybe, like we saw in the last health legislation amendment bill, they do have an agenda but they just want to keep it secret for as long as possible and prevent this House from having any debate on their agenda.

This is exactly what we would expect from a government that claim they are committed to transparency, accountability and integrity. I hope the minister will put on the table any amendments he intends to bring with regard to this bill—unlike last time, where disgraceful parliamentary tactics were used to silence any debate on pill testing. I hope we actually get a chance to debate any amendments that might be brought to this bill. If there are amendments coming, I would have liked to have had the opportunity to speak on whatever those amendments might be about because I was denied that the last time a debate like this occurred. That is shameful. If the government that are so committed to accountability, transparency and integrity are actually going to use these parliamentary tactics to stop debate on issues they find ideologically uncomfortable, why don't they just shut down the parliament and run the state from the comfort of the executive chambers? If we are going to have amendments, let us have them now.

Assisted reproductive technology, in my opinion, is a modern wonder. It helps people enjoy the experience of parenthood where biology or circumstance has denied them this opportunity. Being a parent is without doubt the most demanding yet fulfilling thing that my wife and I have ever done. As with any clinical procedure there are risks, and there have been a number of serious concerns raised and high-profile investigations into issues with assisted reproductive technology providers nationwide. The *Courier-Mail* reported on a situation where the wrong embryo was transferred to a patient, resulting in the birth of a stranger's baby. This is clearly very distressing and potentially traumatic for all involved in this situation and it could have intergenerational impacts. It is imperative that we apply this technology and put safeguards in place to avoid this type of trauma.

Also, as was highlighted by a witness in the hearings, as the number of people using ART increases, it is important that we put in place measures to reduce the risk of unintended and unknown sibling interbreeding which dramatically increases the risk of genetic disorders. That is why the former Labor government was proud to introduce a state-based licensing and regulatory framework for assisted reproductive technology providers in Queensland to ensure that families have safe access and are appropriately supported to start or grow a family.

The amendments in this bill address issues that have come to light since the commencement of the ART Act. The ART Act introduced important changes, including a limit on the number of donor families and the sufficient collection of information from sperm or egg donors. While these changes are important to ensure safe practice, some issues have emerged. The strict application on the limit on the number of donor families and the use of donor material where the required contact information may not be collected has proven to be harsh and created very unfair circumstances where families or individuals have been prohibited from using ART services to create a genetically related sibling to an existing offspring. This bill expands the case-by-case approvals that the director-general of Queensland Health can provide to create fairness and equity in accessing ART. There are a number of other changes that make assisted reproductive technology safer for those people who use it and safer for the people who are born as a result of this technology.

In addition to the changes relating to ART, this bill also introduces amendments to bring cosmetic surgery performed in private hospitals into line with the new national cosmetic surgery standards. As many high-profile cases have highlighted, cosmetic surgery has been poorly regulated in the past, and when things go wrong it can have devastating impacts. Body image and our perception of our bodies can have a massive impact on our mental health and wellbeing. I have cared for people who have had their body image or perception significantly changed by burns, cancer, infectious diseases, traumatic injury or aging. Sometimes the healing around acceptance of a changed body image is one of the hardest things for health professionals to assist patients with. Those people who for whatever reason choose to have cosmetic surgery need to be protected from unethical and unscrupulous people, whether they are delivering services as an individual or as part of an organisation, and this bill continues that process of regulating this aspect of health care. The amendments to the Transplantation and Anatomy Act are supported by Labor. They ensure organ viability and provide more opportunities for safe organ donation in Queensland.

Finally, I want to talk about one aspect of the bill that really demonstrates that this is a government that is emulating their leader's capacity to say one thing and do the complete opposite. Remember, David Crisafulli and the LNP government are committed to transparency, accountability and integrity. This bill contains provisions which allow the removal of board members for any or no reason from hospital and health boards, the board of Health and Wellbeing Queensland, the Pharmacy Business Ownership Council and hospital foundation boards. The Queensland Law Society were not supportive of this provision, and they were joined by many other submitters. In response to statements by the minister about the number of bills that contain these provisions, their view is they should be removed from all of these bills.

If no reason for removal is given, then it is reasonable to assume that you cannot rule out that the person has been removed for political reasons. If the government believes in transparency, why not provide the reasons for removal? Of course, removing a board member could damage that person's reputation, and, in the absence of any public notification of the reasons, the individual who has been removed has no opportunity to defend themselves either publicly or privately.

There is also the possibility that a board member is removed for valid reasons relating to incompetence or worse. In this scenario, in the absence of any public reasons for removing a board member that person may go on to join other boards and continue a practice that is damaging to other organisations. This is truly poor governance, but the government know this. That is why they are removing these provisions from another bill before the House right now—the major sports facilities bill. In the first reading speech on that bill, the minister specifically notes that this type of provision is being removed because it represents poor governance practice. I am glad all members of the committee, including the LNP members, acknowledged this and noted it in the report.

Clearly, this is a government that does not know what it is doing. In one bill it takes away these provisions and in another bill it puts them in. It is another example of the glaring hypocrisy at the core of this government, or perhaps it shows the true agenda of David Crisafulli and the LNP government. Perhaps they are clearing the way so they have no impediments to get in the way of their jobs-for-mates fiasco or any scrutiny of their actions to stack government boards with LNP mates. After Labor's decade of introducing nurse and midwife patient ratios, rebuilding the health workforce, building new hospitals and getting through COVID, we have endured a year of broken promises, slick slogans and dodgy deals.

Government members interjected.

Mr JKELLY: Welcome; they have finally arisen. Clearly, the motivation for this amendment is to allow the LNP to do more dodgy deals by appointing their mates to boards. Queensland deserves better. While we support the majority of the positive changes introduced by this bill that ensure that health care

is safe and equitable, it should be evidence based and expert led. It should not be ideological. We cannot support the amendment which is a clear example of the LNP choosing ideology over evidence so they can continue their dodgy deals.

Once again, I say to the minister that if he has amendments to this bill he should bring them to this House and bring them to the table. He should lay them before this House so that future speakers on this side have the opportunity to debate them. As we saw the last time we debated a similar bill, there were two amendments and there were multiple speakers for the first amendment, which was noncontroversial and supported by both sides, and that prevented any further debate or discussion in relation to the other amendment.

If the government intend to introduce amendments, they should bring them to the table. The purpose of this chamber is to debate difficult and tough issues and give all people in this chamber who represent their communities in good faith the opportunity to speak on these issues. Using shameful and disgraceful parliamentary tactics to shut down debate in this chamber is completely and utterly unparliamentary and should cease. If there are amendments, put them on the table and let's have a discussion about them.