



LEGISLATIVE ASSEMBLY OF QUEENSLAND

COMMITTEE SYSTEM REVIEW COMMITTEE

*Review of the
Queensland Parliamentary Committee System*

December 2010

COMMITTEE SYSTEM REVIEW COMMITTEE

CHAIR	Hon. Judy Spence MP, Member for Sunnybank
DEPUTY CHAIR	Mr Lawrence Springborg MP, Member for Southern Downs
MEMBERS	Mr Simon Finn MP, Member for Yeerongpilly
	Mr Mike Horan MP, Member for Toowoomba South
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	Mr Evan Moorhead MP, Member for Waterford
	Mrs Dorothy Pratt MP, Member for Nanango
	Hon. Robert Swarten MP, Member for Rockhampton
	Mr Jeff Seeney MP, Member for Callide
RESEARCH DIRECTOR	Mr Stephen Finnimore
PRINCIPAL RESEARCH OFFICER	Miss Jo Mathers
EXECUTIVE ASSISTANT	Ms Tamara Vitale

Committee System Review Committee
Parliament House
George Street
BRISBANE QLD 4000

Telephone: (07) 3406 7174
Facsimile: (07) 3406 7602
Email: csrc@parliament.qld.gov.au
Website: www.parliament.qld.gov.au/csrc

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A note on referencing and resources

Throughout this report (unless the context indicates otherwise) a reference to:	is a reference to the:
EARC	Electoral and Administrative Review Commission
EARC report	Electoral and Administrative Review Commission report on <i>Review of Parliamentary Committees</i> , October 1992
Fitzgerald report	Fitzgerald, GE, <i>Report of a Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct</i> , 1989
PCEAR	Parliamentary Committee for Electoral and Administrative Review
PCEAR report	Parliamentary Committee for Electoral and Administrative Review report on <i>Review of Parliamentary Committees</i> , Report No. 19, October 1993
Standing Orders	Standing Rules and Orders of the Legislative Assembly of Queensland
submissions	submissions made to this Committee's inquiry
the capitalised word 'Committee'	Committee System Review Committee
transcript	transcript of the public hearing held by this Committee on 20 August 2010

Copies of this report, transcripts, submissions and other committee publications are available on the Committee's website at www.parliament.qld.gov.au/csrc

CHAIR'S FOREWORD

The Queensland Parliamentary records reveal that in the 1860s committees inquired into subjects as diverse as the Native Police Force, Treasury deficiencies, Immigration, the Queensland Bank Bill, Hospitals of the Colony and Prison Discipline. The committees of the time examined Bills before the House, petitions, expenditure and the case of individuals. The list included in Appendix F reveals that the vibrant and flexible committee system that served the new Queensland Parliament for the first four decades of the state's history fell into decline at the turn of the twentieth century to be replaced by only five committees that were focused on the parliamentary precinct.

Our history also reminds us that the attempt to establish a public accounts committee in 1983 resulted in the great political split between the Liberal and National Parties and drew Queenslanders' attention to the importance of ensuring that there are appropriate mechanisms to keep governments accountable and allow scrutiny of the executive. A public accounts committee was not established until November 1988 and it wasn't until 1990 that the committee given responsibility for refreshment rooms was finally disbanded and a more comprehensive set of policy and scrutiny committees established. Over the last twenty years the parliament has had many hard working and dedicated committees. During the first half of the 1990s in particular members of parliament used the newly created committee system to great effect.

The committee members who worked on this current review of our committee system were unanimous in their concerns that our present committee structure is under-resourced, does not have sufficient influence over the executive of government, does not receive sufficient attention in the parliament and is largely unknown to the majority of Queenslanders. Our study of other state parliaments in Australia has led us to conclude that we are performing no better or worse than their committee systems, however, other Westminster Parliaments have more vibrant committee systems than our own. The unicameral New Zealand, Scottish and Canadian provincial parliaments provided us with new models. The recommendations we put forward have used many of these ideas but we have been realistic about our own political system and the challenges that being representatives in a state as large and decentralised as Queensland pose for us and we have recommended a model that will be workable and uniquely ours.

Our review of our committee system has been the most comprehensive assessment of our parliament's structure that has been undertaken. We were well served by having some of our longest serving members, a minister and former ministers and whip, parliamentary secretaries and committee chairs as our members. Each political party and the independents were represented. As the chair of the committee I thank every member for their contribution and dedication to our purpose. This report was a collaborative effort and committee members came to the view that a strong, independent committee system will serve Queenslanders more effectively than the role Upper Houses perform in other parliaments.

Our parliament is often criticised for not having a house of review as in other states. We have included some annual costs of Upper Houses in other states and the comparison of the Queensland Parliament committees budget. In the years since the last increase in the size of the Queensland Legislative Assembly to 89 members in 1986, Queensland's population has increased seventy percent. There is understandable reluctance by any political party to increase the number of political representatives by way of creating an Upper House or by increasing the number of lower house members. Nevertheless, it must be understood that the type of highly functional, effective committee systems that have been created in other countries and indeed in our Federal Parliament will require the government of the day to resource it effectively. The fact that there are no dedicated committee rooms or videoconferencing facilities in the Queensland Parliament after twenty years of a modern committee system reveals how little attention has been given to this important function of the parliament.

Our recommendation that all legislation go to a committee for consideration and public hearings would make the Queensland committee system unique in Australia. It would provide members of the public an unprecedented opportunity to comment on government legislation before it is debated and voted on in the parliament. Our committee believes that a process such as this would allow members of parliament to better understand the implications of legislation and focus more of their attention on their role as legislators. During the course of our inquiry it was put to us that the modern member of parliament in a directly elected seat sees their role primarily as their community's ombudsman and that their role as legislator is regarded as a minor role. While the former role is laudable, it is also important for members to ensure that they fully understand and scrutinise the legislation being put forward by the executive. Our recommendation that some parliamentary time be devoted to committee work will elevate the importance of this work. We also recommend that hearings of the committees be open and broadcast so that interested members of the public have the opportunity to become part of the process.

Our committee recommends that the new committees have the ability to report on all aspects of government activities, including investigating and reporting on events, incidents and operational matters of the government. While successive Queensland governments have introduced more accountability and transparency mechanisms over the last two decades, the people's directly elected representatives must have every capacity to examine the performance of the government on behalf of their community. As well we have recommended that the bipartisan support of committees be required for any appointment to a statutory position such as the electoral, integrity and information commissioners and the ombudsman.

Our committee was unanimous in desiring to see changes to the estimates process. The current process is not serving opposition or government with any sense of purpose. Over the years it has become overly structured, formalised and scripted. Our recommendations to overhaul the entire system by giving the new committees this responsibility will have a number of advantages. The members who serve on portfolio committees will gain expertise in the departments they regularly engage with. We expect estimates will be conducted with free-flowing question and answer sessions and that senior public servants as well as ministers be able to be directly questioned at estimate hearings.

Other parliaments have business or house committees which exist to run their parliaments. There has been no tradition in Queensland for bipartisan negotiation concerning the running of the house. We are proposing a Committee of the Legislative Assembly comprising the most senior members of the parliament oversee the establishment of the committee system we have proposed, as well as ensuring that our parliament is equipped to support a strong, vigorous committee system. It will also ensure that the parliamentary precinct establish committee facilities.

Committees will negotiate with this committee for resources and debating opportunities in the parliament. We expect that greater negotiation will take place about the proceedings of the parliament in this committee.

The new system will mean that bills will have public scrutiny and debate in committees, therefore we have recommended new time limits for second reading speeches to reflect greater opportunities for members of a committee to talk about their deliberations in the house. All members will continue to have the opportunity to make a contribution but their time will be halved to ten minutes. We are expecting these new time frames as well as our recommendations to change the time limits for the consideration of a bill in detail will free up more time of the house to debate other types of committee reports as well as afford members new opportunities to raise matters concerning their constituencies.

Other countries have long traditions of having some non-government chairs of committees, particularly scrutiny committees like the public accounts committees. There has been no similar tradition in Queensland. We are proposing our portfolio committees undertake the roles currently performed by the Public Accounts and Public Works Committee. We do believe it is important

however to establish a tradition of a non-government chair. Thus we are recommending that a non-government member chair the Parliamentary Committee that oversees the Crime and Misconduct Commission. Moreover, we are concerned that the public has little understanding of the work or scrutiny function of this committee or indeed its capacity to undertake its responsibilities. Consequently, we are recommending the inclusion of lay members on this committee and a greater use of open and publicly broadcast proceedings of its meetings.

The Committee System Review Committee members believe we can transform the way the Queensland Parliament operates by giving members greater responsibility for the scrutiny of the executive; by using the parliament to enliven the executive to their constituents concerns; by ensuring that every Queenslanders has the opportunity to have a say on laws that may affect them; and by giving the parliament a committee system that is strong and dedicated to the purpose of scrutiny, review and deliberation.

The recommendations that we have proposed could potentially result in the most significant changes to the Queensland Parliament since the abolition of the Upper House in 1922. Our Committee believes that it is time for these reforms to take place.

A handwritten signature in black ink that reads "Judy Spence". The signature is written in a cursive, flowing style.

Hon. Judy Spence MP
Chair

INTRODUCTION

The Review of the Parliamentary Committee System Committee is a select committee established by resolution of the Queensland Parliament on 25 February 2010.¹

The committee was established to conduct an inquiry and report on how the parliamentary oversight of legislation could be enhanced and how the existing parliamentary committee system could be strengthened to enhance accountability.

The committee was asked to consider the following in its inquiry:

- The role of parliamentary committees in both Australian and international jurisdictions in examining legislative proposals, particularly those with unicameral parliaments;
- Timely and cost effective ways by which Queensland parliamentary committees can more effectively evaluate and examine legislative proposals; and
- The effectiveness of the operation of the committee structure of the 53rd Parliament following the restructure of the committee system on 23 April 2009.

The committee was also asked to include in its report options on models for structuring the committee system. The committee's full terms of reference appear at **appendix A**.

The committee was required to report by the end of 2010.

The committee sought submissions through advertisements in local and regional newspapers in April 2010. In addition, the committee wrote directly to a range of stakeholders including Australian Parliaments, academics and various interest groups. Submissions to the inquiry closed on 21 May 2010. The committee received 33 submissions. [A list of submissions appears at **appendix B**].

The committee held a public hearing at Parliament House in Brisbane on 20 August 2010.

In addition, the committee held meetings in September and October 2010 with chairs and deputy chairs of current committees, and with the Clerk of the Parliament.

As noted above, the terms of reference asked the committee to consider the role of parliamentary committees in both Australian and international jurisdictions in examining legislative proposals, particularly those with unicameral parliaments. Given the emphasis on committee systems in unicameral legislatures, the committee visited the New Zealand Parliament in June 2010 to hold discussions with Parliamentarians, staff, government agencies and other stakeholders about the New Zealand committee system.

A delegation of the committee visited Canada and held discussions with members and officers of both Houses of the Parliament of Canada, and also three provincial legislatures – all with unicameral Parliaments - the Legislative Assembly of Ontario, the National Assembly of Quebec and the Legislative Assembly of British Columbia.

¹ Queensland Parliament, *Record of Proceedings*, 25 February 2010, page 540.

EXECUTIVE SUMMARY

One of the key functions of a parliament is scrutiny of the executive. Proper scrutiny of the executive helps to ensure accountability and transparency and in turn better administration.

Queensland has a history of a strongly entrenched two-party system of government, with rigid party discipline. With members being elected from single-member constituencies through an optional preferential voting system, our Parliament frequently includes large government majorities. The additional level of scrutiny that can be provided by an Upper House is absent in Queensland since the abolition of the Legislative Council in 1922. Parliament becomes dominated by the government of the day.

We must look to other means of ensuring accountability and scrutiny.

A healthy parliamentary committee system is important for this reason. Additionally, a strong and well-resourced system of parliamentary committees can enhance the interaction between the Parliament and the community.

In the 19th century, Queensland had a strong parliamentary committee system, which fell into decline for almost the whole of the 20th century. Following the reforms of the Fitzgerald era, a modern committee system was established. Apart from some changes in 2009, that system has been largely unchanged since 1995, and largely unreviewed until now.

The system established in the late 20th century had a focus on oversight. Recommendations in 1992 for a move towards wider scrutiny of the policy functions of government and scrutiny of proposed legislation were not adopted. This was perhaps understandable, given the still fresh concerns of the era.

It is now time for committees to take on a greater role in examination of executive action across all the policy areas of government and in considering proposed legislation, building on the moves made in this direction in early 2009.

This is particularly important in a unicameral (single House) legislature such as we have in Queensland.

We recommend an increase in the number of committees. There should be nine committees with a subject based jurisdiction, mirroring the various portfolio areas of government. These committees should have the following functions in their policy areas:

- Monitor and review of all issues and executive action, including operational matters and events
- Consideration of proposed legislation, both from a policy point of view and to ensure compliance with fundamental legislative principles
- Scrutiny of the estimates
- The ability to consider petitions.

Committees will be able to act upon reference from the Legislative Assembly or upon their own initiative.

The current roles of committees in the oversight of various statutory offices holders should remain, and in some respects be strengthened.

Each committee would have six members, down from the current seven. We also recommend that there be one non-government chair.

There has developed in Queensland over the years a disconnection between the work of parliamentary committees and the parliamentary chamber. This connection must be restored. As well as a greater role for committees in the passage of legislation and the consideration of estimates,

there needs to be greater consideration by the Legislative Assembly of committee reports, and time set aside during the sitting week for committee business.

These enhanced roles for committees must be supported by adequate funding, staffing, accommodation and other resourcing. For their part, committees must continue to explore new technologies to better engage with the Queensland community in an efficient and cost-effective manner.

We propose the establishment of a Committee of the Legislative Assembly. This committee would assume the responsibilities of the current Standing Orders Committee and the roles of the current Integrity, Ethics and Parliamentary Privileges Committee (other than oversight of the Integrity Commissioner). It would have a range of responsibilities regarding proceedings in the House and also be responsible for:

- budget submissions regarding committees
- reviewing the resources of committees.

It is sometimes urged that Queensland re-introduce an Upper House. This outcome is unlikely to eventuate, having regard to public opinion and the need for a referendum of the Queensland people. Any proposal to increase the number of politicians is unpopular, notwithstanding that in the years since the last increase in size of the Queensland Legislative Assembly (to 89 members in 1986), Queensland's population has increased by seventy per cent.²

Costs of Upper Houses around Australia are in some cases difficult to ascertain with any precision. As expected they vary widely. The annual costs of the Senate are well in excess of \$186 million. At the other end of the scale, the Legislative Council of Tasmania, with 15 members, has a total budget of some \$5.6 million. There is also a Joint Services budget for both houses (with a total of 40 members) of \$5.25 million.

The Legislative Council of Victoria has provided an estimate for its annual costs of some \$42.8 million. That House has 40 members (with a Lower house of 88 members). The figures for Victoria might be particularly apt, noting that Queensland's Legislative Assembly has 89 members, and the populations of Queensland and Victoria are some 4,500,000 and 5,500,000 respectively.

The current annual budget for Queensland's Parliamentary committees is approximately \$2.5 million. This budget has not increased significantly for some years.

In the absence of an Upper House in Queensland, it is appropriate that there be a strong system of parliamentary committees, with sufficient powers, jurisdiction, and resources to successfully and effectively aid and inform the Parliament in its role of holding the executive accountable.

This committee's proposals for the structure and roles of the parliamentary committee system are summarised on the next page, followed by a full list of recommendations.

² Mr Neil Laurie, Clerk of the Parliament, submission 23, page 3.

PROPOSED COMMITTEES AND THEIR ROLES

Economics and Industry Committee

Portfolio responsibility:

Department of Employment, Economic Development and Innovation

Education Committee

Portfolio responsibility:

Department of Education and Training

Environment and Resource Management Committee

Portfolio responsibility:

Department of Environment and Resource Management

Finance and Administration Committee

Portfolio responsibility:

Department of Premier and Cabinet

Queensland Treasury

Oversight:

Auditor-General

Integrity Commissioner

Health Committee

Portfolio responsibility:

Queensland Health

Oversight:

Health Quality and Complaints Commission

Legal Affairs Committee

Portfolio responsibility:

Department of Justice and Attorney-General

Oversight:

Electoral Commission

Information Commissioner

Ombudsman

Police and Public Safety Committee

Portfolio responsibility:

Department of Community Safety

Queensland Police

Social Affairs Committee

Portfolio responsibility:

Department of Communities

Oversight:

Family Responsibilities Commission

Commission for Children and Young People and Child Guardian

Transport and Infrastructure Committee

Portfolio responsibility:

Department of Transport and Main Roads

Department of Infrastructure and Planning

Department of Public Works

Parliamentary Crime and Misconduct Committee

Oversight:

Crime and Misconduct Commission

Criminal Organisation Public Interest Monitor

Committee of the Legislative Assembly

Standing Orders

Parliamentary powers, rights and immunities

Parliamentary privilege, including considering allegations of contempt

Ethical conduct of Members, including a code of conduct

Register of interests of Members

Advising the Legislative Assembly on requests for a right of reply

Other functions as recommended in this report.

RECOMMENDATIONS

Recommendation 1..... 11

The Committee recommends that in place of the current committees there be the following committees:

- nine statutory portfolio based committees to cover the array of government activities
- the Parliamentary Crime and Misconduct Committee
- a Committee of the Legislative Assembly.

Recommendation 2..... 11

The Committee recommends that nine statutory committees be established under the *Parliament of Queensland Act 2001* to cover the array of government portfolio areas, including scrutiny of any statutory authorities and government owned corporations within those portfolios.

Recommendation 3..... 11

The Committee recommends that the titles of such committees and their portfolio responsibilities are to be specified in Standing Orders in order to provide greater flexibility as government portfolio areas change over time.

Recommendation 4..... 12

The Committee recommends that, under the current administrative arrangements [see appendix E], the following committees be specified in the Standing Orders:

Economics and Industry Committee

Portfolio area: Department of Employment, Economic Development and Innovation

Education Committee

Portfolio area: Department of Education and Training

Environment and Resource Management Committee

Portfolio area: Department of Environment and Resource Management

Finance and Administration Committee

Portfolio areas: Department of Premier and Cabinet, Queensland Treasury

Oversight responsibilities: Auditor-General, Integrity Commissioner

Health Committee

Portfolio area: Queensland Health

Oversight responsibilities: Health Quality and Complaints Commission

Legal Affairs Committee

Portfolio area: Department of Justice and Attorney-General

Oversight responsibilities: Electoral Commission, Information Commissioner, Ombudsman

Police and Public Safety Committee

Portfolio areas: Department of Community Safety, Queensland Police

Social Affairs Committee

Portfolio area: Department of Communities

Oversight responsibilities: Family Responsibilities Commission, Commission for Children and Young People and Child Guardian

Transport and Infrastructure Committee

Portfolio areas: Department of Transport and Main Roads, Department of Infrastructure and Planning, Department of Public Works

Recommendation 5	12
<p>The Committee recommends that each of the nine portfolio committees have responsibility within their portfolio areas for any public accounts and public works formerly the responsibility of the Public Accounts and Public Works Committee.</p>	
Recommendation 6	12
<p>The Committee recommends that in considering any bill referred to it, a portfolio committee shall consider the application of the fundamental legislative principles (as previously performed by the Scrutiny of Legislation Committee).</p>	
Recommendation 7	12
<p>The Committee recommends that the portfolio committees shall also monitor and may report on any subordinate legislation within their portfolio responsibilities (formerly the responsibility of the Scrutiny of Legislation Committee).</p>	
Recommendation 8	15
<p>The Committee recommends that a Committee of the Legislative Assembly be established under the <i>Parliament of Queensland Act 2001</i>.</p>	
Recommendation 9	15
<p>The Committee recommends that the <i>Parliament of Queensland Act 2001</i> be amended to provide for the establishment of the Committee of the Legislative Assembly with the current functions of the Standing Orders Committee and the Integrity, Ethics and Parliamentary Privileges Committee, without the oversight function under the <i>Integrity Act 2009</i> (which is to be carried out by the Finance and Administration Committee).</p>	
Recommendation 10	15
<p>The Committee recommends that the <i>Parliamentary Service Act 1988</i> be reviewed. The Committee of the Legislative Committee should determine the budget and resources of committees and make submissions to government to ensure the committees of the Parliament are sufficiently resourced.</p>	
Recommendation 11	15
<p>The Committee recommends that this committee should oversee the establishment of the committee facilities (recommended by this Committee) in the parliamentary precinct.</p>	
Recommendation 12	15
<p>The Committee recommends that the responsibility for the management of construction and maintenance of the Parliamentary buildings and electorate offices (along with the relevant budget) be transferred to the Department of Public Works.</p>	

Recommendation 13..... 16

The Committee recommends that the membership of the Committee of the Legislative Assembly be:

- Leader of the House (chair)
- Premier (or nominee)
- Deputy Premier (or nominee)
- Leader of Opposition Business
- Leader of the Opposition (or nominee)
- Deputy Leader of the Opposition (or nominee)

Recommendation 14..... 17

The Committee recommends that all portfolio committees have the ability to report on all aspects of government activities, including investigating and reporting on events, incidents and operational matters.

Recommendation 15..... 20

The Committee recommends that all committees consist of six members with three members nominated by the Leader of the House and three members nominated by the Leader of the Opposition to reflect the composition of the non-government membership in the House.

Recommendation 16..... 20

The Committee recommends that Standing Orders provide for the use of participating and substitute members by leave of the committee.

Recommendation 17..... 21

The Committee recommends that Standing Orders be amended to provide that participating members may participate in deliberative meetings, but have no voting rights.

Recommendation 18..... 23

The Committee recommends that the *Crime and Misconduct Act 2001* be amended to provide that the chair of the Parliamentary Crime and Misconduct Committee be a Member nominated by the Leader of the Opposition.

Recommendation 19..... 23

The Committee recommends that Standing Orders continue to provide for chairs to have a deliberative and casting vote.

Recommendation 20..... 24

The Committee recommends that the status of chairs of parliamentary committees and the Leader of Opposition Business reflect the increased responsibilities of their position.

Recommendation 21..... 27

The Committee recommends that all bills, with the exception of those deemed ‘urgent’, be referred to portfolio committees for inquiry and report, using a model that achieves the following:

- there shall be a presumption that the Legislature will refer legislation to a committee, and any exceptions must be transparent, narrowly-defined, and extraordinary in nature
- committees shall scrutinise legislation referred to them and have the power to recommend amendments
- opportunities shall be given for public input into the legislative process.

Recommendation 22..... 28

The Committee recommends that a committee be able to recommend amendments to a bill, but the power of amendment is to remain with the House as a whole.

Recommendation 23..... 28

The Committee recommends that Standing Orders be amended as necessary to provide that the introducing Member after moving ‘That the bill be now read a first time’ shall proceed with an explanation of the bill.

Recommendation 24..... 28

The Committee recommends that Sessional Orders be amended to provide that the current time limits for the mover of a bill be identified under a new ‘First reading debate’ heading.

Recommendation 25..... 28

The Committee recommends that the introducing Member nominate the portfolio committee that the bill be referred to.

Recommendation 26..... 28

The Committee recommends that Standing Orders be amended to provide that following the first reading stage, the introducing Member shall move that the bill be referred to a particular portfolio committee.

Recommendation 27..... 29

The Committee recommends that Standing Orders be amended to provide that a portfolio committee considering a bill may ask any other committee for its opinion on the whole or any portion of the bill.

Recommendation 28..... 29

The Committee recommends that committees have access to the appropriate expertise and assistance required for the conduct of their inquiries.

Recommendation 29..... 29

The Committee recommends that there be a Code of Practice outlining the nature and extent of assistance to be provided by relevant offices.

Recommendation 30	29
The Committee recommends that there be guidelines concerning the attendance and conduct of officials before committees.	
Recommendation 31	30
The Committee recommends that the maximum timeframe for committees to inquire and report on bills be six months.	
Recommendation 32	30
The Committee recommends that Standing Orders be amended to provide that committees must report on a bill within six months of the bill being referred to it or by such other time as fixed by the Committee of the Legislative Assembly.	
Recommendation 33	30
The Committee recommends that bills be set down for the second reading a minimum of three sitting days after a committee reports.	
Recommendation 34	30
The Committee recommends that Standing Order be amended to provide that following the presentation of a committee report on a bill, the bill is set down for second reading on the third sitting day following.	
Recommendation 35	31
The Committee recommends that, for bills that have been reported upon by a committee, the time limits for the second reading debate be reduced.	
Recommendation 36	31
The Committee recommends that the Sessional Orders be amended to provide the following time limits for the second reading debate on such bills:	
Bills (Government)	
Leader of the Opposition (or nominee) – 1 hour	
Members of the relevant portfolio committee – 20 minutes	
All other Members – 10 minutes	
Mover in reply – 30 minutes	
Bills (Private Members)	
All Members – 10 minutes	
Mover in reply – 30 minutes	
Recommendation 37	31
The Committee recommends that the time limits for consideration in detail, for bills that have been reported upon by a committee, be reduced.	

Recommendation 38	32
The Committee recommends that the Sessional Orders be amended to provide the following time limits for consideration in detail of such bills:	
Mover – no limit	
Other Members (on each question) – 3 minutes	
Recommendation 39	35
The Committee recommends that the budget estimates be considered by portfolio committees.	
Recommendation 40	35
The Committee recommends that portfolio committees examine the estimates without restrictive structured timeframes for questions and answers.	
Recommendation 41	35
The Committee recommends that Chapter 28 of the Standing Orders be amended as necessary accordingly.	
Recommendation 42	36
The Committee recommends that the estimates hearings continue to be held over a two week period, with the Committee of the Legislative Assembly to determine the hearing dates.	
Recommendation 43	36
The Committee recommends that senior public servants (senior executive level), chief executive officers and statutory office holders be able to be directly questioned at estimates hearings.	
Recommendation 44	37
The Committee recommends that portfolio committees have access to the expertise and assistance of the Auditor-General to provide financial briefings or advice in relation to estimates and other financial reviews.	
The Committee recommends that a code of practice outlining the nature and extent of assistance to be provided by the Office of the Auditor-General be developed in consultation with the Auditor-General.	
Recommendation 45	49
The Committee recommends that the bipartisan support of a parliamentary committee be statutorily required for any appointment (including reappointment) to any of the following positions:	
<ul style="list-style-type: none"> • Auditor-General • Crime and Misconduct Commission – chairperson and other commissioners • Criminal Organisation Public Interest Monitor • Electoral Commission • Information Commissioner, Right to information Commissioner and Privacy Commissioner • Integrity Commissioner • Ombudsman. 	

Recommendation 46..... 50

The Committee recommends that the *Crime and Misconduct Act 2001* be reviewed with a view to:

- having lay members included on the Parliamentary Crime and Misconduct Committee and
- greater transparency of the operations of the Parliamentary Crime and Misconduct Committee.

Recommendation 47..... 58

The Committee recommends that the Standing Orders be amended to provide that a committee can on its own initiative consider any petition received by the House, the subject-matter of which falls within the jurisdiction of the committee.

Recommendation 48..... 58

The Committee recommends that the Standing Orders be amended to provide that a minister (being the minister responsible for the administration of the matter which is the subject of the petition) can refer a petition to the relevant committee for consideration, but such referral shall not operate so as to require the committee to consider any petition.

Recommendation 49..... 59

The Committee recommends that there be a presumption that portfolio committee proceedings be open to the public unless the committee otherwise determines.

Recommendation 50..... 64

The Committee recommends that parliamentary committees continue to investigate and utilise new ways to better engage with the community.

Recommendation 51..... 67

The Committee recommends that appropriate accommodation to support parliamentary committees be provided, to include a minimum of three dedicated committee rooms to be established in the parliamentary precinct, equipped for recording by the Parliamentary Reporting Service and media, together with internet connectivity and teleconferencing and videoconferencing capacity, with a view to establishing a dedicated room for each committee.

Recommendation 52..... 69

The Committee recommends that:

- parliamentary committees make greater use of videoconferencing in their operations.
- the Parliamentary Service establish its own videoconferencing facilities and be funded to do so.
- the Parliamentary Service continue to develop innovative consultation methods for use by committees.

Recommendation 53..... 72

The Committee recommends that sitting times be altered to allow for committee time on Wednesday mornings from 9.30am to 1pm, with the Parliament to commence at 2.30pm Wednesdays.

Additionally Friday mornings are to be considered committee time.

Committees may also meet outside parliamentary sitting times.

Recommendation 54..... 73

The Committee recommends that the Committee of the Legislative Assembly consider the allocation of more private members' time, and review the time allocated to ministerial statements.

Recommendation 55..... 74

The committee recommends that there be a dedicated time for debate of committee reports (other than reports on bills) of at least one hour each sitting week.

1. BACKGROUND

On the eve of the opening of the 53rd Parliament in April 2009, the Premier, Honourable Anna Bligh MP, announced a restructure of Queensland's parliamentary committee system. The restructure was to involve the establishment of four new committees and the merger of two existing committees. The Travelsafe Committee would not be re-established.

On 23 April 2009, the Premier, in introducing the necessary amendments to the *Parliament of Queensland Act 2001*, stated:

*... the time has come to refresh the way our parliamentary committee system operates and to give our committees a stronger role in generating policy and legislative ideas.*³

She described the restructure in the following terms:

This legislation forms the basis of the most significant restructure of the parliamentary committee system in decades Under the new structure, the parliament will have four new committees focusing on best practice policy and legislative solutions to some of the broad issues within their area of responsibility.

On the same day, the House established by resolution three new committees - the Economic Development Committee, the Environment and Resources Committee, and the Social Development Committee.⁴ The terms of reference of these three committees were largely portfolio based.

The amendments became law.⁵ They effectively transformed the previous Legal, Constitutional and Administrative Review Committee into the new Law, Justice and Safety Committee. That committee was given an enlarged jurisdiction, again based on a portfolio or subject approach. Additionally, the previous Public Accounts Committee and the Public Works Committee were merged to form the Public Accounts and Public Works Committee.

Other committees – the then Members' Ethics and Parliamentary Privileges Committee, Parliamentary Crime and Misconduct Committee and Scrutiny of Legislation Committee were unaffected by the changes.

In summary, these changes amounted to a shift towards a subject based approach in defining the roles of committees. They also resulted in a net increase of one committee.

In August 2009, the Government released a discussion paper *Integrity and Accountability in Queensland*.⁶ The discussion paper canvassed a range of issues including:

- how Queensland's integrity and accountability framework could be improved and strengthened;
- the sufficiency of guidelines for decision makers, such as codes of conduct and registers of interests;
- the sufficiency of mechanisms for uncovering unacceptable behaviour through oversight bodies and audit mechanisms, investigations and whistleblowing; and
- the sufficiency of sanctions for unacceptable behaviour.

The issues paper described the 2009 reforms detailed above as being:

³ Queensland Parliament, *Record of Proceedings*, 23 April 2009, page 171.

⁴ Queensland Parliament, *Record of Proceedings*, 23 April 2009, pages 156 to 158.

⁵ The amendments, contained in the Parliament of Queensland Amendment Bill 2009, were passed on 19 May 2009 and assented to on 28 May 2009.

⁶ Queensland Government, *Integrity and Accountability in Queensland*, August 2009, accessed on 1 December 2010 at <http://www.premiers.qld.gov.au/community-issues/open-transparent-gov/assets/integrity-and-accountability-paper.pdf>

*... to create a committee system more focused on developing best practice policy and legislative solutions to issues facing Queenslanders, while maintaining the important oversight role of parliamentary committees.*⁷

The government received over 200 submissions regarding the matters raised in the issues paper. A number of those submissions canvassed the role of parliamentary committees. In November 2009 the government released its *Response to Integrity and Accountability in Queensland*.⁸ One of the issues addressed in this response was the scrutiny of government through institutions such as Parliament. The government's response stated:

*Institutions such as Parliament and the media play important roles as forums in which practices can be examined, discussed and called to account. These fields promote public discussion of integrity issues. A free, effective Parliament, an open, active media and an informed public thus form a key part of any integrity system, ensuring the practices of government keep pace with public expectations.*⁹

The government declared its commitment to 'achieving open and accountable government through strong scrutiny' and that for that reason it would take a number of steps. One of these was to commit to the establishment of a parliamentary inquiry to conduct a review of the role of parliamentary committees in providing oversight of the legislative process.¹⁰

The establishment of this committee was the result of that commitment.

In making this commitment, the government observed:

The level of scrutiny of legislation provided by Queensland's unicameral Parliament was a focus of much public debate during the integrity and accountability review process.

While there was discussion about the re-establishment of an upper house, mixed views were expressed through the consultation process and the implementation of such a decision would require a referendum, create greater ongoing costs for Queensland taxpayers, and be of questionable effectiveness in providing better scrutiny.

For these reasons, the Queensland Government will not be pursuing this option. However, through the consultation process strong views were expressed about the importance of strong oversight of the legislative processes. A variety of unicameral governments have managed to achieve a high standard of parliamentary scrutiny through the use of other processes, such as the parliamentary committee system.

⁷ Queensland Government, *Integrity and Accountability in Queensland*, August 2009, page 7.

⁸ Queensland Government, *Response to Integrity and Accountability in Queensland*, November 2009 accessed at <http://www.premiers.qld.gov.au/community-issues/open-transparent-gov/assets/response-to-integrity-accountability.pdf>

⁹ Queensland Government, *Response to Integrity and Accountability in Queensland*, November 2009, page 11.

¹⁰ Queensland Government, *Response to Integrity and Accountability in Queensland*, November 2009, pages 11 and 12.

2. HISTORY OF THE COMMITTEE SYSTEM IN QUEENSLAND

2.1 The early years

The Queensland Parliament commenced in 1860. The Parliament had both a Lower House and an Upper House until the abolition of the Legislative Council in 1922.

Through the late 1800s there was extensive use of select committees in the Queensland Parliament, canvassing a wide range of issues. Some were what might be termed ‘domestic committees’, concerned with internal matters such as the library, printing, and parliamentary buildings.

The Electoral and Administrative Review Commission (EARC), in its 1992 Report on Parliamentary Committees provided a comprehensive table listing the committees of the Parliament (covering the 1st to 46th Parliaments).¹¹ That table has been updated to cover the period from EARC’s report to the present time and the extended table can be found at appendix F to this report.

The table shows the wide range of legislative proposals and the vast array of issues, affecting all parts of the state, which were considered by parliamentary committees in the 19th century.

As is readily demonstrated by that list, the committee system in Queensland (apart from domestic committees) went into decline during the course of the 20th century. Close scrutiny suggests that this trend commenced quite soon after the turn of that century, with only a handful of select committees (again excluding domestic committees) established after 1904 (apart from a brief period of increased committee use from 1912 to 1914, during the 19th Parliament).

In the period prior to the abolition of the Legislative Council, there had been no select committees established after 1915. The decline in the use of committees thus appears to have been already established before the Council’s abolition. The end of the Upper House could only accentuate this trend.

Apart from domestic committees, there was not a single select committee between 1915 and 1974.¹² A Subordinate Legislation Committee was established in 1975 (and continued in successive parliaments) and there was an Education Committee during 1978 and 1979.

It was not until the late 1980s that Queensland saw the first slow steps towards the current committee system. Legislation was enacted in 1988 to establish the Parliamentary Committee of Public Accounts. A Committee on Public Works was established in 1989. Other committees were subsequently established by legislation or appointed by resolution of the House to scrutinise various aspects of Government policy and administration.

2.2 The beginnings of a modern committee system

The modern committee system in Queensland has its origins in the recommendations of the Fitzgerald Report published in July 1989.

In relation to parliamentary committees, Commissioner Fitzgerald looked at systems in place in other jurisdictions, notably the Federal Parliament and the House of Commons in the United Kingdom. He recommended that Queensland introduce:

*... a comprehensive system of parliamentary committees to enhance the ability of Parliament to monitor the efficiency of Government.*¹³

This recommendation came to be adopted.

By the end of 1990 the following committees were in place:

- Subordinate Legislation Committee

¹¹ EARC report, appendix D.

¹² EARC, Issues paper 17, *Review of Parliamentary Committees*, 1992, appendix F.

¹³ Fitzgerald report, page 371.

- Parliamentary Committee of Public Accounts
- Parliamentary Committee of Public Works
- Parliamentary Criminal Justice Committee (predecessor to the Parliamentary Crime and Misconduct Committee)
- Parliamentary Committee for Electoral and Administrative Review
- Travelsafe Committee.

In general terms the focus of these committees was largely scrutiny-based. In the meantime, a range of recommendations from the Fitzgerald Report had been referred to the Electoral and Administrative Review Commission (EARC) for consideration. Fitzgerald had recommended that EARC implement and supervise the introduction of a comprehensive system of parliamentary committees.¹⁴

EARC undertook a review of parliamentary committees, producing an issues paper in December 1991 and providing a report in October 2002. EARC wished to 'ensure that no aspect of public administration in this State is immune from critical review by the people's representatives serving on committees of the Parliament.'¹⁵

EARC canvassed the arguments for and against an Upper House and specifically identified the particular importance of a strong parliamentary committee system in a unicameral legislature. It noted:

that the absence of an Upper House is one of the major reasons why parliamentary scrutiny of public administration has been said to be largely ineffective in this State. The Commission is very concerned about the public perception that the Legislative Assembly is largely irrelevant to the government of Queensland. ... other mechanisms to restore the balance of power between the Executive and the Parliament itself should be explored.

*One of the few mechanisms which could rehabilitate the House is the parliamentary committee system. In the Commission's view, if the committee system is properly resourced and supported and has the commitment of Members from both sides of the House serving on committees, it could and should carry out some of the functions traditionally undertaken by Upper Houses in those jurisdictions which still have them.*¹⁶

EARC proposed a system of portfolio based committees, and recommended the establishment of five committees to cover portfolio areas, together with a Scrutiny of Legislation Committee, with select committees to be established as needed for specific issues.¹⁷ The portfolio committees were to be able to review policy proposals and activities in the following areas:

- proposals for new or amending legislation, including bills and subordinate legislation
- budget estimates and financial administration generally
- policy and administration in all areas of public policy.

The recommendations of EARC were in turn referred to a parliamentary committee – the Parliamentary Committee for Electoral and Administrative Review (PCEAR) which reported in 1993. After consideration, that committee did not support EARC's portfolio based model, opting instead to make recommendations which it saw as aimed at enhancing the then current system, with its emphasis on accountability and scrutiny.¹⁸

¹⁴ Fitzgerald report, page 370.

¹⁵ EARC report, volume 1, page xiii.

¹⁶ EARC, volume 1, page 40.

¹⁷ EARC, volume 2, page 406.

¹⁸ PCEAR report, executive summary, page (vii).

The chair of PCEAR later explained that PCEAR decided:

*... to strengthen and extend the existing system which had been so recently established. So rather than totally changing the ground rules we decided to focus on what we had and build on that. Particularly in light of the past history of abuse of power by the executive, we believed that the focus should be on accountability and scrutiny rather than policy areas, which some of the committees in those other jurisdictions had more focus on.*¹⁹

The then government subsequently adopted the PCEAR recommendations to a large extent. The recommendations were embodied, with some variation, in the *Parliamentary Committees Act 1995*. The provisions of that Act were subsequently imported, with little change, into the *Parliament of Queensland Act 2001*.

The *Parliamentary Committees Act* provided for the establishment of six permanent statutory committees:

- Legal, Constitutional and Administrative Review Committee
- Members' Ethics and Parliamentary Privileges Committee
- Public Accounts Committee
- Public Works Committee
- Scrutiny of Legislation Committee
- Standing Orders Committee.

The Parliamentary Criminal Justice Committee had been established in 1990 (by the *Criminal Justice Act 1989*) to monitor and review the Criminal Justice Commission.²⁰ The 1995 Act saw this committee's functions transferred to the Legal, Constitutional and Administrative Review Committee. However, the Parliamentary Criminal Justice Committee was soon re-established as a stand alone committee.

Additionally, it had been the practice for some time for a Travelsafe Committee to be established as a select committee by resolution of the House passed at the commencement of successive Parliaments. This committee had responsibility for transport and road safety issues.

2.3 Estimates committees

The modern estimates process has involved the establishment of seven estimates committees by resolution of the House, appointed annually for limited terms. Each estimates committee has seven members (four government members, including the chair, and three non-government members).

2.4 Select committees

In addition to the Travelsafe Committee, other select committees had been established from time to time by resolution, usually to look at single issues. There has been a small increase in the use of these committees in recent years. Early examples included a Select Committee on Procedural Review in 1995 and a Select Committee on Parliamentary Entitlements established in 1998.

In more recent years there has been a slight increase in the use of select committees. These have included:

- Select Committee on the Consequences of Changing Political Status established in October 2003 (this committee lapsed without reporting)
- Palm Island Select Committee set up in April 2005

¹⁹ Dr Lesley Clark, *Parliamentary Committees in Queensland: Retrospect and Prospects 15 Years On*, presentation to the Queensland Chapter of the Australasian Study of Parliament Group, Brisbane, 27 March 2006, transcript, page 3.

²⁰ That committee continues today as the Parliamentary Crime and Misconduct Committee.

- Impact of Petrol Pricing Select Committee set up in April 2005
- Health Quality and Complaints Commission Select Committee appointed from 1 July 2007
- Broadcast of Parliament Select Committee established on 14 February 2008
- Investigation into Altruistic Surrogacy Committee appointed from 26 February 2008
- Review of Organ and Tissue Donation Procedures Select Committee established from 12 May 2008.

2.5 The 2009 changes

The system established by the 1995 Act (and subsequently imported into the *Parliament of Queensland Act 2001*) remained in place, substantially unchanged, until 2009. The changes introduced in April 2009 were effected partly by resolution of the House and partly by legislative amendment. [Appendix C shows the current committee structure, following these and later changes.]

New portfolio committees

By resolution, the House established the following committees:

- Economic Development Committee
- Environment and Resources Committee
- Social Development Committee.

These committees were given the responsibility to ‘monitor and report on issues’ in specified subject or portfolio areas of policy, as follows:

The Economic Development Committee:

- employment
- infrastructure
- transport
- trade
- industry development
- agriculture
- tourism.

The Environment and Resources Committee:

- environmental protection
- climate change
- land management
- water security
- energy.

The Social Development Committee:

- health
- education and training
- social welfare services
- community development
- housing
- child safety
- Aboriginal and Torres Strait Islander Policy.

In a departure from what had become the established practice of recent Parliaments, no Select Committee on Travelsafe was appointed.

Following the election in March 2009, the areas of government administration had been organised into six clusters. Thus, for example, the previous departments of Justice and Attorney-General and Police, together with the area of Community Safety, were grouped together as the 'Law, Justice and Safety' cluster, whilst a number of departments including Health, Education and Training, Disability Services and Community Services and others are grouped in the 'Social Development' cluster. It can be seen that, in part, the policy areas of responsibility of the new select committees (and of the restyled Law, Justice and Safety Committee) mirror these arrangements.

When the three new committees were established, each was at the same time given a referral from the House. As noted above, all the existing committees had been able to instigate their own inquiries, as well as act upon referrals from the Parliament. This remains the case. Each of the new committees was given an 'own motion' power. However, the resolution of appointment stipulated that these committees must give priority to matters referred by the House. This stipulation has the potential to give rise to some interesting practical consequences.

The resolution establishing these committees also provided that those committees:

- do not have the power to investigate and report on events, incidents or operational matters within their policy areas
- do not have the power to investigate and report on any matters that fall within the responsibilities of statutory committees established by the *Parliament of Queensland Act 2001*, or Estimates Committees and any other parliamentary committee established by resolution of the House.

Thus, whilst having an own motion power, these committees were unable to initiate any inquiry into operational matters or events within their policy areas.

Legislative changes in April 2009

Amendments to the *Parliament of Queensland Act* were introduced in April 2009 and became law in late May 2009. The Act was amended in two main respects.

Firstly, the former Public Accounts Committee and the former Public Works Committee were merged to form one committee - the Public Accounts and Public Works Committee.

Secondly, there were amendments to provide a change of name and some enlargement of jurisdiction for the previous Legal, Constitutional and Administrative Review Committee. This committee became the Law, Justice and Safety Committee.

The Law, Justice and Safety Committee retained its pre-existing jurisdiction in relation to areas of legal reform - in particular administrative, electoral and constitutional law reform. As well, the amendments to the Act gave it jurisdiction relating to:

an area regarding law, justice or safety that is referred to the committee by the Legislative Assembly.

The other committees of the time – the then Members' Ethics and Parliamentary Privileges Committee, Parliamentary Crime and Misconduct Committee and Scrutiny of Legislation Committee (and the Standing Orders Committee) - were unaffected by these changes.

Further changes

In late 2009, the Members' Ethics and Parliamentary Privileges Committee was re-named the Integrity, Ethics and Parliamentary Privileges Committee, and given the additional role of monitoring, reviewing and reporting on the performance of the Integrity Commissioner's functions.

The Law, Justice and Safety Committee was later given a monitor and review role in relation to the office of the Criminal Organisation Public Interest Monitor, appointed under the *Criminal*

Organisation Act 2009, to add to its similar roles regarding the Office of the Ombudsman and the Information Commissioner.

2.6 Analysis

It can be seen that the 2009 changes exhibit some move towards a more portfolio or topic based committee system. This was perhaps a reflection of the time that has passed since the era of Fitzgerald, when events and imperatives of the time led to an emphasis on the accountability and oversight roles of parliamentary committees, rather than the policy role.

At the same time, not only do the accountability and scrutiny roles remain, they have in fact been extended. The Parliamentary Crime and Misconduct Committee (which has oversight of Queensland's standing anti-corruption commission, the Crime and Misconduct Commission) continues unchanged as does the Scrutiny of Legislation Committee.

The Law, Justice and Safety Committee retains the broad oversight role that its predecessor had in respect of the offices of the Ombudsman and the Information Commissioner, as well as the additional role regarding the Criminal Organisation Public Interest Monitor.

Additionally, one of the new select committees - the Social Development Committee - has been given an oversight role in respect of three commissions that were not previously the subject of parliamentary committee oversight (the Health Quality and Complaints Commission, the Commission for Children and Young People and Child Guardian, and the Family Responsibilities Commission). This is in addition to its very wide-ranging jurisdiction across many areas of policy.

As already noted, the accountability and scrutiny roles of the new committees were limited by the restriction preventing them from initiating any inquiry into operational matters or incidents.

The Clerk of the Parliament specifically noted this aspect when providing this critique of the 2009 changes:

One suspects that governments have ensured that the committee system developed post-Fitzgerald is limited.

There have recently been some reforms to the parliament committee system. However, whilst these reforms can be viewed as positive, and are a step in the right direction towards a comprehensive portfolio based committee system, it is still defective in terms of its ability to scrutinise government. The reforms, sponsored by the government, have ensured that parliamentary committees are focussing on policy rather than the scrutiny of government action. Indeed, such committees are effectively hampered in scrutiny activities by their terms of reference.²¹

In summary, the current committee system is a mix of both portfolio committees and specialist committees. There are nine committees:²²

- Economic Development Committee
- Environment and Resources Committee
- Integrity, Ethics and Parliamentary Privileges Committee
- Law, Justice and Safety Committee
- Parliamentary Crime and Misconduct Committee
- Public Accounts and Public Works Committee
- Scrutiny of Legislation Committee
- Social Development Committee
- Standing Orders Committee.

²¹ Clerk's submission to Review of Integrity and Accountability in Queensland, August 2009, page 21.

²² There is also currently a Speaker's Advisory Committee established under section 9 of the *Parliamentary Service Act 1988*. That committee has not been considered as part of this review.

3. ROLES AND RESPONSIBILITIES

The overarching statutory objective of parliamentary committees is ‘to enhance the accountability of public administration in Queensland’. This objective is currently achieved through the establishment of statutory committees with the following areas of responsibility:

- administrative review reform and constitutional, electoral and legal reform
- the integrity of public institutions, the ethical conduct of members and parliamentary powers, rights and immunities
- the integrity, economy, efficiency and effectiveness of government financial management
- certain works undertaken by or for government
- the application of fundamental legislative principles to particular bills and subordinate legislation and the lawfulness of particular subordinate legislation
- the Assembly’s standing rules and orders.²³

Broadly, the role of statutory committees is to deal with issues within their areas of responsibility and to deal with any issue referred by the Assembly or under another Act. They may deal with these issues by considering, reporting on and making recommendations about the issues to the Assembly.²⁴

The areas of responsibility of statutory committees are outlined in Part 4 of the *Parliament of Queensland Act 2001* as follows:

The Law, Justice and Safety Committee has responsibility in the following areas:

- administrative review reform
- constitutional reform
- electoral reform
- legal reform
- an area regarding law, justice or safety that is referred to the committee by the Assembly.²⁵

In addition, the Law, Justice and Safety Committee has the following additional responsibilities by virtue of a resolution of the House on 23 April 2009:

- to report on issues in the policy areas of policing and public safety, emergency services, corrective services, justice and industrial relations.²⁶

The Integrity, Ethics and Parliamentary Privileges Committee has responsibility in the following areas:

- the integrity of public institutions
- the ethical conduct of members
- parliamentary powers, rights and immunities.²⁷

²³ *Parliament of Queensland Act 2001*, section 78.

²⁴ *Parliament of Queensland Act 2001*, section 84.

²⁵ *Parliament of Queensland Act 2001*, section 85.

²⁶ Queensland Parliament, *Record of Proceedings*, 23 April 2009, pages 156 to 158.

²⁷ *Parliament of Queensland Act 2001*, section 90.

The Public Accounts and Public Works Committee has responsibility in the following areas:

- the assessment of the integrity, economy, efficiency and effectiveness of government financial management by examining government financial documents and considering the annual and other reports of the auditor-general
- public works undertaken by an entity that is a constructing authority for the works if the committee decides to consider the works
- any major GOC works if the committee decides to consider the works.²⁸

The Scrutiny of Legislation Committee has responsibility in the following areas:

- the application of fundamental legislative principles to particular bills and particular subordinate legislation
- the lawfulness of particular subordinate legislation.²⁹

The Standing Orders Committee has responsibility in the following area:

- standing rules and orders about the conduct of business by, and the practices and the procedures of, the Assembly and its committees.³⁰

The Parliamentary Crime and Misconduct Committee monitors and reviews the operations of the Crime and Misconduct Commission.³¹

The committees established on 23 April 2009 are to deal with issues within their areas of responsibility and to monitor and report on those issues.³²

The Economic Development Committee has responsibility in the policy areas of employment, infrastructure, transport, trade, industry development, agriculture and tourism.

The Environment and Resources Committee has responsibility in the policy areas of environmental protection, climate change, land management, water security and energy.

The Social Development Committee has responsibility in the policy areas of health, education and training, social welfare services, community development, housing, child safety and Aboriginal and Torres Strait Islander policy. In addition, the Social Development Committee also monitors and reports on the Family Responsibilities Commission, Commission for Children and Young People and Child Guardian and the Health Quality and Complaints Commission.

²⁸ *Parliament of Queensland Act 2001*, section 95.

²⁹ *Parliament of Queensland Act 2001*, section 103.

³⁰ *Parliament of Queensland Act 2001*, section 104.

³¹ *Crime and Misconduct Act 2001*, section 292.

³² Queensland Parliament, *Record of Proceedings*, 23 April 2009, page 156.

4. PROPOSED COMMITTEE STRUCTURE

The Committee has considered a range of issues in determining the structure that the committee system should have in the future, including their roles and responsibilities, such as oversight of statutory bodies, consideration of legislation and inquiring into particular matters. These issues are discussed in detail throughout the report.

The Committee proposes the following structure. This will amount to a total of eleven committees, an increase of two.

Recommendation 1

The Committee recommends that in place of the current committees there be the following committees:

- ***nine statutory portfolio based committees to cover the array of government activities***
- ***the Parliamentary Crime and Misconduct Committee***
- ***a Committee of the Legislative Assembly.***

The proposed structure includes nine portfolio based committees. These should be established by statute. The areas of portfolio responsibilities should reflect the portfolio arrangements of government. As these can vary over time, the names and responsibilities of the portfolio committees should be specified in Standing Orders from time to time to ensure there is sufficient flexibility.

The names and portfolio areas proposed in recommendation two below are based on the current administrative arrangements, a copy of which appears at appendix E.³³ The administrative arrangements provide more detail of the various areas of government activity covered by each portfolio.

Recommendation 2

The Committee recommends that nine statutory committees be established under the Parliament of Queensland Act 2001 to cover the array of government portfolio areas, including scrutiny of any statutory authorities and government owned corporations within those portfolios.

Recommendation 3

The Committee recommends that the titles of such committees and their portfolio responsibilities are to be specified in Standing Orders in order to provide greater flexibility as government portfolio areas change over time.

³³ The current arrangements can be found at: <http://www.premiers.qld.gov.au/publications/categories/news/sectorwide/2009-april-may/assets/p3-2009-structure-qld-gov-1.jpg>.

Recommendation 4

The Committee recommends that, under the current administrative arrangements [see appendix E], the following committees be specified in the Standing Orders:

Economics and Industry Committee

Portfolio area: Department of Employment, Economic Development and Innovation

Education Committee

Portfolio area: Department of Education and Training

Environment and Resource Management Committee

Portfolio area: Department of Environment and Resource Management

Finance and Administration Committee

Portfolio areas: Department of Premier and Cabinet, Queensland Treasury

Oversight responsibilities: Auditor-General, Integrity Commissioner

Health Committee

Portfolio area: Queensland Health

Oversight responsibilities: Health Quality and Complaints Commission

Legal Affairs Committee

Portfolio area: Department of Justice and Attorney-General

Oversight responsibilities: Electoral Commission, Information Commissioner, Ombudsman

Police and Public Safety Committee

Portfolio areas: Department of Community Safety, Queensland Police

Social Affairs Committee

Portfolio area: Department of Communities

Oversight responsibilities: Family Responsibilities Commission, Commission for Children and Young People and Child Guardian

Transport and Infrastructure Committee

Portfolio areas: Department of Transport and Main Roads, Department of Infrastructure and Planning, Department of Public Works

Recommendation 5

The Committee recommends that each of the nine portfolio committees have responsibility within their portfolio areas for any public accounts and public works formerly the responsibility of the Public Accounts and Public Works Committee.

Recommendation 6

The Committee recommends that in considering any bill referred to it, a portfolio committee shall consider the application of the fundamental legislative principles (as previously performed by the Scrutiny of Legislation Committee).

Recommendation 7

The Committee recommends that the portfolio committees shall also monitor and may report on any subordinate legislation within their portfolio responsibilities (formerly the responsibility of the Scrutiny of Legislation Committee).

5. COMMITTEE OF THE LEGISLATIVE ASSEMBLY

5.1 Introduction

The Committee has recommended the expansion of portfolio based committees. The Committee also looked at the way in which a number of the remaining responsibilities, primarily responsibilities of an internal or domestic nature, could be discharged.

These internal functions currently rest with the Standing Orders Committee and the Integrity, Ethics and Parliamentary Privileges Committee.

The Standing Orders Committee deals with issues in relation to the standing orders and the practices and procedures of the House and its committees.³⁴

The Integrity, Ethics and Parliamentary Privileges Committee has responsibility for dealing with issues in relation to the ethical conduct of members and in relation to parliamentary powers, rights and immunities. It recently has been given an oversight role regarding the integrity of public institutions.³⁵ The Committee has dealt with oversight functions in chapter 10, and proposes that the oversight function under the *Integrity Act 2009* sit with the functions of a portfolio committee.

5.2 Options for domestic committees

The Committee looked at a range of options for how these internal responsibilities could be carried out, along with any additional responsibilities that may be necessary for the effective functioning of the Parliament. These options included establishing a business committee, a selection of bills committee, maintaining discrete committees (as above) and merging the abovementioned roles into one committee. Examples of these varying approaches in various jurisdictions are outlined below.

Parliament of Victoria – Business Committee

The Business Committee of the Legislative Assembly in Victoria is comprised of the Leader of the House, the Deputy Leader of the Opposition and the Deputy Leader of the Third Party (or their nominees). The committee meets to consider how the House will deal with government business that week. The Leader of the House moves a motion at the beginning of a sitting week setting times and dates by which certain specific items of government business must be completed. There is a maximum of thirty minutes of debate on the motion.³⁶

Australian Senate – Selection of Bills Committee

The Selection of Bills Committee in the Australian Senate comprises the Government Whip, the Opposition Whip, whips of any minority parties, and two additional senators from each of the government and the opposition. The committee meets each sitting week. It makes recommendations in relation to which bills should be referred to a committee for inquiry, the appropriate committee for referral, the stage of referral and the date for reporting.³⁷

Parliament of Canada – Board of Internal Economy

The Board of Internal Economy is the administration body for the Canadian House of Commons, dealing with financial and administrative matters regarding the House and its Members and parliamentary staff.

It examines and approves the annual budget estimates for the House of Commons. It also approves and controls the budgets of the various committees.

³⁴ *Parliament of Queensland Act 2001*, section 104.

³⁵ *Parliament of Queensland Act 2001*, section 90.

³⁶ Parliament of Victoria, Legislative Assembly Standing Order 94.

³⁷ Department of the Senate, *Senate Brief No. 4: Senate Committees*, May 2010, page 2.

The Board comprises the Speaker as chair, two ministers nominated by the government, the Leader of the Opposition (or nominee) and other Members. The composition ensures that all recognised parties are represented, with overall numbers (other than the Speaker) to be drawn equally from government and non-government.

Additionally, there is a Liaison Committee.³⁸ It comprises the chairs of each standing committee (and any House chairs of standing joint committees). Its main responsibility is to apportion the committee funding allocated by the Board of Internal Economy amongst the standing committees. There are a variety of budgets for various committee activities, some of which are automatically approved. Other budgets are adopted by standing committees on a project-by-project basis and submitted to the Liaison Committee for approval. Requests for travel are required to be approved by the Liaison Committee before a committee can travel.³⁹

National Assembly of Quebec – Committee of the Legislative Assembly

The Committee of the Legislative Assembly in Quebec is chaired by the President (Speaker), and includes the Vice-presidents of the Assembly, the House Leaders, the whips and the chairs (once appointed) of standing committees.⁴⁰ This committee appoints members to the other committees at the beginning of each parliamentary session. It also determines which committees have government chairs.

Additionally, it:

- establishes the Standing Orders and rules of the National Assembly and looks at issues of parliamentary reform(through a sub-committee)
- coordinates the work of other committees
- authorises committees to travel or meet outside of the Assembly precinct
- hears office holders who, by law, are appointed by the Assembly
- deals with any issue not specifically referred to another committee.

This committee has a steering committee, which organises the committee's proceedings. It comprises the President, the House leaders of the parties, and the committee clerk.

5.3 Committee's proposals

The Clerk of the Parliament recommended the establishment of two new domestic committees, a Business Committee and a House Committee.⁴¹ The Business Committee would discuss the timetable for the consideration of House business and make determinations in relation to the referral of bills to portfolio committees. Such functions are not currently carried out by a committee. Instead there are informal discussions between the Leader of the House, the Leader of Opposition Business and party whips in relation to the timetable for government business. The House Committee would essentially be a merged Standing Orders Committee and the Integrity, Ethics and Parliamentary Privileges Committee, without the oversight function.

The functions of internal committees were not otherwise canvassed widely in submissions, but issues were raised in private meetings in relation to committee budgets and resources.

³⁸ Standing Orders, Parliament of Canada, SO107.

³⁹ Information from the National Parliament of Canada website at <http://www2.parl.gc.ca/CommitteeBusiness/AboutCommittees.aspx?Cmte=LIAI&Language=E&Mode=1&Parl=40&Ses=3>.

⁴⁰ Standing Orders, National Assembly of Quebec, SO85.

⁴¹ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 14.

The Committee proposes a committee to be known as the Committee of the Legislative Assembly. The functions of this committee should include the responsibilities of the current Standing Orders Committee and the Integrity, Ethics and Parliamentary Privileges Committee, without the oversight function.

Recommendation 8

The Committee recommends that a Committee of the Legislative Assembly be established under the Parliament of Queensland Act 2001.

Recommendation 9

The Committee recommends that the Parliament of Queensland Act 2001 be amended to provide for the establishment of the Committee of the Legislative Assembly with the current functions of the Standing Orders Committee and the Integrity, Ethics and Parliamentary Privileges Committee, without the oversight function under the Integrity Act 2009 (which is to be carried out by the Finance and Administration Committee).

In addition, the Committee of the Legislative Assembly should determine the budgets and resources of committees. It would also have a role in reviewing the House timetable and the allocation of time spent on government and private members' business.

Recommendation 10

The Committee recommends that the Parliamentary Service Act 1988 be reviewed. The Committee of the Legislative Committee should determine the budget and resources of committees and make submissions to government to ensure the committees of the Parliament are sufficiently resourced.

Recommendation 11

The Committee recommends that this committee should oversee the establishment of the committee facilities (recommended by this Committee) in the parliamentary precinct.

Recommendation 12

The Committee recommends that the responsibility for the management of construction and maintenance of the Parliamentary buildings and electorate offices (along with the relevant budget) be transferred to the Department of Public Works.

Membership of Committee of the Legislative Assembly

It is important for the Committee of the Legislative Assembly to be comprised of the senior leadership group of the Parliament. However, the Committee also recognises that such Members have heavy workloads and might instead prefer for their nominees to be appointed to this committee. The Leader of the House should chair this committee.

Recommendation 13

The Committee recommends that the membership of the Committee of the Legislative Assembly be:

- ***Leader of the House (chair)***
- ***Premier (or nominee)***
- ***Deputy Premier (or nominee)***
- ***Leader of Opposition Business***
- ***Leader of the Opposition (or nominee)***
- ***Deputy Leader of the Opposition (or nominee)***

6. SCRUTINY OF EXECUTIVE GOVERNMENT

The terms of reference for this committee included looking at how the committee system could be strengthened to enhance accountability. The Queensland Government noted in its *Response to Integrity and Accountability in Queensland*, that:

*Government must be accountable to the people it serves. The decisions that governments make, the processes that they undertake and information that they hold should be open and available to the public. Accountability is achieved through a combination of transparent government processes and strong scrutiny mechanisms.*⁴²

EARC's report discussed the important role that Parliaments have in scrutinising the actions of executive government. It noted:

*The effectiveness of the review function depends on the extent of Parliament's power in relation to the executive. It also depends on the extent to which Parliament has a formal brief to inquire into the activities of the executive and its administration. If this brief is limited for whatever reason or if insufficient resources are provided to allow detailed investigation by Parliament, then the executive denies itself the possibility of benefiting from review by its parliamentary colleagues, and the people's elected representatives are denied their right (or prevented from carrying out their duties) to examine the performance of the government on behalf of the community.*⁴³

There have been concerns raised about the limitations imposed on the committees established in 2009. The Clerk of the Parliament, believes that 'a unicameral parliament should have a committee system that encompasses and scrutinises the array of functions/portfolios of government'.⁴⁴ He expressed the view that the 2009 reforms have a number of deficiencies, in particular the restriction on the new portfolio committees 'from investigating and reporting on events, incidents or operational matters'.⁴⁵

The Clerk believes that portfolio committees should have a wide range of functions, including:

- *considering the policy impacts of significant legislation*
- *considering the reports of statutory officers tabled in the Parliament that impact upon their portfolio*
- *conducting the estimates examination for their areas*
- *considering any matters referred by the House*
- *monitoring and reviewing all issues within their portfolio*
- *conducting inquiries as resolved by the committee itself.*⁴⁶

The Committee has made a number of recommendations throughout this report in relation to many of these issues, including enhancing the role of committees in relation to scrutiny of legislative proposals and policies, examination of estimates and oversight of statutory officers. The Committee believes that it is also crucial that portfolio committees are not limited in the matters that they can investigate and report on within their portfolio responsibilities.

Recommendation 14

The Committee recommends that all portfolio committees have the ability to report on all aspects of government activities, including investigating and reporting on events, incidents and operational matters.

⁴² Queensland Government, *Response to Integrity and Accountability in Queensland*, November 2009, page 11.

⁴³ EARC report, volume 1, page 151.

⁴⁴ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 2.

⁴⁵ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 2.

⁴⁶ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 13.

7. COMPOSITION OF COMMITTEES

7.1 Number of members

Parliamentary committees are comprised of Members of Parliament and generally reflect the political makeup of the House.

Statutory committees currently must consist of seven members, with four members nominated by the Leader of the House and three members nominated by the Leader of the Opposition.⁴⁷

Standing Orders provide additional rules for the appointment and conduct of committees. A committee is to consist of no more than eight members, unless otherwise provided by statute or an order of the House.⁴⁸

Estimates committees have seven members, four nominated by the Leader of the House and three nominated by the Leader of the Opposition.⁴⁹ The Standing Orders are silent with respect to who may nominate members or the composition of other committees, such as select committees.

The size of committees varies across Australian and New Zealand jurisdictions. This is not surprising, given the differences in numbers of members of various Houses. In many jurisdictions, a fixed number of members is not prescribed. Rather, there is a specified range that can vary depending on the type of committee and the composition of the House.

The following table indicates the type and size of committees in each jurisdiction.⁵⁰

Jurisdiction	Type of Committees	Number of members
Australian Capital Territory	Standing and Select	3 to 5
Commonwealth	House, Senate and Joint	7 to 32
New South Wales	Assembly, Council and Joint	5 to 10
New Zealand	Select	8 to 13
Northern Territory	Standing, Sessional and Select	5 to 6
Victoria	Joint Investigatory, Select, Standing, Domestic and Legislation	5 to 12
South Australia	Standing, Select, Joint, Administrative and Sessional	5 to 7
Tasmania	Standing, Select, Joint and Sessional	3 to 7
Western Australia	Standing and Select Committees of Inquiry, Domestic	3 to 8

Given the proposed increase in the number of committees, the Committee considered the size of committees.

The Committee took into account the total number of Members available to serve on committees, models in other jurisdictions, along with submissions and evidence received.

The Clerk, in his submission, noted the heavy workload of office holders, including the Premier, Ministers, Leader of the Opposition and Shadow Ministers. The Clerk stated that ‘ideally, members of the executive (such as parliamentary secretaries) should not sit on scrutiny committees’.⁵¹ The

⁴⁷ *Parliament of Queensland Act 2001*, section 81(1) and *Crime and Misconduct Act 2001*, section 300(1).

⁴⁸ Standing Orders 193 and 194.

⁴⁹ Standing Order 169.

⁵⁰ Information taken from various Parliamentary websites and Standing Orders of each jurisdiction.

⁵¹ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 15.

Clerk recommended that (under his model) each of the committees proposed have six members, with the exception of the Business Committee, which would have four members.⁵²

The Committee is satisfied that given the increase in the number of committees proposed, a reduction in committee membership to six members will not have a negative impact on the committees. Committees should consist of three members nominated by the Leader of the House and three members nominated by the Leader of the Opposition.

In practice, the Opposition consults with independent Members and determines a formula by which independent Members are allocated positions on committees. Committees should continue to reflect the composition of the non-government side of the House.

Recommendation 15

The Committee recommends that all committees consist of six members with three members nominated by the Leader of the House and three members nominated by the Leader of the Opposition to reflect the composition of the non-government membership in the House.

7.2 Participating and substitute members

The Standing Orders currently provide for other members to be able to participate in committees.

Standing Order 207 provides that members may participate in public meetings and question witnesses with the leave of the committee. Such participating members do not vote and must withdraw during committee deliberations.

Standing Order 195 also provides that members may stand down for a period of time or for a particular inquiry and another member may be appointed as their replacement for the period. In this case, the replacement member has all the voting rights of the member replaced.

The Committee notes, particularly with respect to participating members, that this opportunity has been used rarely in the past. During the visit to New Zealand, the Committee was advised that the use of participating and substitute members occurred frequently in New Zealand committees. The Clerk of the Senate noted in her submission that the use of these options in Senate committees was a means of providing flexibility to manage workloads and of allowing those with a specific interest in an inquiry to participate.⁵³

The Committee believes that the use of participating and substitute members should be encouraged under the proposed portfolio based system, particularly as it may provide members with the opportunity to become involved in a range of inquiries that may be of particular interest to them. The Committee notes that a number of jurisdictions provide greater rights to participating members, such as allowing those members to participate in deliberative meetings.⁵⁴ The Committee believes that it would be valuable for participating members to be a part of deliberative meetings. Those members would not have a voting right.

Recommendation 16

The Committee recommends that Standing Orders provide for the use of participating and substitute members by leave of the committee.

⁵² Mr Neil Laurie, Clerk of the Parliament, submission 23, page 15.

⁵³ Ms Rosemary Laing, Clerk of the Australian Senate, submission 21, page 4.

⁵⁴ See for example Parliament of Western Australia, Legislative Assembly Standing Order 249.

Recommendation 17

The Committee recommends that Standing Orders be amended to provide that participating members may participate in deliberative meetings, but have no voting rights.

7.3 Sub-committees

Standing Orders provide for the establishment of sub-committees.⁵⁵ Committees can appoint sub-committees to consider any matters that fall within the responsibility of the committee. The committee continues to have final responsibility for the consideration of these matters. Sub-committees consist of three or more members.

Sub-committees can be a useful way of distributing the workload of a committee, particularly when a committee is considering a number of matters simultaneously. This can be particularly invaluable under the proposed structure of committees, as committees might well have a number of inquiries running at any one time. The Committee is satisfied that the provisions regarding sub-committees are sufficient.

7.4 Appointment of chairs and deputy chairs

Currently, the chairperson of a statutory committee must be the member nominated as chairperson by the Leader of the House.⁵⁶

The Standing Orders also provide rules for the nomination of chairs and deputy chairs. A motion for the appointment of a committee may name the chair and deputy chair.⁵⁷ If the motion does not specify the name of the chair or deputy chair, the committee elects members to the relevant positions at its first meeting.⁵⁸ In practice, chairs are generally named in the motion of appointment and the deputy chair is elected by a committee at its first meeting.

At present all chairs are government members.

There are essentially two options available for the appointment of a chair. They may either be named in the motion of appointment, as happens in practice in Queensland, or they may be elected by the committee, usually at their first meeting.

The more common practice in other Australian jurisdictions is for a committee to elect the chair at its first meeting. Very few jurisdictions have provisions for chairs to be named in the motion of appointment.⁵⁹

Issues arising with the appointment of chairs were not really canvassed in submissions, although comment was made regarding the practice in various jurisdictions.⁶⁰

EARC stated ‘that the identity and political affiliation of committee chairs should be a matter for each committee to determine’.⁶¹

The Committee is satisfied that it is appropriate to retain the current appointment process that provides that chairs may be elected by the committee if the motion of appointment does not specify the name.

⁵⁵ See Standing Orders 219 and 220.

⁵⁶ *Parliament of Queensland Act 2001*, section 81(2) and *Crime and Misconduct Act 2001*, section 300(2).

⁵⁷ Standing Order 195(2).

⁵⁸ Standing Orders 198(1) and (2).

⁵⁹ Examples are the Legislative Council of New South Wales and the Northern Territory Parliament.

⁶⁰ See for example Ms Rosemary Laing, Clerk of the Australian Senate, submission 21, pages 3 and 4.

⁶¹ EARC report, volume 1, page 266.

7.5 Political affiliation of chairs

While the process for determining a chair was not widely canvassed, the political affiliation of chairs was raised during the course of the inquiry.

Hon. Rozzoli noted that:

‘The position of chair should be seen as an opportunity to gain valuable knowledge and experience and become the training ground for later ministerial appointment. To be fair these positions should also be shared between government and opposition so that a pool of talent and experience is being nurtured on both sides of politics.’⁶²

The Clerk provided the following schedule of examples of the use of non-government chairs in unicameral legislatures.⁶³

Unicameral Legislative Assembly	Number of committees	Number of government chairs	Number of non-government chairs
British Columbia	9	8	1 (public accounts)
Saskatchewan	8	1	1 (public accounts)
Ontario	10	6	4 (estimates; public accounts; government agencies; regulations and private bills)
Quebec	11 standing	7	4 (planning and the public domain; transportation and the environment; institutions; public administration)
Nova Scotia	10	9	1 (public accounts)
Newfoundland and Labrador ^(a)	6	5	1 (public accounts)
Northwest Territories	7	No formal political parties	No formal political parties
New Zealand	19 (plus the Standing Orders committee)	15	4 (commerce, government administration, privileges, regulations review)
Northern Territory	9	8	1 (Council of Territory Cooperation – independent chair)
Australian Capital Territory ^(b)	7 standing and 2 select	1 standing (planning, public works, territory and municipal services)	4 standing and 2 select – crossbench chairs (administration and procedure; climate change, environment and water; education, training and youth affairs; public accounts; privileges; estimates) 2 standing – non government (health, community and social services; justice and community safety)

Notes:

- (a) Of the 47 members of the Newfoundland and Labrador Legislative Assembly, 42 members belong to the government (Progressive Conservatives), 4 belong to the Opposition (Liberals) and 1 is an independent.
 (b) Please note that there is a minority government in the Australian Capital Territory Legislative Assembly.

The Australian Senate also provides for non-government chairs. Chairs of the Senate’s references committees are senators nominated by the Leader of the Opposition or a member of a minority group.⁶⁴ The Australian House of Representatives has also recently appointed a number of non-government chairs.

EARC encouraged the selection of non-government chairs as ‘a clear demonstration of acknowledgement of the bipartisan tradition of parliamentary committees’.⁶⁵

⁶² Hon. Kevin Rozzoli AM, submission 9, page 12.

⁶³ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 16.

⁶⁴ Ms Rosemary Laing, Clerk of the Australian Senate, submission 21, pages 3 and 4.

⁶⁵ EARC report, volume 1, page 266.

The Committee is satisfied that there is a benefit in the appointment of non-government chairs. The Committee determined that the most appropriate committee to have a non-government chair would be the Parliamentary Crime and Misconduct Committee.

Recommendation 18

The Committee recommends that the Crime and Misconduct Act 2001 be amended to provide that the chair of the Parliamentary Crime and Misconduct Committee be a Member nominated by the Leader of the Opposition.

7.6 Voting rights of chairs

The Committee has recommended that the proposed committees have an equal number of government and non-government members.

The *Parliament of Queensland Act* provides that chairs of statutory committees have a deliberative vote and, in the event of an equality of votes, a casting vote.⁶⁶ Similarly, Standing Orders provide for chairs to have a deliberative vote and a casting vote.⁶⁷

Throughout Australian jurisdictions, there are a variety of voting rights for chairs. Chairs may have a deliberative vote only, a casting vote only, or both. As indicated earlier, jurisdictions have varying sizes of committee membership. The voting arrangements can depend on the composition of committees.

The Committee is satisfied that, as proposed committees will have an even number of members, it is desirable for chairs to have a deliberative and a casting vote to ensure that deadlocks can be resolved.

Recommendation 19

The Committee recommends that Standing Orders continue to provide for chairs to have a deliberative and casting vote.

7.7 Status of committee chairs

The workload of the recommended committees should not be underestimated. These new committees will play a vital role in the development of policy reviews, influencing the final outcome of legislation through community and stakeholder views, along with the scrutiny of government activity.

The Clerk of the Parliament stated in his submission that the remuneration of committee chairs should be reviewed given that ‘committee chairs would have a much greater role in the legislative processes of the House with significantly increased responsibilities, accountabilities and workloads’.⁶⁸ He suggests committee chairs should have a status comparable with parliamentary secretaries.

⁶⁶ *Parliament of Queensland Act 2001*, section 82. There is a similar provision regarding the Parliamentary Crime and Misconduct Committee - see *Crime and Misconduct Act 2001*, section 302.

⁶⁷ Standing Order 201.

⁶⁸ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 20.

The role of the chair should have an increased profile and status.

Recommendation 20

The Committee recommends that the status of chairs of parliamentary committees and the Leader of Opposition Business reflect the increased responsibilities of their position.

8. CONSIDERATION OF LEGISLATION

8.1 Introduction

The making of legislation is one of the most important functions of a Parliament. It is central to the government of the day in terms of being able to implement its policy proposals and for members of Parliament to debate the benefits and highlight any flaws of legislative proposals.

8.2 Current process

Part 5 of the Standing Orders contains the procedures for the introduction and consideration of bills. Once a bill is presented and read a first time, any further debate on the motion that the bill be read a second time is generally adjourned for a period of at least 13 calendar days.⁶⁹ There is then a ‘second reading debate’ on the principles of the bill, which is followed by the ‘consideration in detail’ stage, in which the clauses and any schedules are considered in detail.

Usually Ministers introduce bills into the House. However, Members who are not Ministers (including Opposition, minor party and independent members, along with government backbenchers) may also introduce bills.

In the Queensland context, the consideration of legislation has largely been left to the House as a whole. At present, there is only one parliamentary committee that regularly considers legislation, the Scrutiny of Legislation Committee. However, the Scrutiny of Legislation Committee only has a role in considering and reporting on the ‘fundamental legislative principles’ of bills.⁷⁰

8.3 Other jurisdictions

In broad terms the various stages of a bill, including first reading, second reading and consideration of a bill in detail, are similar across Parliaments. However, it is not unusual in other jurisdictions, particularly unicameral jurisdictions, for the consideration of legislation to include referral to and examination by committees. Examples of approaches taken in various jurisdictions are outlined below.

New Zealand

In contrast to Queensland, there is a formal ‘first reading’ debate in the New Zealand Parliament, which usually occurs at least three sitting days after the introduction of the bill. This is the first opportunity to debate the bill. The debate is limited to two hours for government bills and about one hour for other bills.

If the first reading question is agreed to, the bill is referred to a select committee. A committee has six months to report to the House, unless the House specifies otherwise. The committee presents a report, which consists of a reprinted version of the bill containing the committee’s recommended amendments (if any) and a ‘commentary’ explaining the recommendations and issues considered.

The second reading debate may commence once three sitting days have passed after the committee has reported. The second reading debate runs for up to two hours. Once the debate is concluded, there is a vote on any committee amendments that did not have unanimous support. Unanimous committee amendments are automatically subsumed into the bill if the second reading is agreed to.

The House then considers the bill in detail, during which time further amendments may be proposed. If amendments have significant policy implications, they may also be considered by a

⁶⁹ Standing Order 128. Standing Order 159 allows a bill to be declared urgent and debate to be brought forward.

⁷⁰ *Parliament of Queensland Act 2001*, section 103.

select committee (otherwise this mechanism might be viewed as a device to avoid scrutiny). After the bill is reprinted in final form, there is a third reading debate which can last up to two hours.⁷¹

Scotland

The process of referring bills to committees in the Scottish Parliament is similar to that in the New Zealand Parliament. However, committees may report at various stages.⁷²

Stage 1

A bill is referred to the relevant subject committee (the 'lead' committee) after introduction. If a bill includes a power to make subordinate legislation, it is also referred to the Subordinate Legislation Committee. The Financial Committee can also provide input to the lead committee on the 'financial memorandum' accompanying the bill. The lead committee then reports on the bill, usually with recommendations about whether the Parliament should agree to the bill's general principles.

Stage 2

If Parliament agrees to the general principles, the bill receives more detailed consideration by either the lead committee or another committee, or a Committee of the Whole Parliament. The lead committee will consider any proposed amendments put forward by members. Any member can lodge amendments, but amendments must be consistent with the general principles. All admissible amendments are considered and the committee decides which amendments to accept. The committee can also choose to take further evidence at this stage.

Stage 3

The amended bill then proceeds to the final stage. At this point the Parliament considers the bill with any amendments that the committee has accepted, together with any further amendments proposed. The bill may be referred back to committee for further stage 2 consideration at this point (but only once). The Parliament then votes on the bill in its final form.

Australian Senate

The Australian Parliament has a dual process for considering legislation as each bill has to pass through both the House of Representatives and the Senate. Each House has a first reading, second reading and third reading. Bills are often referred to Senate committees for consideration and report. The following information refers to the process of referring bills to committees of the Senate.

Each bill that comes before the Senate is examined by the Scrutiny of Bills Committee, to ensure that legislation does not impinge unduly on fundamental rights and liberties. Like Queensland's Scrutiny of Legislation Committee, the Senate's Scrutiny of Bills Committee reports on issues of concern, but does not recommend particular action.⁷³

Since 1989, the Senate has had a Selection of Bills Committee. This committee considers all bills to identify any that might be complex or controversial or that Senators have indicated warrant further examination by a standing committee. Such bills are referred to the relevant legislative and general purpose standing committee for inquiry and report. There is usually a short timeframe for inquiry to avoid delaying the passage of the bill. The standing committee may either recommend amendments or recommend that the bill be passed without amendment. The report of the committee is considered when the bill comes before the Senate. Not all bills are considered by standing committees (with records indicating that since 1990 approximately thirty percent are referred and considered in this manner).⁷⁴

⁷¹ Information obtained from New Zealand House of Representatives, *Parliament Brief: The Legislative Process*, pages 2 and 3.

⁷² Generally see Standing Orders of the Scottish Parliament, 3rd Edition, Rule 9.

⁷³ Department of the Senate, *Senate Brief No. 8: The Senate and Legislation*, May 2010, page 6.

⁷⁴ Department of the Senate, *Senate Brief No. 8: The Senate and Legislation*, May 2010, page 6.

8.4 Committee's proposals

The Committee considered the approaches taken across various jurisdictions in relation to the consideration of proposed legislation, along with submissions received by the Committee.

The Clerk of the Parliament noted that while the work of the Scrutiny of Legislation Committee in scrutinising the fundamental legislative principles of bills 'is valuable and should not be diminished, there is a clear need for the wider scrutiny of the underlying policy, impact and proposed implementation of legislation'.⁷⁵

The Clerk also noted that there are a number of Commonwealth Parliamentary Association benchmarks indicating best practice in relation to legislation, such as:

- *There shall be a presumption that the Legislature will refer legislation to a committee, and any exceptions must be transparent, narrowly-defined, and extraordinary in nature*
- *Committees shall scrutinise legislation referred to them and have the power to recommend amendments or amend the legislation*
- *Opportunities shall be given for public input into the legislative process.*⁷⁶

The Committee held discussions with New Zealand Members of Parliament, committee staff, stakeholder groups and departmental officers. Many of those spoken with highlighted the importance of committees examining legislation. The input of members of the community and stakeholder groups was seen as an integral part of the process. Moreover, the general view was that committee examination of bills results in better legislation, particularly as the inquiry process highlights issues that otherwise might not have received attention.

Similarly, Members and officers of Parliament in a number of Canadian legislatures also believed that the process of referring bills to committees resulted in better legislation.

Hon. Rozzoli, in advocating an alternative method of dealing with legislation, including consideration by legislation committees, stated:

*While it may seem to prolong the legislative process I believe this more thorough, methodical and consultative approach would result in better legislation, reduce errors which themselves cause delay and hardship, and be quicker and more efficacious in the long run.*⁷⁷

There are definite benefits in referring bills to portfolio committees for examination and report, in relation to both compliance with fundamental legislative principles and scrutiny of the underlying policy and content of the legislation. There should be a presumption that proposed legislation will be scrutinised by committees, who will seek public input. A committee should be able to recommend amendments to a bill but the power of making amendments must remain with the House.

Recommendation 21

The Committee recommends that all bills, with the exception of those deemed 'urgent', be referred to portfolio committees for inquiry and report, using a model that achieves the following:

- ***there shall be a presumption that the Legislature will refer legislation to a committee, and any exceptions must be transparent, narrowly-defined, and extraordinary in nature***
- ***committees shall scrutinise legislation referred to them and have the power to recommend amendments***
- ***opportunities shall be given for public input into the legislative process.***

⁷⁵ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 6.

⁷⁶ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 4.

⁷⁷ Hon. Kevin Rozzoli AM, submission 9, page 8.

Recommendation 22

The Committee recommends that a committee be able to recommend amendments to a bill, but the power of amendment is to remain with the House as a whole.

The Standing Orders will require amendment so that the introducing Member shall make a first reading (explanatory) speech.

Recommendation 23

The Committee recommends that Standing Orders be amended as necessary to provide that the introducing Member after moving ‘That the bill be now read a first time’ shall proceed with an explanation of the bill.

Recommendation 24

The Committee recommends that Sessional Orders be amended to provide that the current time limits for the mover of a bill be identified under a new ‘First reading debate’ heading.

Determining the portfolio committee

As bills can be ‘omnibus’ in nature and cover matters across a number of portfolios, it might be difficult for the House to determine which portfolio committee is the most appropriate to consider the bill. The Committee believes that to assist in determining the most appropriate portfolio committee, the Member introducing the bill should indicate, in the form of a motion, which committee the bill be referred to.

Recommendation 25

The Committee recommends that the introducing Member nominate the portfolio committee that the bill be referred to.

Recommendation 26

The Committee recommends that Standing Orders be amended to provide that following the first reading stage, the introducing Member shall move that the bill be referred to a particular portfolio committee.

Opinions from other committees

As discussed above, the Committee recognises that legislation may cover a range of portfolio issues. The Committee notes the provisions in the Standing Orders of the New Zealand Parliament and Scottish Parliament that provide for the ‘lead’ committee to seek the views of other committees in relation to either the whole or various sections of a bill. Other committees may take submissions, hear evidence and generally consider the provisions referred to them in determining their opinion.⁷⁸ The Committee believes that such an option is appropriate.

⁷⁸ See New Zealand Standing Order 284 and Scottish Parliament Standing Order Rule 9.6.

Recommendation 27

The Committee recommends that Standing Orders be amended to provide that a portfolio committee considering a bill may ask any other committee for its opinion on the whole or any portion of the bill.

Expert advice and assistance for committee inquiries on bills

In inquiring into bills, committees need to have a detailed understanding of the underlying policies, proposed implementation and possible impacts of the bill. During the Committee's visit to New Zealand, meetings with departmental officers, the Chief Parliamentary Counsel and officers of the Auditor-General provided an insight into the working relationship between the various offices and the select committees. The availability of appropriate expertise and assistance in drafting amendments and providing briefings and advice is vital to the work of the committees. The Committee also notes that the New Zealand Parliament's Officers of Parliament Committee has developed Codes of Practice in relation to the provision of assistance by certain offices, such as the Auditor-General.⁷⁹ In addition, New Zealand's State Services Commission has developed guidelines for officials, including guidelines for when public servants may act as advisers to committees in relation to bills.⁸⁰

Recommendation 28

The Committee recommends that committees have access to the appropriate expertise and assistance required for the conduct of their inquiries.

Recommendation 29

The Committee recommends that there be a Code of Practice outlining the nature and extent of assistance to be provided by relevant offices.

Recommendation 30

The Committee recommends that there be guidelines concerning the attendance and conduct of officials before committees.

Timeframe for reporting

The Committee, in determining the appropriate timeframe for reporting, considered written and oral submissions received. While this issue was not canvassed by many submitters, a range of timeframes were suggested.

The Clerk, in his submission, proposed a minimum six week period for committees to report.⁸¹ This would be a very tight timeframe, given that there would need to be a reasonable time to receive submissions, followed by hearings, and then preparation and adoption of the report by the committee.

⁷⁹ See for example *Report of the Officers of Parliament Committee: Code of practice for the provision of assistance by the Auditor-General to the House, select committees, and members of Parliament*, August 2007.

⁸⁰ State Services Commission, *Officials and Select Committees – Guidelines*, August 2007, Wellington accessed at http://www.ssc.govt.nz/upload/downloadable_files/officials-selectcommittees-guidelines07.pdf.

⁸¹ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 14.

FamilyVoice Australia, in its submission recommended that the submission period should be six weeks.⁸² FamilyVoice Australia noted that many volunteer organisations have limited resources and agreed with the proposition that six months would be an appropriate timeframe.⁸³

The Committee has taken into account the views of submitters. The Committee also notes that the standard timeframe for reporting on bills in New Zealand is six months. The Committee is satisfied that six months is an appropriate timeframe. The Committee recognises that, due to the complexity and nature of particular legislation, there should be scope for the timeframe to be varied if necessary.

Recommendation 31

The Committee recommends that the maximum timeframe for committees to inquire and report on bills be six months.

Recommendation 32

The Committee recommends that Standing Orders be amended to provide that committees must report on a bill within six months of the bill being referred to it or by such other time as fixed by the Committee of the Legislative Assembly.

Procedure following committee report

Once the committee report has been presented, the second reading stage will then proceed. Currently the Standing Orders provide that once the introducing Member makes their second reading (explanatory speech) the bill is adjourned for at least 13 calendar days.⁸⁴ Under the recommendations above, the introducing Member will make their explanatory speech at the first reading stage and the bill will be immediately referred to a committee. In New Zealand, the Standing Orders provide that a bill is set down for the second reading three sitting days after the presentation of a committee report.⁸⁵ The Committee is satisfied that this timeframe is appropriate.

Recommendation 33

The Committee recommends that bills be set down for the second reading a minimum of three sitting days after a committee reports.

Recommendation 34

The Committee recommends that Standing Order be amended to provide that following the presentation of a committee report on a bill, the bill is set down for second reading on the third sitting day following.

Time limits for second reading

The Committee has considered the current Sessional Orders regarding the time limits for debate on the second reading debate. Members will be able to have their views heard during the committee referral process, either by being a permanent committee member, by being a participating or substitute member for the inquiry or by making a submission or appearing before the committee. In

⁸² Dr David Phillips, National President – FamilyVoice Australia, submission 7, page 3.

⁸³ Committee System Review Committee, Hearing transcript, 20 August 2010, pages 20 and 21.

⁸⁴ Standing Order 128(8).

⁸⁵ See New Zealand Standing Order 287.

recognition of this new approach, the Committee believes that the time limits for the second reading debate on government bills should be reduced. The Committee recognises that portfolio committee members should be entitled to make a substantial contribution, in order to articulate the reasoning behind the committee's report and recommendations.

Recommendation 35

The Committee recommends that, for bills that have been reported upon by a committee, the time limits for the second reading debate be reduced.

Recommendation 36

The Committee recommends that the Sessional Orders be amended to provide the following time limits for the second reading debate on such bills:

Bills (Government)

Leader of the Opposition (or nominee) – 1 hour

Members of the relevant portfolio committee – 20 minutes

All other Members – 10 minutes

Mover in reply – 30 minutes

Bills (Private Members)

All Members – 10 minutes

Mover in reply – 30 minutes

Consideration in detail

The Committee does not propose any changes to the general procedure for consideration in detail. As discussed above, any recommendations of a committee will be dealt with at the second reading stage. Ministers and other Members will continue to have an opportunity to move amendments during the consideration in detail stage.

Time limits for consideration in detail

The Committee has considered the current Sessional Orders in relation to the time limits for consideration in detail. The Committee believes that many of the questions and issues that currently arise in the consideration in detail stage may be clarified during the course of a committee's inquiry on a bill. The Committee is satisfied that reducing the time available for Members to speak on each question will not significantly impinge upon a Member's right to seek information and put forward their views. In addition, the Committee believes that it would be a more efficient use of the House's time if the Mover were to respond to each question at the end of all other Members' contributions to each question. However, the Committee notes that this procedure needs to be managed by the Speaker in the chair, as questions may arise as a result of the Mover's response.

Recommendation 37

The Committee recommends that the time limits for consideration in detail, for bills that have been reported upon by a committee, be reduced.

Recommendation 38

The Committee recommends that the Sessional Orders be amended to provide the following time limits for consideration in detail of such bills:

Mover – no limit

Other Members (on each question) – 3 minutes

9. ESTIMATES AND BUDGET PROCESS

9.1 Introduction

The first estimates committees in Queensland were established by Sessional Order on 28 April 1994. This followed recommendations made by EARC⁸⁶ and PCEAR.⁸⁷

Estimates committees have continued to be established by resolution since, with many of the procedures regarding estimates now incorporated in Standing Orders.

The estimates processes vary across jurisdictions. The consideration of estimates in some jurisdictions resides with standing committees. Other jurisdictions, like Queensland, appoint estimates committees by resolution.

9.2 Current process

Once the annual appropriation bills have been introduced in the Legislative Assembly and read a second time, they may be referred to estimates committees for investigation and report.

The estimates process involves the establishment of seven estimates committees by resolution of the House. Each committee has seven members (four government members, including the chair, and three non-government members). In addition to nominating the members and chair of each committee, the House nominates the portfolios to be examined by each committee, allocates the dates for each committee's hearing, and sets the dates by which each committee is to report to the House.

Chapter 28 of the Standing Orders outlines the procedures for the estimates process. These procedures include the rules for estimates hearings, such as the requirements for Ministers and the Speaker to answer questions, time limits for questions and answers and rules for asking questions on notice prior to the hearing.

Estimates committees hold public hearings, like other committees of the Parliament. However, estimates committees have had limited powers in comparison to other committees. For example, estimates committees do not have the power to call for persons, documents and things.⁸⁸ Estimates hearings require the attendance of the Speaker or relevant Minister during the consideration of their portfolio areas. Advisers may only answer questions referred to them by the Speaker or Minister.⁸⁹

Once committees have held their hearings and tabled their reports, the Parliament considers the report of each estimates committee as part of the 'consideration in detail' stage for the Appropriation Bills.⁹⁰

9.3 Consideration by estimates committees

A number of Australian jurisdictions consider estimates in much the same way as does Queensland. For example, South Australia establishes two estimates committees that conduct concurrent hearings over five days. In Tasmania both the House of Assembly and the Legislative Council establish two estimates committees that hold hearings over four days. Largely the process is the same as in Queensland, although in Tasmania non-committee members (known as 'participating members') are restricted in the number of questions they may ask in relation to each program.

⁸⁶ EARC report, volume 1, page 246.

⁸⁷ PCEAR report, page 38.

⁸⁸ See Standing Order 203 for the powers that may be given to committees by the House or under statute, such as the *Parliament of Queensland Act 2001*.

⁸⁹ See Standing Orders 177 and 178.

⁹⁰ See Standing Orders 190 and 191.

9.4 Consideration by a single standing committee

Both the Victorian Parliament and the Western Australian Parliament use a single standing committee to consider the estimates.

In Victoria the joint Public Accounts and Estimates Committee examines estimates. This involves:

- developing and forwarding a questionnaire to all departments prior to the budget seeking information additional to, and explanation of, the details that will be provided in the budget papers;
- holding public hearings in May and June with the Premier, Presiding Officers of Parliament and all Ministers, and senior departmental and key agency officers; and
- after the public hearings, asking questions on notice and further clarification questions seeking additional information from departments.⁹¹

In the Legislative Council in Western Australia, the Standing Committee on Estimates and Financial Operations examines estimates. It holds estimates hearings throughout the year, along with annual hearings over 1 to 3 days after presentation of the budget.⁹² The committee notifies all members of the hearings and invites them to participate.

It is argued that the consideration of estimates by a discrete standing committee provides a greater corporate memory, a deeper understanding of issues in departments, an opportunity to pursue matters in greater depth, and the ability to inquire into financial matters as they arise.⁹³

9.5 Consideration by portfolio committees

In Australia's Commonwealth Parliament, estimates of expenditure are referred twice yearly to eight legislation committees of the Senate. Hearings for the May budget estimates are initially conducted over two weeks, with each committee holding four to five days of hearings. Supplementary hearings are usually held a few sitting weeks later. Hearings are held over two or more days when the additional estimates are introduced later in the year.⁹⁴

The New South Wales Legislative Council refers its budget estimates to General Purpose Standing Committees which hold hearings over several months.

In New Zealand, subject select committees consider a range of financial matters, including estimates and financial reviews. Following presentation of the budget, the estimates are referred to the Finance and Expenditure Committee which may either consider the estimates or refer votes to subject select committees.⁹⁵ Ministers appear to give evidence at these hearings. Committees have to report on their examinations of the estimates within two months of the budget.⁹⁶ Financial reviews of departments, crown entities and state enterprises are also referred to the relevant subject select committees following the presentation of annual reports.⁹⁷ Senior managers appear to give evidence at these hearings. A financial review debate is held no later than 31 March each year,

⁹¹ Parliament of Victoria, Public Accounts and Estimates Committee, *Annual Report 2009-10*, page 2.

⁹² WA Legislative Council, Standing Committee on Estimates and Financial Operations, *Report 24: Annual Report 2009*, page 3.

⁹³ *Report by Hon George Cash MLC, Chairman of Committees, Legislative Council of Western Australia: Reflections of the Legislative Council Committee System and its Operations during the Thirty-Sixth Parliament: Discussions with the Chairs and Deputy Chairs of Parliamentary Committees*, at pages 48 and 49 (attached to submission 3 from Mr Malcolm Peacock, Clerk, Legislative Council of Western Australia).

⁹⁴ Department of the Senate, *Senate Brief No. 5: Consideration of Estimates by the Senate's Legislation Committees*, May 2010.

⁹⁵ Standing Orders of the House of Representatives, New Zealand, 2008, SO327.

⁹⁶ Standing Orders of the House of Representatives, New Zealand, 2008, SO328.

⁹⁷ Standing Orders of the House of Representatives, New Zealand, 2008, SO334.

during which the Appropriation (Financial Review) Bill and the relevant financial reviews are noted.⁹⁸

9.6 Committee's proposals

The Committee considered the range of approaches adopted by various jurisdictions in considering the budget. A number of submissions also offered different options.

Hon. Rozzoli advocated a 'two stage approach' to the consideration of the budget. He proposed that there should be a budget committee stage (involving chairs of the portfolio committees operating as an estimates committee) and later an expenditure review committee stage (with each portfolio committee conducting annual reviews of their respective portfolio areas).⁹⁹ This approach is similar to the process adopted in New Zealand.

The Clerk of the Parliament proposed that portfolio committees conduct the estimates examinations and financial reviews for their areas.¹⁰⁰

The Committee believes that under a portfolio committee system, the portfolio committees would be best placed to conduct estimates hearings. They would have a greater depth of understanding of the policies and programs within their portfolio areas.

Recommendation 39

The Committee recommends that the budget estimates be considered by portfolio committees.

Conduct of Estimates Hearings

In New Zealand, the committee observed a number of estimates hearings. The Committee noted the free flowing nature of the hearings, in contrast with the Queensland Parliament's estimates hearings in which blocks of time are allocated to government and non-government members and rigidly adhered to.

The Committee favours the New Zealand approach, whereby the chair ensures that members have an opportunity to ask questions, without restricting the natural flow of the hearing.

Ordinary hearings held by Queensland committees are not subject to restrictions similar to those imposed for the estimates process. The Committee believes that the portfolio committees would be well equipped to determine how to conduct their hearings.

Recommendation 40

The Committee recommends that portfolio committees examine the estimates without restrictive structured timeframes for questions and answers.

Recommendation 41

The Committee recommends that Chapter 28 of the Standing Orders be amended as necessary accordingly.

⁹⁸ Standing Orders of the House of Representatives, New Zealand, 2008, SO338.

⁹⁹ Hon. Kevin Rozzoli AM, submission 9, page 9.

¹⁰⁰ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 13.

Timeframe for Estimates hearings

The consideration of estimates needs to be completed in a timely manner, in order for the budget to be passed by the Parliament. There should therefore continue to be a set period during which estimates hearings are conducted.

Recommendation 42

The Committee recommends that the estimates hearings continue to be held over a two week period, with the Committee of the Legislative Assembly to determine the hearing dates.

Powers of Estimates Committees

The Committee considered the current procedures that restrict questioning during estimates to the Speaker and Ministers. This does not mirror the practice in all jurisdictions. In the Australian Parliament, Senators may directly question public service officials in relation to proposed expenditure.¹⁰¹ Most questions are answered by the officials. Public servants may also be directly questioned in New South Wales and Victoria. It is acknowledged in these jurisdictions that public servants should not be asked questions about matters of policy.

It is vital that Ministers are responsible to the Parliament about policies and issues within their departments. However, the Committee also acknowledges the role that senior government officials play in implementing programs in their departments.

The Clerk proposed that senior public officers be accountable for the actions they take, and including answering questions directly at estimates hearings.¹⁰²

Senior government officials may be required to give evidence to parliamentary committees in the course of other inquiries. It is not unreasonable for committees to be able to directly question senior public servants during estimates hearings.

Recommendation 43

The Committee recommends that senior public servants (senior executive level), chief executive officers and statutory office holders be able to be directly questioned at estimates hearings.

Expert advice and assistance for estimates and financial reviews

The budget process is one of the most important mechanisms available for scrutinising the executive and holding the government accountable for the financial management of the state. Despite the importance of the process, the estimates committees have not received any expert financial or economic advice or assistance, such as from the Auditor-General.

In New Zealand, the Auditor-General may provide assistance to select committees and members of Parliament in a number of ways, including:

- select committee Estimates and financial review examinations
- select committee consideration of bills
- select committee inquiries
- select committee consideration of reports by the Auditor-General
- requests or inquiries made directly to the Auditor-General by members of Parliament.¹⁰³

¹⁰¹ Standing Order 26(5) of the Senate.

¹⁰² Transcript, page 10.

The provision of this assistance is guided by a code of practice that is reviewed from time to time by the Officers of Parliament Committee.¹⁰⁴

Similarly, the committees of the Australian Senate are able to seek advice or briefings from the Auditor-General.¹⁰⁵

Recommendation 44

The Committee recommends that portfolio committees have access to the expertise and assistance of the Auditor-General to provide financial briefings or advice in relation to estimates and other financial reviews.

The Committee recommends that a code of practice outlining the nature and extent of assistance to be provided by the Office of the Auditor-General be developed in consultation with the Auditor-General.

¹⁰³ New Zealand House of Representatives, Report of the Officers of Parliament Committee, *Code of practice for the provision of assistance by the Auditor-General to the House, select committees, and members of Parliament*, August 2007, page 5.

¹⁰⁴ New Zealand House of Representatives, Report of the Officers of Parliament Committee, *Code of practice for the provision of assistance by the Auditor-General to the House, select committees, and members of Parliament*, August 2007, page 4.

¹⁰⁵ Department of the Senate, *Senate Brief No. 5: Consideration of Estimates by the Senate's Legislation Committees*, May 2010, page 3.

10. OVERSIGHT

10.1 The oversight roles

For some time, a number of committees of the Queensland Parliament have had roles involving the oversight of a range of independent statutory officers or bodies. This chapter examines these roles. The Committee has considered in particular:

- the appropriate allocation of the oversight functions to various committees
- the nature of the oversight role
- some aspects of the performance of the functions of the Parliamentary Crime and Misconduct Committee.

Currently, there are ten entities subject to oversight. Those entities, and the relevant committees, are:

- Crime and Misconduct Commission (Parliamentary Crime and Misconduct Committee)
- Auditor-General (Public Accounts and Public Works Committee)
- Electoral Commission of Queensland (Law, Justice and Safety Committee)
- Ombudsman (Law, Justice and Safety Committee)
- Office of the Information Commissioner (Law, Justice and Safety Committee)
- Criminal Organisation Public Interest Monitor (Law, Justice and Safety Committee)
- Commission for Children and Young People and Child Guardian (Social Development Committee)
- Family Responsibilities Commission (Social Development Committee)
- Health Quality and Complaints Commission (Social Development Committee)
- Integrity Commissioner (Integrity, Ethics and Parliamentary Privileges Committee).

The oversight functions provided to each committee vary widely.

All the oversight committees are statutory committees, apart from the Social Development Committee, which was established by resolution on 23 April 2009.

The Parliamentary Crime and Misconduct Committee has no role other than its oversight functions. All other committees with oversight functions also have other mandates.

Usually, a committee's oversight role has two elements:

- a broad *monitor and review* role, and
- more specific prescribed functions regarding the entity.

The latter functions can include roles in such aspects as:

- the appointment and removal of officers
- the conduct of regular reviews of agencies
- the development of budgets for agencies
- receiving declarations of interests.

As will be seen from the following discussion, the specific functions currently vary considerably from entity to entity and committee to committee.

Further details about these oversight functions are discussed below.

10.2 Integrity Commissioner

Since late 2009, the Integrity, Ethics and Parliamentary Privileges Committee has had an oversight role in relation to the Integrity Commissioner.

Oversight role

The broad oversight role of the Integrity, Ethics and Parliamentary Privileges Committee includes:¹⁰⁶

- monitoring and reviewing the Integrity Commissioner's performance
- reporting, if necessary, on any matters concerning the Integrity Commissioner, their functions or the performance of their functions
- examining the commissioner's annual report and commenting and making recommendations if appropriate
- examining the commissioner's strategic review report and commenting and making recommendations if appropriate
- reporting on any changes to the functions and procedures of the commissioner considered desirable for the effective operation of the *Integrity Act*.

Specific functions

The committee's specific functions regarding the Integrity Commissioner include:

- *Appointment* - The Minister must consult with the committee regarding the process of selection for appointment and any appointment as Integrity Commissioner.¹⁰⁷ The Minister must give the committee a copy of any resignation of an Integrity Commissioner.¹⁰⁸
- *Removal* - The Integrity Commissioner may only be removed or suspended from office upon an address of the Assembly, on the motion of the Minister. The Minister must first obtain the agreement to the motion of a bi-partisan majority of the committee.¹⁰⁹
- *Declaration of interests* - The Integrity Commissioner must provide a statement of interests to the Speaker. The Speaker must provide a copy to the committee if requested.¹¹⁰ In addition, the Integrity Commissioner must disclose any conflict of interest to the committee and the Speaker.¹¹¹
- *Annual report* - The Integrity Commissioner must provide an annual report to the committee (and the Speaker).¹¹²
- *Strategic Review* - Strategic reviews of the Integrity Commissioner's functions must be conducted at least every five years. The Minister must consult with the committee in relation to the appointment of the reviewer and the terms of reference for the review.¹¹³ After tabling, the report on the strategic review is referred to the committee for its consideration.¹¹⁴
- *Lobbyists code of conduct* - The Integrity Commissioner may approve a lobbyists code of conduct, after consultation with the committee.¹¹⁵

¹⁰⁶ *Integrity Act 2009*, section 89.

¹⁰⁷ *Integrity Act 2009*, section 74.

¹⁰⁸ *Integrity Act 2009*, section 78.

¹⁰⁹ *Integrity Act 2009*, section 82.

¹¹⁰ *Integrity Act 2009*, section 80.

¹¹¹ *Integrity Act 2009*, section 81.

¹¹² *Integrity Act 2009*, section 85.

¹¹³ *Integrity Act 2009*, section 86.

¹¹⁴ *Integrity Act 2009*, section 88(7).

¹¹⁵ *Integrity Act 2009*, section 68.

10.3 Ombudsman

The Law, Justice and Safety Committee has a range of oversight functions, pursuant to various Acts including the *Ombudsman Act 2001*, *Right to Information Act 2009*, *Information Privacy Act 2009*, *Electoral Act 1992*, and the *Criminal Organisation Act 2009*.

Oversight role

The broad oversight role of the Law, Justice and Safety Committee regarding the Ombudsman includes:¹¹⁶

- monitoring and reviewing the performance of the Ombudsman's functions
- reporting on matters concerning the Ombudsman, their functions or the performance of those functions
- examining the Ombudsman's annual report and commenting on any aspects, if appropriate.

Specific functions

- *Appointment* - The Minister must consult with the committee in relation to the process of selection and appointment of an Ombudsman.¹¹⁷
- *Removal* - The Ombudsman can only be removed or suspended from office upon an address of the Assembly, on the motion of the Minister. The Minister must first obtain the agreement to the motion of a bi-partisan majority of the committee.¹¹⁸
- *Budget* - The Minister is required to consult the committee in developing the proposed budget of the Ombudsman each year.¹¹⁹
- *Strategic reviews* - Strategic reviews of the Ombudsman's office must be conducted at least every five years.¹²⁰ The Minister is required to consult with the committee (and the Ombudsman) about the appointment of the reviewer and the terms of reference for the review. Strategic review reports are referred to the committee for its consideration.¹²¹

10.4 Office of the Information Commissioner

Oversight role

The broad oversight role of the Law, Justice and Safety Committee regarding the Office of the Information Commissioner includes:¹²²

- monitoring and reviewing the performance of the Information Commissioner's functions
- reporting on matters concerning the Information Commissioner, their functions or the performance of those functions
- deciding, in consultation with the Information Commissioner, certain statistical information to be reported by agencies and Ministers
- examining annual reports and commenting on any aspects and making recommendations, if appropriate
- reporting on any desirable changes to the functions, structures and procedures of the Office of the Information Commissioner.

¹¹⁶ *Ombudsman Act 2001*, section 89.

¹¹⁷ *Ombudsman Act 2001*, section 59.

¹¹⁸ *Ombudsman Act 2001*, sections 67 and 68.

¹¹⁹ *Ombudsman Act 2001*, section 88.

¹²⁰ *Ombudsman Act 2001*, section 83.

¹²¹ *Ombudsman Act 2001*, section 85(7).

¹²² *Right to Information Act 2009*, section 189.

Specific functions

- *Appointment* - The Minister must consult with the committee in relation to the process of selection and appointment of an Information Commissioner, a Privacy Commissioner, or a Right to Information Commissioner.¹²³ The relevant Minister is required to notify the chair of the committee of any resignation of an Information Commissioner, Right to Information Commissioner, or Privacy Commissioner.¹²⁴
- *Removal* - an Information Commissioner, a Privacy Commissioner, or a Right to Information Commissioner can only be removed or suspended from office upon an address of the Assembly, on the motion of the Minister. The Minister must first obtain the agreement to the motion of a bi-partisan majority of the committee.¹²⁵
- *Strategic reviews* - Strategic reviews of the Office of the Information Commissioner must be conducted at least every five years.¹²⁶ The Minister is required to consult with the committee (and the Information Commissioner) about the appointment of the reviewer and the terms of reference for the relevant review. The strategic review reports are referred to the committee for its consideration.¹²⁷

10.5 Electoral Commission of Queensland

There is no broad oversight role. The only specific function for the Law, Justice and Safety Committee is:

- *Appointment* – The Minister must consult with the committee in relation to the process of selection and the appointment of a person as chairperson, non-judicial appointee, or senior electoral officer of the Electoral Commission.¹²⁸

[Under the *Integrity Act 2009*, the Electoral Commissioner must provide a declaration of interests and make disclosure of any conflicts of interest.¹²⁹ However, these are provided to the relevant minister (and in the case of a declaration of interests, also to the Integrity Commissioner, but not to the committee.)]

10.6 Criminal Organisation Public Interest Monitor

Oversight role

The office of Criminal Organisation Public Interest Monitor was established recently, pursuant to the *Criminal Organisation Act 2009*. The broad oversight role of the Law, Justice and Safety Committee regarding the Criminal Organisation Public Interest Monitor includes:

- monitoring and reviewing the performance of the Criminal Organisation Public Interest Monitor
- reporting and commenting, as appropriate, on matters regarding the Criminal Organisation Public Interest Monitor
- examining annual reports under the *Criminal Organisation Act 2009*.¹³⁰

¹²³ *Right to Information Act 2009*, sections 135 and 151 and *Information Privacy Act 2009*, section 145.

¹²⁴ *Right to Information Act 2009*, sections 142 and 157 and *Information Privacy Act 2009*, section 151.

¹²⁵ *Right to Information Act 2009*, sections 161 and 162.

¹²⁶ *Right to Information Act 2009*, section 186.

¹²⁷ *Right to Information Act 2009*, section 188(7).

¹²⁸ *Electoral Act 1992*, sections 7 and 23.

¹²⁹ *Integrity Act 2009*, sections 72C and 72D.

¹³⁰ *Criminal Organisation Act 2009*, section 91.

Specific functions

- *Appointment* – The Minister must consult with the committee in relation to the process of selection and the appointment of a person as Criminal Organisation Public Interest Monitor.¹³¹

10.7 Auditor-General

Oversight role

The Public Accounts and Public Works Committee has functions regarding the office of the Auditor-General but has no express broad monitor and review role, only the role of examining reports of the Auditor-General.

Specific functions

The committee has these specific functions regarding the office of Auditor-General:

- *Appointment* - The Minister must consult with the committee regarding the process of selection for appointment and any appointment as Auditor-General.¹³² The committee must also be consulted regarding the salary, allowances and other terms of the appointment.¹³³
- *Removal* - The Auditor-General may only be removed or suspended from office upon an address of the Assembly, upon the motion of the Premier. The Premier must first obtain the agreement to the motion of a bi-partisan majority of the committee.¹³⁴
- *Declaration of interests* - The Auditor-General must provide a declaration of interests to the Speaker. The Speaker must provide a copy to the committee if requested.¹³⁵
- *Budget and resources* - The Treasurer must consult with the committee in developing the annual budget of the Audit Office.¹³⁶ The Auditor-General must consult with the committee about any resource implications in relation to strategic plans for the office.¹³⁷
- *Strategic Review* - Strategic reviews of the Audit Office must be conducted at least every five years. The Minister must consult with the committee in relation to the appointment of the reviewer and the terms of reference for the review.¹³⁸ After tabling, the report on the strategic review is referred to the committee for its consideration.¹³⁹

10.8 Crime and Misconduct Commission

The Parliamentary Crime and Misconduct Committee is established pursuant to section 291 of the *Crime and Misconduct Act 2001*. It is the successor to the Parliamentary Criminal Justice Committee, first established in March 1990.¹⁴⁰ Its establishment fulfilled a recommendation made by Commissioner Fitzgerald.¹⁴¹

The only core role of the committee is the oversight of the Crime and Misconduct Commission.

¹³¹ *Criminal Organisation Act 2009*, section 85.

¹³² *Auditor-General Act 2009*, section 9.

¹³³ *Auditor-General Act 2009*, section 11.

¹³⁴ *Auditor-General Act 2009*, section 18.

¹³⁵ *Auditor-General Act 2009*, section 12.

¹³⁶ *Auditor-General Act 2009*, section 21.

¹³⁷ Financial and Performance Management Standard 2009, section 9 and Queensland Government, Agency Planning Requirements, May 2009, section 14.6, pages 11 to 12.

¹³⁸ *Auditor-General Act 2009*, section 68.

¹³⁹ *Auditor-General Act 2009*, section 70(7).

¹⁴⁰ Under the now repealed *Criminal Justice Act 1989*.

¹⁴¹ Fitzgerald report, page 372.

Oversight role

The broad oversight functions of the committee include:

- monitoring and reviewing the performance of the functions of the Crime and Misconduct Commission
- reporting and commenting, as appropriate, on matters relevant to the commission, the performance of its functions or the exercise of its powers
- examining the commission's annual report
- reporting on matters relevant to the commission referred by the Assembly
- participating in the selection of the chairperson and part-time commissioners of the commission and removal from office of commissioners
- reviewing the activities of the commission and reporting on any action that should be taken in relation to the *Crime and Misconduct Act* or the functions, powers and operations of the commission
- issuing guidelines and directions to the commission.¹⁴²

Specific functions

- *Appointment* - The Minister must consult with the committee before nominating a person for appointment as a chairperson or other commissioner of the commission. Further, the Minister may only nominate a person for appointment if the nomination is made with the bipartisan support of the committee.¹⁴³

[Where certain senior commission officers are reappointed for a further term, in certain circumstances the commission chairperson must give the committee written notice of the appointment.¹⁴⁴]

- *Removal* - A commissioner's appointment may only be terminated by a recommendation of the Assembly, made with the bipartisan support of the committee.¹⁴⁵
- *Three yearly reviews* - The committee must conduct a 'three yearly review' of the commission.¹⁴⁶ The committee reports to the Assembly on this review in relation to any action that should be taken regarding the *Crime and Misconduct Act* and the functions, powers and operations of the commission.

[The commission chairperson submitted to this Committee that these reviews should be five yearly, in line with other integrity body reviews.¹⁴⁷]

Powers regarding conduct of the Crime and Misconduct Commission

In addition to powers available to other parliamentary committees, the Parliamentary Crime and Misconduct Committee has specific powers under the *Crime and Misconduct Act*. These include:

- directing the commission to investigate a matter involving misconduct
- taking particular action in relation to complaints about the commission or its officers, including asking for investigations by or reports from the commission, the police service or another law enforcement agency or the parliamentary commissioner, or referring matters to the director of public prosecutions, or taking other action considered appropriate
- issuing guidelines to the commission about its conduct and activities.¹⁴⁸

¹⁴² *Crime and Misconduct Act 2001*, section 292.

¹⁴³ *Crime and Misconduct Act 2001*, section 228.

¹⁴⁴ *Crime and Misconduct Act 2001*, section 247A.

¹⁴⁵ *Crime and Misconduct Act 2001*, section 236.

¹⁴⁶ *Crime and Misconduct Act 2001*, section 292. The review must be 'at a time near to the end of 3 years from the appointment of the committee's members'.

¹⁴⁷ Mr Martin Moynihan, Chairperson, Crime and Misconduct Commission, submission 10, pages 3 and 4.

Parliamentary Crime and Misconduct Commissioner

The Speaker may appoint a person as the parliamentary commissioner (or acting parliamentary commissioner only with the bipartisan support of the committee.¹⁴⁹ The parliamentary commissioner cannot be dismissed, suspended or terminated without the bipartisan support of the committee.¹⁵⁰

The parliamentary commissioner has a range of statutory functions. These include conducting regular audits and inspections of the use by the Crime and Misconduct Commission of a number of its coercive powers. Typically, the parliamentary commissioner must report to the committee on these audits and inspections, and in turn the committee tables the reports in the Parliament. The parliamentary commissioner also conducts an annual inspection of the intelligence holdings of the Crime and Misconduct Commission and the Queensland Police Service, and this report is provided to and considered by the committee (but not tabled).

Additionally, the parliamentary commissioner investigates concerns regarding the Crime and Misconduct Commission, upon referral by the committee, and reports to the committee on the outcome. The committee can table reports on these investigations.

10.9 Health Quality and Complaints Commission, Commission for Children and Young People and Child Guardian, Family Responsibilities Commission

The Social Development Committee was established by resolution of the House on 23 April 2009. Aside from monitoring and reporting on various policy areas, the committee has an oversight role in relation to three agencies:

- Health Quality and Complaints Commission
- Commission for Children and Young People and Child Guardian
- Family Responsibilities Commission.

Oversight role

The broad oversight functions of the committee are identical for each of the three commissions and include:

- monitoring and reviewing the performance of the commissioner's functions
- reporting on any matters concerning the commissioner, their functions or performance of those functions
- examining and, if appropriate, commenting on the annual report
- reporting any changes to the functions, structures and procedures of the commission desirable for the effective operation of the commission or the establishing Act.

Specific functions

The committee has no specific functions regarding the three commissions. A number of recommendations for specific committee oversight of the Health Quality and Complaints Commission have been made recently but not acted upon.

- *Appointments* - Unlike the statutory committees above, the committee has no role in the appointment or termination of any commissioners. [The Queensland Health Systems Review (the 'Forster Review') recommended that, in relation to the Health Quality and Complaints Commission, a *statutory* committee of the Parliament 'oversee' the appointment of health commissioners.¹⁵¹]

¹⁴⁸ *Crime and Misconduct Act 2001*, sections 294 to 296.

¹⁴⁹ *Crime and Misconduct Act 2001*, sections 306 and 308.

¹⁵⁰ *Crime and Misconduct Act 2001*, sections 307 and 312.

¹⁵¹ *Queensland Health Systems Review: Final Report*, September 2005, page 200.

- *Ongoing reviews* - On 15 November 2007, a Select Committee of the Parliament reported on its review of the Health Quality and Complaints Commission and the relevant Act. The Select Committee recommended that a parliamentary committee review the Health Quality and Complaints Commission and the Act on an ongoing, periodic basis with the 'next' review to be undertaken in three years.¹⁵² The Government, in its response to the report, supported this recommendation.¹⁵³ There is however no provision in the terms of reference of the committee for the conduct of periodic reviews.
- *Reporting and budget* - The Forster Review recommended that the Health Quality and Complaints Commission report to both the Minister and to a statutory committee established under the *Parliament of Queensland Act 2001*.¹⁵⁴

The chief executive officer of the office of the Health Quality and Complaints Commission and the Commissioner for Children and Young People and Child Guardian must provide a declaration of interests and make disclosure of any conflicts of interest.¹⁵⁵ These are provided to the relevant minister (and in the case of a declaration of interests, also to the Integrity Commissioner).

10.10 The future oversight roles of committees

This Committee is satisfied that all the above oversight roles should continue. Properly structured and performed, oversight by parliamentary committees can both ensure and enhance the independence from executive government of the various offices.

Given the Committee's recommendations to change the current committee structure and to give parliamentary committees the additional roles of consideration of proposed legislation and of the estimates, the Committee has considered the issue of which committees should carry out the oversight roles.

This Committee has decided to recommend that the current oversight functions be allocated across the appropriate various portfolio committees, apart from the oversight of the Crime and Misconduct Commission, which would continue to be performed by the Parliamentary Crime and Misconduct Committee.

There is some advantage in a number of committees – and therefore, more Members – being involved in oversight and thus developing skills and awareness of issues and knowledge in more aspects of public administration.

In considering the allocation, the committee proposes that oversight of the Criminal Organisation Public Interest Monitor rest with the Parliamentary Crime and Misconduct Committee. Whilst the *Criminal Organisation Act* comes under the portfolio responsibilities of the Attorney-General, and in turn would sit with the proposed Legal Affairs Committee, the latter will have oversight roles regarding a range of statutory office holders – Ombudsman, the Office of the Information Commissioner, and Electoral Commission of Queensland.

There are some similarities between the role and operations of the Criminal Organisation Public Interest Monitor and those of the Public Interest Monitor, established under the *Police Powers and Responsibilities Act* and the *Crime and Misconduct Act 2001*.¹⁵⁶ The Parliamentary Crime and Misconduct Committee is well familiar with such functions from its work in monitoring the Crime

¹⁵² Health Quality and Complaints Commission Select Committee, *Review of the Health Quality and Complaints Commission and the Health Quality and Complaints Commission Act 2006*, November 2007, page 94.

¹⁵³ Queensland Government, *Response to the Health Quality and Complaints Commission Select Committee's Report Review of the Health Quality and Complaints Commission and the Health Quality and Complaints Commission Act 2006*, February 2008, page 13.

¹⁵⁴ *Queensland Health Systems Review: Final Report*, September 2005, page 200.

¹⁵⁵ *Integrity Act 2009*, sections 72C and 72D.

¹⁵⁶ *Police Powers and Responsibilities Act 2000*, section 740, and *Crime and Misconduct Act 2001*, section 324.

and Misconduct Commission.¹⁵⁷ Given these synergies, and given the other oversight roles allocated to the now Law, Justice and Safety Committee (the Legal Affairs Committee under our proposals), we have allocated the oversight role of the Criminal Organisation Public Interest Monitor to the Parliamentary Crime and Misconduct Committee.

Most of the roles of the current Integrity, Ethics and Parliamentary Privileges Committee are to be transferred to the proposed Committee of the Legislative Assembly.

Having regard to the other functions which would be carried out by that committee, the oversight role regarding the Integrity Commissioner is not allocated to that committee.

In summary, the oversight roles should be carried out by the following committees:

Social Affairs Committee

Family Responsibilities Commission

Commission for Children and Young People and Child Guardian

Finance and Administration Committee

Auditor-General

Integrity Commissioner

Health Committee

Health Quality and Complaints Commission

Legal Affairs Committee

Electoral Commission

Information Commissioner

Ombudsman

Parliamentary Crime and Misconduct Committee

Crime and Misconduct Commission

Criminal Organisation Public Interest Monitor

10.11 Changes to the oversight roles

As demonstrated at the start of this chapter, the current oversight roles vary considerably from entity to entity and committee to committee.

The Clerk of the Parliament submitted:

*that there was a need to review the legislation regarding each of these officers so as to ensure consistency in their oversight as at present there is inconsistency.*¹⁵⁸

The Chief Executive of the Health Quality and Complaints Commission raised concerns at the narrow terms of reference of the committee charged with oversight of the commission - the Social Development Committee.¹⁵⁹ She recommended that the Health Quality and Complaints Commission should report to Parliament through a committee (rather than through the Minister) in order to 'present the public with an increased perception of [the Commission's] independence', which she saw as particularly important when the Commission was seeking changes to its legislation or its funding.

¹⁵⁷ In certain circumstances, the Public Interest Monitor provides to the Parliamentary Crime and Misconduct Committee reports on any non-compliance by officers of the Crime and Misconduct Commission with legislative requirements governing the use of coercive powers. See *Crime and Misconduct Act 2001* section 326(1) and *Police Powers and Responsibilities Act 2000* section 742(2A).

¹⁵⁸ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 13.

¹⁵⁹ Ms Cheryl Herbert, Chief Executive Officer, Health Quality and Complaints Commission, submission 15.

In her submission, the Commissioner for Children and Young People and Child Guardian, Ms Elizabeth Fraser, suggested that oversight could be enhanced if it was by a *statutory* committee. She specifically noted the absence of a role for the Social Development Committee in developing the commission's budget, and that such a role would enhance oversight.¹⁶⁰

The Committee agrees with the Clerk in urging a review to achieve consistency of oversight roles.

One example of current inconsistency exists in the area of the role of various committees in appointment of officers. As noted above, in the case of an appointment of a chair or other commissioner of the Crime and Misconduct Commission, the bi-partisan support of the Parliamentary Crime and Misconduct Committee is required. On the other hand, other appointment processes only require that the relevant parliamentary committee be 'consulted' on an appointment. Typically, what is involved in consultation is not prescribed. Whilst there are precedents for a committee chair, and in some cases, deputy chairs, being invited to sit on selection panels, it would seem that 'consult' is often taken to mean no more than advising a committee of the proposed appointment. This approach effectively means there is no role for the committee – and thus in effect the Parliament – in these appointments made by executive government.

Similarly, current requirements to consult with committees regarding development of budgets of agencies are less than satisfactory.

In his submission to this Committee, the Ombudsman, Mr David Bevan, recommended that the appointment process could be improved by requiring the support of a bipartisan majority of the Law, Justice and Safety Committee for any appointment as Ombudsman. This would mirror the requirement for bi-partisan support of the Parliamentary Crime and Misconduct Commission for the appointment of the chairperson and part-time commissioners of the Crime and Misconduct Commission.¹⁶¹

The Legal, Constitutional and Administrative Review Committee considered this issue in 2002.¹⁶² As it noted:

*The independence of a statutory office holder can potentially be undermined in a number of ways, such as by appointing a person or terminating their appointment on arbitrary or political grounds, or by the executive diminishing the office's resources to such an extent that the office holder is unable to fulfill his or her functions effectively. Thus, factors which protect independence include: an open and impartial appointment process; a salary which is not subject to arbitrary change; clearly defined responsibilities; clearly defined circumstances which can lead to dismissal; and openness in the context of the office.*¹⁶³

In short, oversight by parliamentary committees can enhance the independence of these statutory office holders from the executive.

It is critical that provisions governing the appointment of such officers not threaten this independence. The current requirements for consultation do not achieve that outcome. The requirement for bi-partisan support of appointments, is best practice, and should be used for all officers where there is currently a requirement for consultation with a parliamentary committee. These officers are:

- Auditor-General
- Crime and Misconduct Commission – chairperson and other commissioners
- Criminal Organisation Public Interest Monitor

¹⁶⁰ Ms Elizabeth Fraser, Commissioner for Children and Young People and Child Guardian, submission 22, page 4.

¹⁶¹ Mr David Bevan, Queensland Ombudsman, submission 25, pages 4 and 5.

¹⁶² *The Queensland Constitution: Specific content issues*, Legal, Constitutional and Administrative review Committee, report 36, August 2002, pages 48 to 53.

¹⁶³ *The Queensland Constitution: Specific content issues*, Legal, Constitutional and Administrative review Committee, report 36, August 2002, page 49.

- Electoral Commission
- Information Commissioner, Right to information Commissioner and Privacy Commissioner
- Integrity Commissioner
- Ombudsman.

There should also be appropriate amendment to all appointment provisions to make it clear that a requirement for the bi-partisan support of the relevant committee also applies to any proposed re-appointment.

Recommendation 45

The Committee recommends that the bipartisan support of a parliamentary committee be statutorily required for any appointment (including reappointment) to any of the following positions:

- ***Auditor-General***
- ***Crime and Misconduct Commission – chairperson and other commissioners***
- ***Criminal Organisation Public Interest Monitor***
- ***Electoral Commission***
- ***Information Commissioner, Right to information Commissioner and Privacy Commissioner***
- ***Integrity Commissioner***
- ***Ombudsman.***

Operations of the Parliamentary Crime and Misconduct Committee

A considerable portion of the oversight role regarding the Crime and Misconduct Commission is reported upon in the form of reports by the Parliamentary Commissioner to the committee, many of which are tabled by the Parliamentary Crime and Misconduct Committee in the Legislative Assembly. A number of these reports relate to the activities of the Crime and Misconduct Commission in the exercise of a range of its coercive powers, such as covert searches, surveillance devices and controlled operations, and the reporting is in accordance with statutory requirements.

Other reports by the Parliamentary Commissioner are tabled by the Parliamentary Crime and Misconduct Committee where appropriate. The Parliamentary Crime and Misconduct Committee also conducts a wide-ranging review of the Crime and Misconduct Commission every three years. As part of that review, the Parliamentary Crime and Misconduct Committee calls for submissions from the public, holds public hearings, and tables a report on the review. The Parliamentary Crime and Misconduct Committee has also reported on complaints and other matters considered by it.¹⁶⁴ Where appropriate, this has been done in a non-identifying manner.

The Parliamentary Crime and Misconduct Committee also meets with senior officers of the Crime and Misconduct Commission, usually on five or six occasions a year, to question Commissioners about the activities of the Crime and Misconduct Commission and discuss various issues arising from the operations of the Crime and Misconduct Commission.¹⁶⁵ These meetings are held *in camera* and are informed by confidential reports provided in advance by the Crime and Misconduct Commission, which contain detailed information about the activities of the Crime and Misconduct

¹⁶⁴ Parliamentary Crime and Misconduct Committee, *Report on Activities*, report 63, November 2003.

¹⁶⁵ See for example Parliamentary Crime and Misconduct Committee, *Annual Report 2009-2010*, report 83, page 2.

Commission.¹⁶⁶ As a previous chair of the Parliamentary Crime and Misconduct Committee observed:

*It is an unavoidable reality that those meetings are constrained by appropriate requirements of confidentiality, which allow for a full and frank exchange of views on matters often of a highly sensitive and delicate nature and often involving serious criminal matters. However, balanced against this are the many broad systemic issues which are appropriate for public airing and discussion, such as was the case for the public inquiry process of the PCMC's recent three-year review of the commission.*¹⁶⁷

Whilst acknowledging that many of the operations of the Parliamentary Crime and Misconduct Committee need to be carried out in private, this Committee believes there would be merit in a greater degree of openness in some respects. One possibility might be for the Parliamentary Crime and Misconduct Committee to hold at least part of these meetings in public. (Indeed, the last above quotation comes from the transcript of such a meeting held in public.) This would allow greater public scrutiny of the Crime and Misconduct Commission. Requirements for confidentiality could be satisfied either by holding other confidential meetings or by having both public and *in camera* sessions of meetings.

As a parliamentary committee, the Parliamentary Crime and Misconduct Committee consists solely of members of Parliament. It is assisted in its consideration of complaints and concerns regarding the Crime and Misconduct Commission by the Parliamentary Crime and Misconduct Commissioner. The Commissioner must be a person of considerable legal experience.¹⁶⁸ There might also be merit in the Parliamentary Crime and Misconduct Committee having input from external expertise, and the possibility of the membership of that committee including lay members should be considered.

Recommendation 46

The Committee recommends that the Crime and Misconduct Act 2001 be reviewed with a view to:

- ***having lay members included on the Parliamentary Crime and Misconduct Committee and***
- ***greater transparency of the operations of the Parliamentary Crime and Misconduct Committee.***

¹⁶⁶ Parliamentary Crime and Misconduct Committee members and officers are bound by non-disclosure requirements imposed by section 213 of the *Crime and Misconduct Act 2001*.

¹⁶⁷ The then chair, Geoff Wilson MP, transcript, joint public meeting of the Parliamentary Crime and Misconduct Committee and the Crime and Misconduct Commission, 30 April 2004, page 1, available here: <http://www.parliament.qld.gov.au/view/committees/documents/PCMC/transcripts/C040430.pdf> (accessed on 27 November 2010).

¹⁶⁸ *Crime and Misconduct Act 2001* section 304.

11. PETITIONS

This chapter examines whether there should be a role for committees in the petition process and, if so, what that role should be.

Broadly, petitions can be considered in three ways:

- without any committee involvement (as is now the case in Queensland)
- by a dedicated petitions committee
- by a portfolio or subject based committee.

11.1 Current process

The present petition process in Queensland is set out in the Standing Orders.¹⁶⁹ There is no role prescribed for committees in that process. This notwithstanding, there would appear to be no bar to a committee considering a petition on its own initiative where the subject-matter of the petition was within the committee's jurisdiction.

The present process is as follows:

- Individuals can petition the Legislative Assembly by either a paper petition or, since 2002, online - an 'e-petition'.
- A petition must be either lodged by a sponsoring member with the Clerk, or (since September 2010) lodged by a principal petitioner directly with the Clerk (or for an e-petition, sponsored by the Clerk on behalf of a principal petitioner).
- Petitions are presented to the House by the Clerk and are thereupon deemed to be received by the House (unless the House resolves to the contrary).
- The Clerk must refer a copy of the material parts of every petition received by the House to the Minister responsible for the administration of the matter which is the subject of the petition. (That Minister may forward the Clerk's advice to another Minister for response.)
- The Minister shall forward a response (the 'ministerial response') to a petition to the Clerk within 30 days and the response is tabled by the Clerk.¹⁷⁰ A copy of the response is provided to the principal petitioner and to any sponsoring member.

Details of paper petitions and e-petitions and ministerial responses are published on the Parliament's website.

In summary, petitions are received by the House and responded to by the relevant minister on behalf of the government. No other procedural action is triggered by the presentation of a petition. [A ministerial response can of course indicate that action will be taken regarding the matters raised in the petition.]

11.2 A dedicated petitions committee

In some jurisdictions, there is a petitions committee, to which petitions are referred for consideration. Examples of such committees can be found in the Australian House of Representatives and in the Scottish and Welsh Parliaments. In Western Australia, petitions are referred to a committee for examination. That committee also has responsibilities for other matters. Some of these models are now considered.

¹⁶⁹ Standing Orders, chapter 21.

¹⁷⁰ There is provision in SO125(6) for this time to be extended in certain circumstances

House of Representatives

The House of Representatives established a Standing Committee on Petitions in February 2008. Previously, petitions were presented to the House, and then forwarded to the responsible Minister, in much the same way as the Queensland system. Unlike in Queensland, ministerial responses were not common. The impetus for the establishment of the Petitions Committee came in a report of the Committee on Procedure in 2007.¹⁷¹ That report recommended the establishment of a Petitions Committee.

Now, petitions can either be sent to the Petitions Committee or presented in the House by any Member. The committee consists of ten members. The changes to the Standing Orders also enabled the committee to refer petitions to Ministers and to announce and publish their responses. The committee can also inquire into matters relating to petitions and the petitions system.

The Petitions Committee, in assessing the changes, stated:

*One of the most important outcomes of the changes has been the compliance by Ministers with requests for responses. Overwhelmingly, they have responded in an informative and timely way. It is probably rare that the response has given petitioners what they asked but they have received an explanation of the government's perspective on issues they raised, and that explanation has been made publicly available by the Committee.*¹⁷²

The committee can forward the terms of a petition to the responsible Minister for the administration of the subject-matter of the petition. Responses to petitions are announced in the House, printed in Hansard and are published on the committee's website. The Petitions Committee may also decide to hold discussions with the principal petitioner and government officials on the subject of the petition.

The House of Representatives Petitions Committee has recommended that it be given the capacity to refer petitions to House committees for inquiry and report, if they wish to do so.¹⁷³

In its report, *Electronic Petitioning to the House of Representatives*, the committee recommended that the House establish an electronic petitions system to operate alongside the paper system.¹⁷⁴

In recent years, the number of petitions presented in the House of Representatives each year has ranged from 276 in 2006 to 109 in 2008.

Scotland and Wales

Both Scotland and Wales have Parliaments with devolved powers. Each has an extensive range of subject committees.

Together with Queensland, Scotland was a leader in the introduction of e-petitioning. The Scottish process is now very well-developed and is aided by extensive use of an interactive website and other technology.

A dedicated petitions committee - the Public Petitions Committee - considers all petitions presented. That committee can consider a petition itself, or can refer a petition to another committee for further consideration. Committees must consider and report on any petitions referred to them by the Public Petitions Committee.¹⁷⁵ The Public Petitions Committee, of nine members, is to consider every admissible petition lodged with the Parliament.

¹⁷¹ House of Representatives Standing Committee on Procedure, *Making a difference: Petitioning the House of Representatives*, August 2007.

¹⁷² House of Representatives Standing Committee on Petitions, *The work of the first Petitions Committee: 2008-2010*, June 2010.

¹⁷³ House of Representatives Standing Committee on Petitions, *The work of the first Petitions Committee: 2008-2010*, June 2010, pages 23 and 24.

¹⁷⁴ House of Representatives Standing Committee on Petitions, *Electronic Petitioning to the House of Representatives*, November 2009, pages 70 and 71. The Committee reiterated this recommendation in its subsequent report *The work of the first Petitions Committee: 2008-2010*.

¹⁷⁵ Since its establishment in 1999, the Scottish Parliament has received over 1,000 petitions.

The Public Petitions Committee regularly meets with petitioners to discuss their petitions. The committee might choose to seek information from a relevant body, such as the Scottish Government or a local authority or other agency. The information received is provided to the petitioner for response.

The Public Petitions Committee gave the following summary of the information it seeks:

*To give an idea of the volume of information we seek, in 2009 we considered 79 new petitions and 277 current petitions. I estimate this to be around 2,000 individual letters and e-mails issued requesting information on these petitions. Every letter we receive on each petition is published on that petition's dedicated page on our website. This allows everyone following the petition to know quickly and easily what we are doing and what people are saying. We also publish the questions we ask of each organisation.*¹⁷⁶

The committee considers a large number of petitions, with a recent agenda listing 62 petitions for consideration.¹⁷⁷

The Public Petitions Committee uses a range of well-developed mechanisms for engaging with petitioners and other members of the public. Some of those mechanisms are discussed elsewhere in this report.¹⁷⁸ These processes have enhanced the level of engagement with the community.

Wales has followed the Scottish lead, with the introduction of e-petitioning in April 2008 and a dedicated petitions committee, which operates in a similar manner to its Scottish counterpart.

Parliament of Western Australia

The Legislative Council of the Parliament of Western Australia refers all its petitions to the Environment and Public Affairs Committee. Until the establishment of the House of Representatives Petitions Committee, this was the only Australian Parliament to involve a parliamentary committee in the petitions process.

The Environment and Public Affairs Committee can deal with a petition itself, or it may refer a petition to another committee where the subject matter of the petition is within the jurisdiction of that committee.

The committee is not a dedicated petitions committee – it is also a subject committee. The committee resolved in June 2008 to inquire into the petition process for the Legislative Council, with its terms of reference noting that it had resolved to do so ‘considering that the Committee’s inquiries into petitions assume a considerable part of its workload’.

The committee regularly prepares a report which provides an overview of the petitions considered by it. The most recent such report (covering the period from 1 July 2009 to 31 December 2009) discloses that during the reporting period 18 new petitions were received and the committee finalised 15 petitions.¹⁷⁹

On receipt of a petition, the sub-committee generally invites the tabling member, principal petitioner and, where it considers it appropriate, the relevant government Minister(s) to make a submission and provide information concerning the matters and issues raised in the petition. The sub-committee may make preliminary investigations to obtain background information on the issues from government agencies, private organisations and individuals. The sub-committee considers the

¹⁷⁶ Mr Frank McAveety MSP, convener, Public Petitions Committee, Scottish Parliament, submission 5, page 6.

¹⁷⁷ Public Petitions Committee agenda for meeting on 23 November 2010, accessed on 29 November 2010 at <http://www.scottish.parliament.uk/s3/committees/petitions/papers-10/pup10-18.pdf>

¹⁷⁸ See chapter 13 engagement.

¹⁷⁹ Standing Committee on Environment and Public Affairs, Legislative Assembly, Parliament of Western Australia, report 20 *Overview of Petitions*, August 2010, page 5.

submissions and other information received and then reports to the full committee, usually with a recommendation to either:

- finalise the petition, that is, to not inquire further into the petition; or
- formally inquire into the petition.

If the committee resolves to formally inquire into a petition, it may:

- arrange hearings at which discussion occurs on the various issues raised in the petition;
- gather additional information; or
- prepare a report on the petition for tabling in the Council.

Developments in other Australian jurisdictions

In April 2008, the Public Accounts and Estimates Committee of the Legislative Assembly of Victoria considered the petitions process, but declined to recommend the establishment of a dedicated petitions committee or other provision for committee involvement in the petition process.¹⁸⁰ The committee was of the view that:

the current management system of petitions in Victoria for a Parliament of its size and nature is appropriate while recognising that changes, especially to responding to petitions will improve accountability.

The committee, in recommending the introduction in Victoria of a mandatory requirement for a ministerial response (as now exists in Queensland), expressed the belief that this would ensure that every petition is considered and answered by the government, whereas a petitions committee might only refer some petitions for review and reply.

[Subsequently, the Standing Orders Committee of the Legislative Assembly of Victoria recommended that the relevant minister be required to provide a response in writing to a petition within ninety days.¹⁸¹]

11.3 Referral of petitions to committees

In some jurisdictions, petitions are referred to parliamentary committees, typically where these committees are subject based.

New Zealand

In New Zealand, petitions once presented are automatically referred to the appropriate select committee for consideration. The Clerk nominates the appropriate committee. It is up to the committee to decide whether to consider and report on a petition. The committee can seek submissions from the petitioner or from Government departments or other interested parties. If the committee includes recommendations in a report, the Government must respond to the recommendations within ninety days.

Canadian jurisdictions

In the Parliament of Canada, the government must respond to a petition presented to the House of Commons within 45 days. Petitions are not referred to committees. Whilst there are no sanctions for a failure by government to respond to a petition within the 45 day period, the matter of any failure to respond is automatically referred to a standing committee, nominated by the member who presented the petition.

¹⁸⁰ Public Accounts and Estimates Committee, Legislative Assembly, Parliament of Victoria, *Report on strengthening government and parliamentary accountability in Victoria*, April 2008, page 68.

¹⁸¹ Standing Orders Committee, Legislative Assembly, Parliament of Victoria, *Report on the Inquiry into Petitions, the Opening of Parliament, and the Passage of Legislation*, December 2009, page 6.

In the National Assembly of Quebec, there is provision for both paper petitions and e-petitions. The Assembly has nine standing subject or 'sectoral' committees. These committees consider bills and the estimates.¹⁸²

A sectoral committee can also consider a petition on its own initiative.¹⁸³ In any event, upon presentation, all petitions are automatically referred to committees.¹⁸⁴ The Secretary-General (the Clerk) forwards all petitions presented to the appropriate committee. The committee must then decide within fifteen days whether it will examine the petition. If it examines the petition, it must report on the petition to the Assembly within a further thirty days. In its consideration of a petition, a committee can choose to hear from the principal petitioner and other persons.

Upon a committee deciding not to examine a petition, or upon a committee reporting on its examination of a petition, the petition is referred to the government for a response. There is a mandatory requirement for the government to respond, normally within thirty days.

In the Legislative Assembly of Ontario, government must respond to a petition, but petitions are not referred to committees.

In the Legislative Assembly of British Columbia (which does not have subject committees), petitions are not referred to committees. There is no mandatory requirement for a government response.

11.4 Previous reform in Queensland

The move to add e-petitions as an alternative to paper petitions (introduced on a trial basis in 2002 and made permanent in 2003) was a worthy initiative in increasing the accessibility of the petitioning process by making it easier for Queenslanders to either start or join a petition.

It should also be noted that a ministerial response to a petition became a mandatory requirement in October 2009. Previously, the Standing Orders provided for a ministerial response to be at the discretion of the minister.

There have been previous recommendations for reform regarding a role for parliamentary committees in the petitioning process in Queensland.

As part of its review of parliamentary committees, the EARC considered the question of petitions. EARC noted the historical importance of the right of an individual to petition the Parliament.¹⁸⁵ EARC criticised the then lack of provision for a ministerial response. (Rather than a ministerial response, any response to a petition would come from the Parliament.) EARC, which had proposed a number of subject based committees proposed:

*Petitions fall into a limited number of subject categories. The majority are concerned with various contentious social issues. The Commission is of the view that petitions should be automatically referred to the committees responsible for the relevant policy areas; the committees could forward the petitions to the relevant Ministers seeking their advice on any action which is warranted and the petitioners advised of the outcome of their endeavours. This process would have the added benefit of acquainting committee members more directly with the issues which are of concern to the community.*¹⁸⁶

¹⁸² National Assembly of Quebec, Standing Orders, SO118 and 119.

¹⁸³ National Assembly of Quebec, Standing Orders, SO120.

¹⁸⁴ National Assembly of Quebec, Standing Orders, SO64.

¹⁸⁵ EARC report, volume 1, paragraph 5.99.

¹⁸⁶ EARC report, volume 1, paragraph 5.102.

EARC, after examining the likely impact of responsibility for petitions on the workload of the proposed committees, recommended that petitions should automatically stand referred by the House to the standing committee which deals with the policy area in which the subject matter of each petition falls.¹⁸⁷

When PCEAR came to consider the EARC proposals, it expressed the view that:

*automatic referral of all petitions to committees, as recommended by EARC, would not achieve any improvement to the existing situation.*¹⁸⁸

In doing so, PCEAR noted a suggestion by the then Speaker that any Member who had a concern about a matter raised in a petition could seek to refer that petition to a committee for investigation and report. PCEAR also quoted concerns expressed by the then Speaker that if the EARC proposal for automatic referral of petitions was adopted the committees would have *an enormous workload*.¹⁸⁹

PCEAR thus recommended against the automatic referral of petitions to standing committees (recommending instead that the Standing Orders Committee review the Parliament's methods of handling petitions).¹⁹⁰

Subsequently, the Queensland Constitutional Review Commission (QCRC) examined the issue briefly. Noting that 'the right to petition Parliament is ancient and familiar' QCRC was of the view that the petitioning process should be used as the vehicle to enable greater public participation in the legislative process and accordingly it recommended that a statutory Petitions Committee be created.¹⁹¹

11.5 Committee's proposals

This Committee believes the current process for petitions, particularly with the use of e-petitioning and with a requirement for ministerial responses, is appropriate, having regard to the size and roles of the Legislative Assembly. Given this, the Committee does not favour the establishment of a stand-alone petitions committee. The Committee's proposed committee structure has regard to the number of members in the Legislative Assembly and the other demands upon members' time. The Legislative Assembly, with 89 members, is considerably smaller than the House of Representatives (150 members).

The Queensland Legislative Assembly consists of members elected to single member constituencies. On the other hand, the Scottish Parliament (established with devolved powers in 1999) has 129 members, comprising 73 constituency MPs (each elected to a single member constituency) and 56 'Regional MPs', elected in eight regions, each with seven seats. [The regional members are elected using a type of proportional representation known as the 'Additional Member System', with a formula which takes into account both the number of regional seat votes and the number of constituency seats that an individual or party has already won.]

¹⁸⁷ EARC report, volume 1, paragraph 5.105.

¹⁸⁸ PCEAR report, paragraph 11.4.6.

¹⁸⁹ PCEAR report, paragraph 11.4.4.

¹⁹⁰ PCEAR report, paragraph 11.4.7.

¹⁹¹ Queensland Constitutional Review Commission (QCRC), *Report on the Possible Reform of and Changes to the Acts and Laws that relate to the Queensland Constitution*, February 2000, page 39.

<i>Year</i>	<i>Number of petitions received</i>	<i>Total number of petitioners</i>	<i>Average number of petitioners per petition</i>	<i>Average number of petitions received per month</i>
2010	Paper: 147 Electronic: 91 Total: 238	Paper: 139,938 Electronic: 143,326 Total: 283,264	Paper: 952 Electronic: 1575 Total: 2527	19.8
2009	Paper: 108 Electronic: 63 Total: 171	Paper: 118,837 Electronic: 300,909 Total: 419,746	Paper: 1100 Electronic: 4776 Total: 5876	14.3
2008	Paper: 152 Electronic: 57 Total: 209	Paper: 128,825 Electronic: 22,320 Total: 151,145	Paper: 847 Electronic: 391 Total: 1,238	17.4
2007	Paper: 170 Electronic: 35 Total: 205	Paper: 152,601 Electronic: 102,213 Total: 254,814	Paper: 897 Electronic: 2920 Total: 1243	17.1
2006	Paper: 119 Electronic: 47 Total: 166	Paper: 143,676 Electronic: 98,504 Total: 242,180	Paper: 1,207 Electronic: 2,096 Total: 1,459	13.8
2005	Paper: 136 Electronic: 40 Total: 176	Paper: 132,665 Electronic: 27,552 Total: 160,217	Paper: 975 Electronic: 689 Total: 910	14.7
2004	Paper: 115 Electronic: 18 Total: 133	Paper: 97,119 Electronic: 5,641 Total: 102,760	Paper: 845 Electronic: 313 Total: 773	11.1
2003	Paper: 115 Electronic: 22 Total: 137	Paper: 134,027 Electronic: 7,234 Total: 141,261	Paper: 1,165 Electronic: 329 Total: 1,031	11.4
2002	Paper: 109 Electronic: 3 Total: 112	Paper: 198,176 Electronic: 1,663 Total: 199,839	Paper: 1,818 Electronic: 443 Total: 1,784	9.3
2001	77	122,096	1,586	6.4
2000	139	114,577	824	11.6
1999	193	130,841	678	16.1
1998	112	82,705	738	9.3
1997	174	170,589	980	14.5

As the figures in the above table demonstrate, the Legislative Assembly receives a significant number of petitions. As mentioned above, the most recent overview report tabled by the Environment and Public Affairs Committee of the Legislative Council of the Parliament of Western Australia discloses that during the six months from 1 July 2009 to 31 December 2009 18 new petitions were received and the committee finalised 15 petitions. The number of petitions presented in the House of Representatives in the years 2005 to 2009 has ranged from 276 down to 109.¹⁹²

¹⁹² House of Representatives Standing Committee on Petitions, *The work of the first Petitions Committee: 2008-2010*, June 2010, appendix E.

Bearing these considerations in mind, the Committee does not see the need or the capacity for a stand-alone petitions committee.

The Committee also does not recommend the automatic referral of petitions to the relevant subject committee. There is concern that the workload of committees would be too great if there were such automatic referral.

Whilst the Committee is recommending a range of roles for parliamentary committees similar to that envisaged by EARC (including policy matters, consideration of bills, and consideration of the estimates), there has been a great increase in the complexity of government and administration since 1992 when EARC considered the question of petitions. Additionally, a number of reforms to the petition process have done much to address the concerns noted by EARC and PCEAR, and the introduction of e-petitions and the posting of details of petitions and ministerial responses on the Parliament's website have assisted in greatly increasing the accessibility of the petitioning process, enhancing transparency and promoting community participation.

At the same time, the Committee sees it as desirable that a subject committee consider a petition in appropriate circumstances. As noted above, there would appear to be no current restriction on the ability of a committee to decide to examine an issue raised in a petition (provided the subject-matter falls within the committee's jurisdiction).

Given the absence of subject committees until recently, it is perhaps not surprising that committees have not examined petitions. As we are recommending an increased use of subject committees, to avoid any uncertainty, and to emphasise the availability of this option to committees, the committee proposes that there be express provision allowing a committee to examine a petition.

This approach could be enhanced by also expressly providing for a committee to be asked to consider a petition, once the petition has been received by the House. The Committee proposes that the relevant Minister be able to request a subject committee to consider a petition, with the committee being able to decline to do so (having regard perhaps to its workload.)

Recommendation 47

The Committee recommends that the Standing Orders be amended to provide that a committee can on its own initiative consider any petition received by the House, the subject-matter of which falls within the jurisdiction of the committee.

Recommendation 48

The Committee recommends that the Standing Orders be amended to provide that a minister (being the minister responsible for the administration of the matter which is the subject of the petition) can refer a petition to the relevant committee for consideration, but such referral shall not operate so as to require the committee to consider any petition.

12. POWERS

Statutory committees of the Queensland Parliament have powers conferred by legislation. In addition, committees may also be given powers by the House under Standing Orders.

Foremost among the powers that committees have is the power to call for persons, documents and other things.¹⁹³

Standing Orders give similar powers to the House to confer powers on committees to send for persons, documents and other things.¹⁹⁴ Typically, when a committee is established by resolution of the House, the resolution includes an express conferral of the power to call for persons, documents and other things.

In practice, committees have rarely needed to exercise any coercive powers.

Committees have few restrictions on where and when they can meet, and already have the power to take evidence by use of teleconferencing and videoconferencing ‘or other electronic means’.¹⁹⁵

The proceedings of the portfolio committees should be as transparent as circumstances permit. There should be a presumption that these proceedings be open to the public, unless the relevant committee resolves otherwise.

Recommendation 49

The Committee recommends that there be a presumption that portfolio committee proceedings be open to the public unless the committee otherwise determines.

No submissions to this committee raised the need for any additional general powers for committees.

It is important that committees retain the power to initiate their own inquiries.

Except as otherwise specifically discussed in this report, the committee regards the powers of committees as sufficient and makes no recommendations for additional general powers.

¹⁹³ See section 25 of the *Parliament of Queensland Act 2001*, and for the Parliamentary Crime and Misconduct Committee see section 293 of the *Crime and Misconduct Act 2001*.

¹⁹⁴ Standing Order 203.

¹⁹⁵ Standing Orders 204 and 205.

13. ENGAGING WITH THE COMMUNITY

Much of this report has so far focused on the roles of committees in accountability, scrutiny, and the development and review of legislative proposals and policy.

Parliamentary committees have other equally important roles. They can both make use of, and develop, specialist skills of committee members. Importantly, they can provide a conduit for community views to be heard and placed before the Legislative Assembly as a whole, acting as a bridge between the people and their parliament.

Committees can both draw upon and engender public debate. Committees can be more flexible, more mobile, and more creative in their engagement with the community than can the Parliament as a whole. Committee work can result in both a more accessible and a better informed Parliament.

In urging the sorts of reforms that this committee is proposing, the Speaker saw one of the objectives of such reform as ensuring the Parliament is equipped to discharge its functions in a way that, amongst other things:

*...provides genuine opportunities for public engagement on legislative proposals, topical issues and matters of policy, and the administration of government.*¹⁹⁶

Another submission saw committee roles as including:

- *assessing a wide range of community and expert views so that through the Committee process, the Parliament is able to be better informed of community issues and attitudes*
- *providing a public forum for presentations from individual citizens and interest groups*
- *promoting public debate on the issues being focused on.*¹⁹⁷

In recent years, Queensland parliamentary committees have looked for ways in which they can better engage with the community. Queensland is a big state with a diverse population. One commentator noted the challenge for parliamentary committees thus:

*As vast distances - both literal and figurative - have separated the Parliament and the people whose voices should be heard during the inquiries, committees of successive Parliaments have experimented with new ways of engaging interest, facilitating discussion and involving the diversity of Queenslanders in committee decision-making.*¹⁹⁸

The traditional committee inquiry process has been formal in nature, centring on a call for written submissions, questioning of stakeholder representatives and community members at hearings, and behind the scenes research. This process suits some inquiries but can have its limitations.

Recent times have seen the use of less formal approaches, including informal discussions, roundtable discussions and workshops, use of alternative and new media, linkage of inquiry topics with youth juries and youth Parliaments where issues of concern to young people are involved.

As noted by one witness at this Committee's public hearing, appearing before a committee can be extraordinarily daunting for most people and that there might be ways for committees to interact with witnesses in a more casual environment.¹⁹⁹ He also told the Committee that it can be very difficult for volunteer organisations to keep up with current events and to become aware in a timely manner that committees are seeking submissions. As they often have limited resources and skills to prepare submissions, it was important that relevant stakeholders be notified of a call for submissions and that there be at least six weeks to respond.²⁰⁰

¹⁹⁶ Hon. John Mickel MP, Speaker of the Legislative Assembly of Queensland, submission 31, page 1.

¹⁹⁷ Mr Nick Behrens, Chamber of Commerce & Industry Queensland, submission 13, page 1.

¹⁹⁸ J Copley, 'The Diversity of Queensland People - In and Out of the Parliament', *Australasian Parliamentary Review*, Autumn 2009, volume 24(1), pages 137 to 152, at 137.

¹⁹⁹ Dr Rawson (FamilyVoice Australia), transcript of proceedings, page 22.

²⁰⁰ Transcript of proceedings, page 20.

Practice to date suggests that such a timeframe is usually provided by committees (and requests for extensions of time are generally looked upon favourably where possible). At the same time, it is important for committees to explore better ways of getting the message out in the first place.

Our parliamentary committees have a well established web presence. Typically, all calls for submissions, public hearing transcripts, and committee reports and other publications are made available on the web. In recent times, committees have used an online submission process and there is facility for the public to electronically subscribe to receive updates about a committee's work.

However, options for refinement of the web presence and for other options of communicating the message must constantly be explored.

It is often the case that many established stakeholders are well-organised and resourced, and experienced in and not daunted by the process of making written or oral submissions. It is especially important in these cases that other stakeholders and affected community members be able to have their voices heard.

This was the case in the Law, Justice and Safety Committee's recent alcohol-related violence inquiry, where the committee received written and oral submissions from a range of well established and resourced industry groups and government departments. It was though obvious that some of the committee's potential recommendations could have impact on the public including patrons – and staff - of licensed premises, especially in late-trading precincts.²⁰¹

The committee, as well as holding a series of formal hearings in a number of centres, undertook a range of other consultation processes. These included:

- a schools forum in Townsville to hear the views of a cross-section of secondary school students
- attending a Youth Summit where young people discussed a range of topical issues of relevance to them, including substances and safety
- engaged with a YMCA Youth Parliament held at Parliament House, by participating in a planning session with the youth Parliamentarians
- considering the subsequent debate by the Youth Parliament on alcohol and violence.

Members of the Law, Justice and Safety Committee made numerous visits to entertainment precincts in various areas of Queensland in the early hours of the morning, where they spoke to a range of patrons and others involved in the industry.

The Law, Justice and Safety Committee⁰ also established a Facebook page, to promote the inquiry and to invite comment on the issues, particularly aimed at young people.

As long ago as 2003, the Travelsafe Committee, as part of inquiries into young driver education and licence restrictions, held eleven public forums throughout Queensland. These forums were targeted primarily at young people approaching the minimum licensing age or who had recently acquired a driver's licence. The committee aimed at holding the forums in venues familiar to young people such as TAFE classrooms and school auditoriums. One such forum in Brisbane involved delegates at a Youth Parliament. The committee also used an online submission facility and short questionnaires to canvas opinions and gather feedback.

²⁰¹ Law, Justice and Safety Committee, *Inquiry into alcohol-related violence: final report*, report 74, March 2010, page 3.

Other examples of different engagement methods being used were in the Voices and Votes inquiry. Voices and Votes was an inquiry into youth participation in the democratic process. It was important for the then Legal, Constitutional and Administrative Review Committee to engage with young people. As part of the inquiry, the committee:

- established an on-line poll to obtain the views of young people on some of the issues involved.

Methods used included:

- distributing a multi-media CD-Rom
- posting links to the inquiry on on-line communities and information sites frequented by young people
- on-line polling of 12 to 25 year olds
- polling of upper-primary students and secondary school students attending the regional sitting of the Queensland Parliament in Rockhampton in 2005
- ten workshops throughout Queensland
- a youth jury held at Parliament House
- exit polling of young people voting in one state by-election and one local government by-election.²⁰²

In recommending the referral of proposed legislation to committees for consideration, this committee sees an opportunity for increased community input into legislation. In New Zealand, the committee met with representatives of a range of interest groups that regularly make submissions to committee inquiries into proposed legislation. Whilst acknowledging that their views did not always get accepted, they supported the process as providing an avenue for stakeholder groups to have their say. New Zealand committees try to speak with all persons who make a written submission. To do this efficiently, they make extensive use of videoconferencing.

An example of a committee which has developed a wide range of innovative techniques for communicating with the community is the Public Petitions Committee of the Scottish Parliament. That committee's sole remit is to consider petitions to the Parliament. (Its activities are mentioned later in this report.) Whilst the committee had used a website, it wished to explore other engagement methods, particularly given that many people now use social media tools as a way to source and share information.

After asking the public for their ideas and suggestions, the Public Petitions Committee introduced a range of ways to better publicise its activities and have input from the community.²⁰³ Some include:

- a dedicated public petitions blog to provide an alternative source for sharing information about the committee's work. This has proved to be particularly useful and flexible for hosting video and photographic content submitted by petitioners
- a video *Petitioning the Scottish Parliament: Making your voice heard*, which explains the petitioning process, including how to bring a petition forward
- a new Q and A leaflet (in a number of different languages) explaining in simple terms what a petition is, how the process works, and where to get more information
- production of that leaflet in paper and podcast formats, both in a range of languages

²⁰² Legal Constitutional and Administrative Review Committee, *Voices and Votes: a parliamentary committee inquiry Into young people engaging in democracy*, report 55, August 2006, page 7.

²⁰³ Mr Frank McAveety MSP, convener, Public Petitions Committee, Scottish Parliament, submission 5, page 2.

- use of audioboo - which allows users to post and share sound files ('boos') – allowing the committee to provide quick updates after its meetings on the outcomes of individual petitions so individuals will be able to hear quickly and easily what happened
- a facility for people to text support to an e-petition.

Committees in Queensland, to remain in touch with the community and to continue to be a bridge between the Parliament and the people, should continue to explore new methods of engagement and communication.

Recommendation 50

The Committee recommends that parliamentary committees continue to investigate and utilise new ways to better engage with the community.

14. RESOURCING AND TECHNOLOGY

Sufficient resourcing is critical to an effective committee system. A number of submissions to the inquiry drew attention to the importance of adequate resourcing.²⁰⁴ The chair of the Public Accounts and Public Works Committee (formed in May 2009 by merging the previous separate Public Works Committee and Public Accounts Committee) referred to the limitations on that committee when it assumed the workload of two committees with the resources equivalent of only one of those committees, noting that ‘with more appropriate resourcing for the anticipated workload, [the committee] would have been in a position to achieve enhanced results.’²⁰⁵ He told this Committee:

[The committee] agrees with the sentiments expressed in the PCEAR report that overburdening of committees with too broad a mandate can lead to unintended and poorer outcomes as a result. Therefore, appropriate resourcing and staffing of the PAPWC is essential to enable the committee to provide a greater standard of oversight.

14.1 Staffing support

The committee system proposed by the Committee will result in a total of ten committees, apart from the Committee of the Legislative Assembly. This is an increase on the current number of committees. Staff numbers will need to see a commensurate increase on this basis alone. The Committee does not recommend any change to the current system of each committee having its own secretariat of staff.

This Committee has proposed that the function of what might be described as the ‘technical’ scrutiny of bills (to consider the extent of compliance with the fundamental legislative principles, as currently carried out by the Scrutiny of Legislation Committee) and examination of subordinate legislation be undertaken by the relevant committee to which a bill has been referred. There should be engaged within the Committee Office sufficient advisers, not attached to any committee, with the appropriate skills and experience whose role it would be to provide advice on this technical scrutiny to any committee considering a bill or sub-ordinate legislation.

The Clerk of the Parliament (who proposed a portfolio based system of committees, but with fewer committees than recommended in this report) noted that both the Committee Office and the Parliamentary Reporting Service (‘Hansard’) would be ‘profoundly affected’ by an expansion of the current system of committees.²⁰⁶

He noted that the changes he proposed would increase the workload of the committee system, and would, in turn, place greater demands on these two areas, particularly the Committee Office and it was clear that the Committee Office would require some additional resourcing.

He saw a need for some additional research capacity at times and believed that on a short-term basis, the need for additional research capacity could be met by temporarily assigning:

*On a short-term basis, the need for additional research capacity may be met by temporarily reassigning staff of the Parliamentary Library who work on research briefs. A more sustainable scenario given the likely increase in referrals from the House, however, is to establish a small pool of research staff in the Committee Office that can be assigned to secretariats on a project by project basis, as required. This flexibility in staffing will be crucial to ensure that committees are able to complete their examination of bills to the standard required by the House within tight timeframes whilst ensuring the legislative work of the House is not unduly delayed. It will also allow committees flexibility to pursue other work that is not related to the scrutiny of bills before the House.*²⁰⁷

²⁰⁴ Examples include Mr Daniel Morgan (submission 12), Dr David Solomon (submission 19), and the LNP (submission 24).

²⁰⁵ Mr Wayne Wendt MP, Chair, Public Accounts and Public Works Committee, submission 14, page 6.

²⁰⁶ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 18.

²⁰⁷ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 19.

14.2 Accommodation

Accommodation needs for committees fall into two areas – staffing accommodation and venues for committees to meet and hold hearings. The Parliamentary Annexe was built before the modern committee system was first established. There have been increases in committee numbers since then and this report recommends a further increase.

In common with other areas of the Parliamentary Service, the current physical accommodation for committee staff is inadequate. Offices for committee staff are in a number of separated areas. As noted by the Clerk:

*Ideally, all staff of the Committee Office should be brought together and housed in one office area within the precinct. In my view, this should be a priority for the Service and included in any future reconfiguration and accommodation planning within the parliamentary precinct.*²⁰⁸

Facilities for committees to hold hearings and deliberative meetings in the parliamentary precinct are also inadequate. Meeting rooms are currently too few in number and too small to comfortably accommodate members and staff – a situation which is exacerbated when a committee wishes to invite others to a meeting.

As the Clerk notes in his submission, meeting rooms and rooms used for committee hearings and other consultations are not dedicated committee facilities, but are used for a range of other purposes and functions. Current committee workloads mean that rooms are over-booked during sitting weeks.²⁰⁹ This Committee finds the present *ad hoc* arrangements for accommodation for committees to be entirely inappropriate.

The recommendations made by this Committee will result in a further increase in committee activity and increased demand for meeting rooms and hearing rooms.

A recent assessment of the functional performance of the parliamentary precinct has considered the fitness for purpose of the parliamentary buildings in meeting the needs of all users.²¹⁰ Included in this survey was an examination of the facilities for committees. The report identifies the shortcomings already mentioned in this report. It recommends an extension to the Parliamentary Annexe which would include the following new accommodation for committees:

- a single dedicated location for all Committee Office staff; and
- three full size Committee Office meeting rooms, containing all necessary technology to facilitate committee meetings.

The report identifies that the following benefits would result:

- significantly improved functional proximities, with all committee secretariats co-located on a single floor with improved capacity for sharing physical and human resources
- three dedicated committee meeting rooms (with appropriate technology), which will reduce the need for the committees to utilise public meeting areas or rooms elsewhere in the precinct
- capacity to accommodate all eight existing ‘permanent committees’ plus contingency accommodation for at least two additional ‘temporary’ select committees that may be appointed during the term of any Parliament
- improved quality of accommodation for staff.

This Committee supports these recommendations.

²⁰⁸ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 20.

²⁰⁹ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 20.

²¹⁰ Queensland Parliamentary Service, Strategic Review of Parliamentary Buildings report 2 - *Report on Functional Performance of the Buildings (fitness for purpose)*.

The Committee inspected committee rooms in the New Zealand Parliament and in various legislatures in Canada. Typically, such rooms are of sufficient size to accommodate committee members and staff, witnesses and their advisers, and members of the public. They also have facilities for recording by Hansard and for the media. Often they also feature internet access and facilities to accommodate teleconferencing and videoconferencing. New Zealand committee rooms (used for meetings and hearings) feature a computer for each member to access committee documents (as part of their electronic document management system).

The National Assembly of Quebec, with 125 members and ten committees (excluding the Business Committee and any select committees) has four rooms generally reserved for committee use (including the former Legislative Council chamber). Each has audio recording and wireless internet facilities, and some have videorecording and videoconferencing facilities.

The Clerk advised that two rooms currently used for committee hearings and other consultative activities have in-situ digital recording technology that is connected to the Parliamentary Reporting Service digital recording system. He recommended that:

To accommodate the expected increase in hearings arising from the establishment of portfolio committees, it is recommended that the Red Chamber, the Premiers Hall and the meeting rooms on level 5 be similarly fitted with digital recording infrastructure.

The [Parliamentary Reporting Service]PRS digital recording system would need to be expanded to up to eight channels to accommodate hearings conducted in the Red Chamber and the Premier's Hall. These rooms would also need to be equipped with additional microphones.²¹¹

These steps should be implemented. However, they should only be seen as temporary and partial solutions.

There should be at least three dedicated committee hearing rooms provided in the parliamentary precinct, suitably equipped to facilitate recording by the Parliamentary Reporting Service and media, internet connectivity, and teleconferencing and videoconferencing capacity.

At the same time, it is important that at least some of these spaces be flexible enough to accommodate the alternative consultation methods mentioned in chapter 13 – such as the roundtables, the informal discussion groups, the workshops – that can allow parliamentary committees to reach out to a greater diversity of groups.

Recommendation 51

The Committee recommends that appropriate accommodation to support parliamentary committees be provided, to include a minimum of three dedicated committee rooms to be established in the parliamentary precinct, equipped for recording by the Parliamentary Reporting Service and media, together with internet connectivity and teleconferencing and videoconferencing capacity, with a view to establishing a dedicated room for each committee.

14.3 Committees and technology

With increasing workloads and with increasing use of new media in society, it is important for parliamentary committees to actively consider using new technology. This can achieve increased efficiency and cost-effectiveness and more inclusive and effective consultation with the community.

The Clerk of the Parliament told the Committee that a more active committee system would require new approaches to how committees conduct their business and it would be crucial 'to expand the

²¹¹ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 21.

opportunities they provide for public input into their work'.²¹² He suggested that committees could better utilise technologies in the following ways:

- *Utilising video conferencing for committee meetings and expert briefings, and to take evidence from witnesses*
- *Developing software to streamline the processes for receiving and sorting submissions lodged electronically via committee inquiry pages on the Parliament of Queensland website*
- *Providing secure platforms for committee members to store and access inquiry information and retrieve it from multiple locations*
- *Hosting web surveys to gather detailed responses to issues under inquiry and to supplement the evidence provided in submissions*
- *Hosting web forums to explore issues under inquiry with stakeholders*
- *Broadcasting committee seminars and hearings via the web*
- *Promoting committee inquiries, hearings and other events and generating genuine debate and understanding of the issues under inquiry via social networking websites.*²¹³

Hon. Rozzoli (a former Speaker of the New South Wales Legislative Assembly) noted that Parliaments must make their processes more open to the public. He proposed that this openness could be achieved by means such as canvassing evidence on specific issues via the internet, taking evidence via video link, using online forums and establishing a free to air television channel.²¹⁴

Queensland parliamentary committees have for some time been using on-line submission processes. As suggested by the Clerk this process could be built upon through software development to enhance the process in a number of respects. For example, the on-line submission system demonstrated to the Committee at the New Zealand Parliament allows a submitter to attach a document to an on-line submission, as well as automatically scanning for viruses, generating acknowledgments and allocating reference numbers. Submissions are also automatically uploaded to a document management system (mentioned below).

As mentioned earlier in this report, the Law, Justice and Safety Committee, to better reach young patrons of nightclub precincts in the course of an inquiry into alcohol-related violence established what is believed to be the first Facebook page for a parliamentary committee in Australia.²¹⁵

A number of other legislatures have facilities to broadcast proceedings of the legislative chamber and of committees, either to the web or on free to air television channels. In Canada, for example, proceedings in the chamber are typically broadcast live. Some committee hearings are also broadcast live if possible, or on delay if there are scheduling clashes.

In New Zealand, the Committee saw a demonstration of an electronic document management system used by parliamentary committees. This allows secure electronic storage and retrieval of committee documents by members and staff, including during meetings and hearings. Members can use software to add their own notes and annotations, or highlight portions of text.

Whilst some aspects of the system appeared to be physically intrusive and some user reaction has been mixed, it would be worthwhile to explore the merits of developing such a system for parliamentary committees in Queensland.²¹⁶ Any such system would need to ensure that security and confidentiality concerns are satisfied.

²¹² Mr Neil Laurie, Clerk of the Parliament, submission 23, page 19.

²¹³ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 20.

²¹⁴ Hon. Kevin Rozzoli AM, submission 9, pages 13 and 14.

²¹⁵ Law, Justice and Safety Committee, *Inquiry into alcohol-related violence: final report*, report 74, March 2010, page 3.

²¹⁶ Such systems are canvassed by Mr Ian Chivers in submission 30.

The former Parliamentary Criminal Justice Committee (PCJC) took evidence by videoconference link as long ago as 1999, using external facilities. The PCJC urged greater use of this technology, stating at the time:²¹⁷

So far as the committee is aware, this was the first time that any parliamentary committee in Queensland had utilised such technology to conduct public hearings. Based on this experience, the committee believes video conferencing can be an efficient and cost-effective method of conducting hearings in appropriate circumstances and commends the technology to the House.

The Standing Orders already provide for committees to be able to use videoconferencing to hold meetings or to take evidence from witnesses.²¹⁸

Despite this, there has been no subsequent example of videoconferencing being used by a parliamentary committee in Queensland.

The Queensland Parliament does not have any videoconferencing facilities. This Committee is aware that the technology is regularly used in a number of other legislatures, including New Zealand and in Canada. Those legislatures have their own on-site facilities.

Videoconferencing would be of great benefit in Queensland, with its large distances and dispersed population. It would allow committees to hear from a broader range of Queenslanders without the costs of holding hearings outside Brisbane. These costs include travel and accommodation for members and staff (sometimes including Parliamentary Reporting Service staff) and venue hire and catering costs. It would also be more time-efficient. Additionally, having regard to transport availability and schedules, there are centres of population which it is not practical to visit, but these communities would be able to readily participate in parliamentary committee processes by videoconference.

Videoconferencing could be used to improve the communication and learning process in other ways. As an example, parliamentary committees could efficiently learn a lot from the work of committees - and parliaments generally - in other jurisdictions through videoconferencing. The Public Petitions Committee of the Scottish Parliament held videoconferences with the Petitions Committee of the Australian House of Representatives as part of the latter's inquiry into e-petitioning.²¹⁹ The Public Petitions Committee offered to videoconference with this committee as part of our inquiry, but without videoconferencing facilities available in the Queensland Parliament, this was problematic.

Additionally, on-site videoconferencing facilities could be available for use by other areas of the Parliamentary Service, not just to support parliamentary committees.

Recommendation 52

The Committee recommends that:

- ***parliamentary committees make greater use of videoconferencing in their operations.***
- ***the Parliamentary Service establish its own videoconferencing facilities and be funded to do so.***
- ***the Parliamentary Service continue to develop innovative consultation methods for use by committees.***

²¹⁷ As part of an inquiry into telecommunications interception. See PCJC, *A report on the Introduction of the Telecommunications Interception Power in Queensland - balancing investigative powers with safeguards*, report 50, December 1999, page ii.

²¹⁸ See Standing Orders SO200 (meetings) and SO204 (taking evidence).

²¹⁹ Mr Frank McAveety MSP, convener, Public Petitions Committee, Scottish Parliament, submission 5, page 6.

15. COMMITTEES AND THE HOUSE

At present, there is a limited interaction between the work of the House and the work of committees. The extent of the interaction is largely limited to the House appointing and discharging members to committees, referring matters for inquiry and establishing estimates committees.²²⁰ While committees report back to the House, the reports are often not related to legislation or other matters being considered by the House and the reports are rarely debated.

A number of submissions raised concerns about the lack of intersection between the work of committees and the House.

The Speaker noted that ‘the relationship and interaction of the Assembly House and its committees are deficient’ and ‘there is a real opportunity available to reform not only the committee system, but the entire way in which the Assembly and committees operate’. The Speaker stated that:

The objective of the reform should be to ensure parliament is equipped to discharge all of its functions in a way that:

- *provides time and quality opportunity to examine legislation, consider and debate topical issues and matters of policy and scrutinise the administration of government;*
- *enables members to raise matters of concern to their electorate and garner information about the operation of government;*
- *enables members to properly question Ministers about government policy and senior officials of the government about the implementation of policy and legislative proposals; and*
- *provides genuine opportunities for public engagement on legislative proposals, topical issues and matters of policy, and the administration of government.*²²¹

The Speaker stated that ‘because of large government majorities over many decades...a culture of government control over the time of the Assembly has developed. There is a need for more cooperative decision making about time’. The Speaker’s proposals for reform included:

- committees considering legislation through an inquiry process;
- a presumption that committee reports containing recommendations should be debated;
- increasing the time available for private members’ statements and ‘set topic’ matters of public interest debates;
- the establishment of a Business Committee to organise the business of the House.²²²

The Clerk summarised the current sitting pattern in the following terms.²²³

Sessional Orders establish that the House will sit during sitting weeks on Tuesday, Wednesday and Thursday from 9.30 am until a set time on Tuesday and Wednesday (10.30 pm) or on other days, by its own resolution, the House adjourns. In practice, the House generally sits on Tuesday and Wednesday from 9.30 am to approximately 10.30 pm, and on Thursday from 9.30 am to approximately 7.30 pm. In the budget sitting week, the House also sits on the Friday from 9.30 am to approximately 6.30 pm. Committees conduct hearings on Monday and Friday of sittings weeks. On occasions, committees may conduct short hearings prior to the House sitting or during meal adjournments of the House. Hearings are also conducted in non-sitting weeks. Seven days of estimates hearings are held in July each year, with each estimates committee hearings commencing at approximately 9.00 am and finishing at approximately 6.30 pm each day.

²²⁰ Refer Chapter 28 – Estimates Committees and Chapter 29 – Establishment of Committees.

²²¹ Hon John Mickel MP, Speaker of the Legislative Assembly of Queensland, submission 31, page 1.

²²² Hon John Mickel MP, Speaker of the Legislative Assembly of Queensland, submission 31, pages 4 to 6.

²²³ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 18.

As the Clerk stated, given the establishment of portfolio committees and their increased roles, the sitting times of the House would need to be altered to enable portfolio committees adequate time to meet to perform their expanded functions.

There needs to be dedicated committee time, as is the case in other jurisdictions, including New Zealand. We propose that sitting hours be amended accordingly. One approach would be to set aside Wednesday mornings as committee time, with the House not commencing until 2.30pm. Committees now regularly meet or hold hearings on Friday mornings. Committees should continue to meet on Fridays if required, as well as Wednesday mornings. Friday morning committee time should be regarded as part of the sitting week.

Recommendation 53

The Committee recommends that sitting times be altered to allow for committee time on Wednesday mornings from 9.30am to 1pm, with the Parliament to commence at 2.30pm Wednesdays.

Additionally Friday mornings are to be considered committee time.

Committees may also meet outside parliamentary sitting times.

15.1 Allocation of time in the House

Both the Speaker and the Clerk noted the increasing time spent on ministerial statements compared with private members' statements. The Clerk noted that while there is almost three hours per sitting week allocated to the 18 members of the ministry for Ministerial Statements, there is only three hours per week allocated to the 70 non-Ministerial members to make speeches on unrestricted topics (ie. Adjournment debates, Matters of Public Interest and Private Members' statements).²²⁴ The Clerk provided the committee with the following table indicating the exponential growth in Ministerial Statements over time²²⁵:

Ministerial Statements made each year and total time for Ministerial Statements 1979-2009

Year	No of Min statements	Total hours/minutes for statements
1979	73	5:16
1980	41	2:39
1981	67	4:36
1982	57	4:03
1983	45	3:19
1984	97	6:45
1985	109	8:12
1986	71	6:00
1987	100	7:35
1988	130	9:17
1989	119	8:39
1990	151	12:11
1991	157	8:49
1992	79	3:15
1993	96	5:33
1994	101	5:48
1995	71	5:05
1996	318	22:24

²²⁴ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 6.

²²⁵ Mr Neil Laurie, Clerk of the Parliament, submission 33, appendix A.

Year	No of Min statements	Total hours/minutes for statements
1997	276	17:26
1998	261	16:58
1999	431	28:23
2000	320	23:14
2001	484	29:27
2002	651	36:53
2003	741	34:36
2004	670	17:05
2005	950	36:12
2006	675	27:59
2007	919	36:23
2008	748	36:29
2009	634	32:20

In the Federal Parliament there are often only a couple of ministerial statements per day, and there is almost always an opportunity for the Leader of the Opposition or shadow Minister to respond.

Recommendation 54

The Committee recommends that the Committee of the Legislative Assembly consider the allocation of more private members' time, and review the time allocated to ministerial statements.

15.2 Debating of committee reports

Another symptom of the current lack of connection between the work of committees and the proceedings in the Legislative Assembly is the scant time devoted to the debating of committee reports in the House.²²⁶ The committee was provided with this assessment:

Furthermore, the Legislative Assembly's consideration of the reports of its own committees is nothing short of dismal. In the last decade a total of 45 minutes has been spent in the Legislative Assembly debating non-estimates committee reports. While it is noted that notice of motion was given on five occasions, only three motions were moved. (The notice of motion to debate the Review of the Organ and Tissue Donation Procedures Select Committee Report was not moved due to the dissolution of the Parliament.) Put another way, excluding estimates committees, of 191 'inquiry reports' only three (3) or less than 2% have been formally considered by the Legislative Assembly.²²⁷

Currently, sessional orders provide that a member tabling a committee report (almost invariably this will be the committee chair) can give notice of motion that the House take note of the report. In debate on the motion, any member may speak for up to three minutes each, with no specified total time for the debate.²²⁸

Further, the debating of committee reports shall occur only on Thursdays, towards the end of the first hour of business. This hour of business includes a range of other items including ministerial statements (the time spent on which is alluded to elsewhere in this report), matters of privilege, the tabling of reports, personal explanations and notices of motion. The practical effect is that there is little time for debating committee reports. On the rare occasions that reports have been debated, the

²²⁶ This position, and hence this discussion, do not apply in relation to estimates reports.

²²⁷ Mr Neil Laurie, Clerk of the Parliament, submission 23, page 7. The figures cover the period from 2000 to May 2010. One committee report has been debated by the House in the subsequent period.

²²⁸ Sessional Orders, 53rd Parliament, paragraph 2

debate sometimes becomes disjointed, spread over a number of sitting weeks for a small period each week.

One current committee, in proposing there be provision for debating of substantive committee reports as an item of business in its own right, with a minimum time of one hour per week, stated:

*... the noting of reports by the House is a key final stage of the committee reporting process. It provides committee members who have invested considerable time and energy into producing a report the opportunity to highlight and reinforce key findings and recommendations. For other members, it provides opportunities to express their support or otherwise, and to highlight perspectives from their own electorates on the issues examined. For ministers and shadow ministers, it provides opportunities to canvas the differences in their respective policies. The debates of committee reports help to ensure that all members are fully informed of the work of committees.*²²⁹

The submission also proposed that, where the House agreed, the debate of a committee report could be delayed so as to take place after the tabling of any final response to the report by government.²³⁰ The Speaker, in proposing that all committee reports containing recommendations be presumptively debated by the House, expressed the view that any debate should be after the receipt of the government's response.²³¹

On another view, the content of any government response could be enhanced if it were able to be informed by a preceding debate of the report in the House.

The committee proposes a system whereby the debate would normally precede the response of government being tabled, but with provision for the house to defer such debate until after a response has been received – or at least, until the time for receipt of a response has expired.

The other issue is what mechanism ought to be used for there to be debate of a committee report. One option is that any report containing recommendations for government be automatically debated. Other options include the current process, which requires notice of motion for taking note of the report to be given by the member tabling the report (almost invariably this is the committee chair). Alternatively, the notice of motion could be required from the chair or deputy chair, or from any member of the House (in which latter case there would need to be some time lapse built in to the provision – for example, that notice of motion be given by any Member within three sitting days of tabling of the report).

Recommendation 55

The committee recommends that there be a dedicated time for debate of committee reports (other than reports on bills) of at least one hour each sitting week.

²²⁹ Ms Carryn Sullivan MP, Chair, Environment and Resources Committee, submission 18.

²³⁰ *Parliament of Queensland Act 2001* section 107 provides that, within a stipulated time-frame, the relevant minister must respond to all committee reports containing recommendations for government.

²³¹ Hon John Mickel MP, Speaker of the Queensland Legislative Assembly, submission 31, page 5.

APPENDIX A – TERMS OF REFERENCE

A select committee, to be known as the Review of the Parliamentary Committee System Committee, be appointed to conduct an inquiry and report on how the Parliamentary oversight of legislation could be enhanced and how the existing Parliamentary Committee system could be strengthened to enhance accountability.

In undertaking this inquiry, the committee should consider—

- the role of Parliamentary committees in both Australian and international jurisdictions in examining legislative proposals, particularly those with unicameral parliaments;
- timely and cost effective ways by which Queensland Parliamentary Committees can more effectively evaluate and examine legislative proposals; and
- the effectiveness of the operation of the committee structure of the 53rd Parliament following the restructure of the committee system on 23 April 2009.

The committee should include in its report options on models for structuring the Queensland Parliamentary Committee system.

The committee have the power to call for persons, documents and other items.

The committee report to the Legislative Assembly by the end of 2010.

That the Committee consist of nine Members of the Legislative Assembly: Chair Ms Spence; Mr Finn; Mr Horan; Ms Male; Mr Moorhead, Mrs Pratt; Mr Schwarten; Mr Seeney and Mr Springborg.

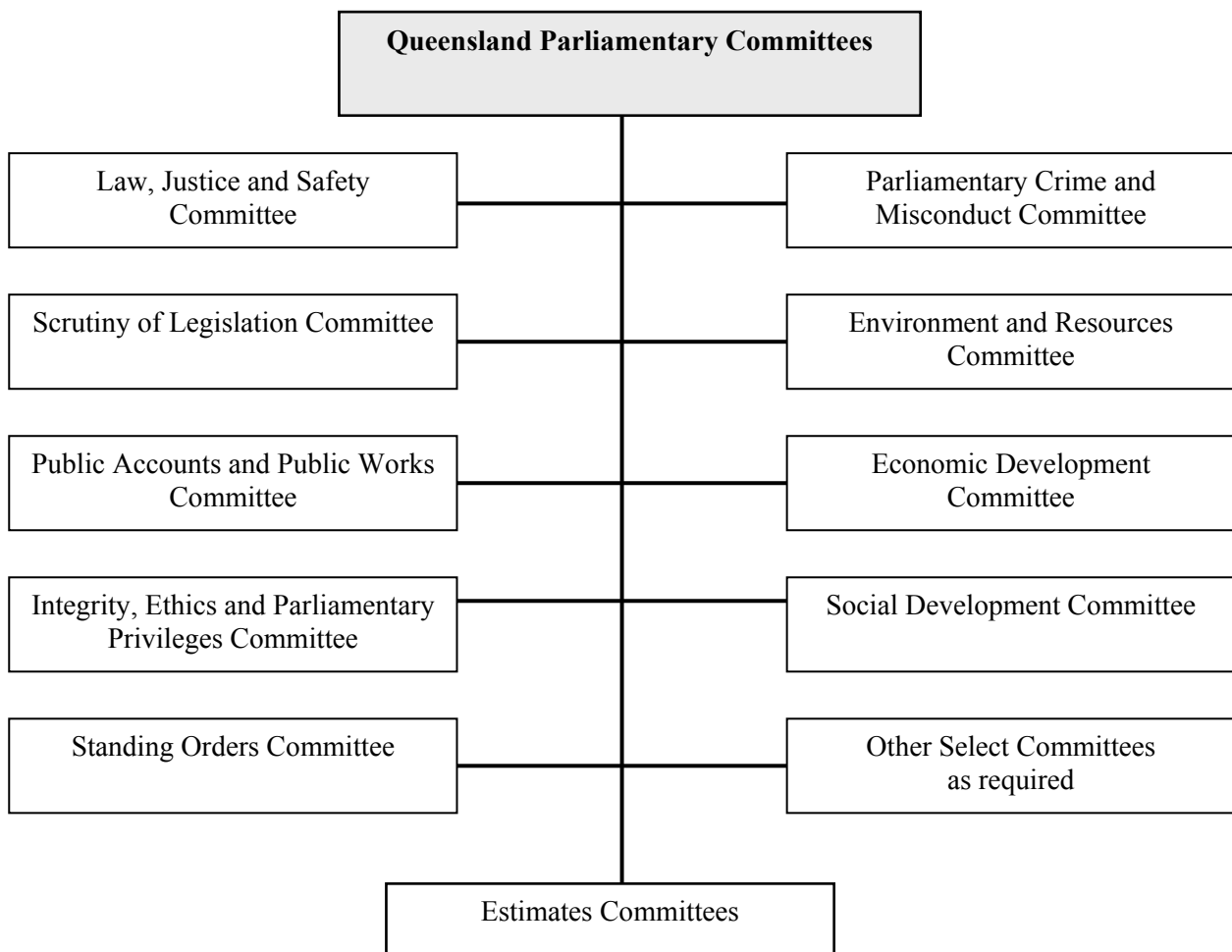
That this resolution has effect notwithstanding anything contained in Standing or Sessional Orders.

[See: Queensland Parliament Record of Proceedings (Hansard), 25 February 2010, page 540.]

APPENDIX B – LIST OF SUBMISSIONS

Sub #	Name
1	Mr Len Scanlan, Principal, Scanlan Consulting Solutions
2	Emeritus Professor Colin Hughes, Emeritus Professor of Political Science, University of Queensland
3	Mr Malcolm Peacock, Clerk of the Western Australian Legislative Council
4	Hon. Dr Bob Such MP, Member for Fisher, Parliament of South Australia
5	Mr Frank McAveety MSP, Convener, Public Petitions Committee, Scottish Parliament
6	Ms Barbara Stone MP, Member for Springwood, Queensland Parliament
7	Dr David Phillips, National President, FamilyVoice Australia
8	Dr Paul Reynolds, Honorary Research Fellow, Queensland Parliament
9	Hon. Kevin Rozzoli AM
10	Mr Martin Moynihan AO QC, Chairperson, Crime and Misconduct Commission
11	Mr Kerry Shine MP, Chair, Integrity, Ethics and Parliamentary Privileges Committee, Queensland Parliament
12	Mr Daniel Morgan
13	Mr Nick Behrens, General Manager – Policy, Chamber of Commerce and Industry Queensland
14	Mr Wayne Wendt MP, Chair, Public Accounts and Public Works Committee, Queensland Parliament
15	Ms Cheryl Herbert, CEO, Health Quality and Complaints Commission
16	Ms Lindy Nelson-Carr, Chair, Social Development Committee, Queensland Parliament
17	Ms Barbara Stone MP, Chair, Law, Justice and Safety Committee, Queensland Parliament
18	Mrs Carryn Sullivan MP, Chair, Environment and Resources Committee, Queensland Parliament
19	Dr David Solomon AM, Queensland Integrity Commissioner
20	Mr Kevin Lindeberg
21	Ms Rosemary Laing, Clerk of the Senate, Australian Senate
22	Ms Elizabeth Fraser, Commissioner for Children and Young People and Child Guardian
23	Mr Neil Laurie, Clerk of the Parliament, Queensland Parliament
24	Mr Bruce McIver, LNP State President, Liberal National Party of Queensland
25	Mr David Bevan, Queensland Ombudsman
26	Mr Greg McMahon, Secretary, Whistleblowers Action Group Queensland Inc
27	Ms Lynn Lovelock, Clerk of the Legislative Council, Parliament of New South Wales
28	Mr Russell D Grove, Clerk of the Legislative Assembly, Parliament of New South Wales
29	Mr Peter McHugh, Clerk of the Legislative Assembly, Parliament of Western Australia
30	Mr Ian Chivers, Director and Chief Executive Officer, Systematics Pty Ltd
31	Hon. John Mickel MP, Speaker of the Legislative Assembly of Queensland
32	Mrs Jo-Ann Miller MP, Chair, Scrutiny of Legislation Committee
33	Mr Neil Laurie, Clerk of the Parliament, Queensland Parliament – supplementary submission

APPENDIX C – CURRENT QUEENSLAND PARLIAMENTARY COMMITTEES



APPENDIX D – PUBLIC HEARING WITNESSES

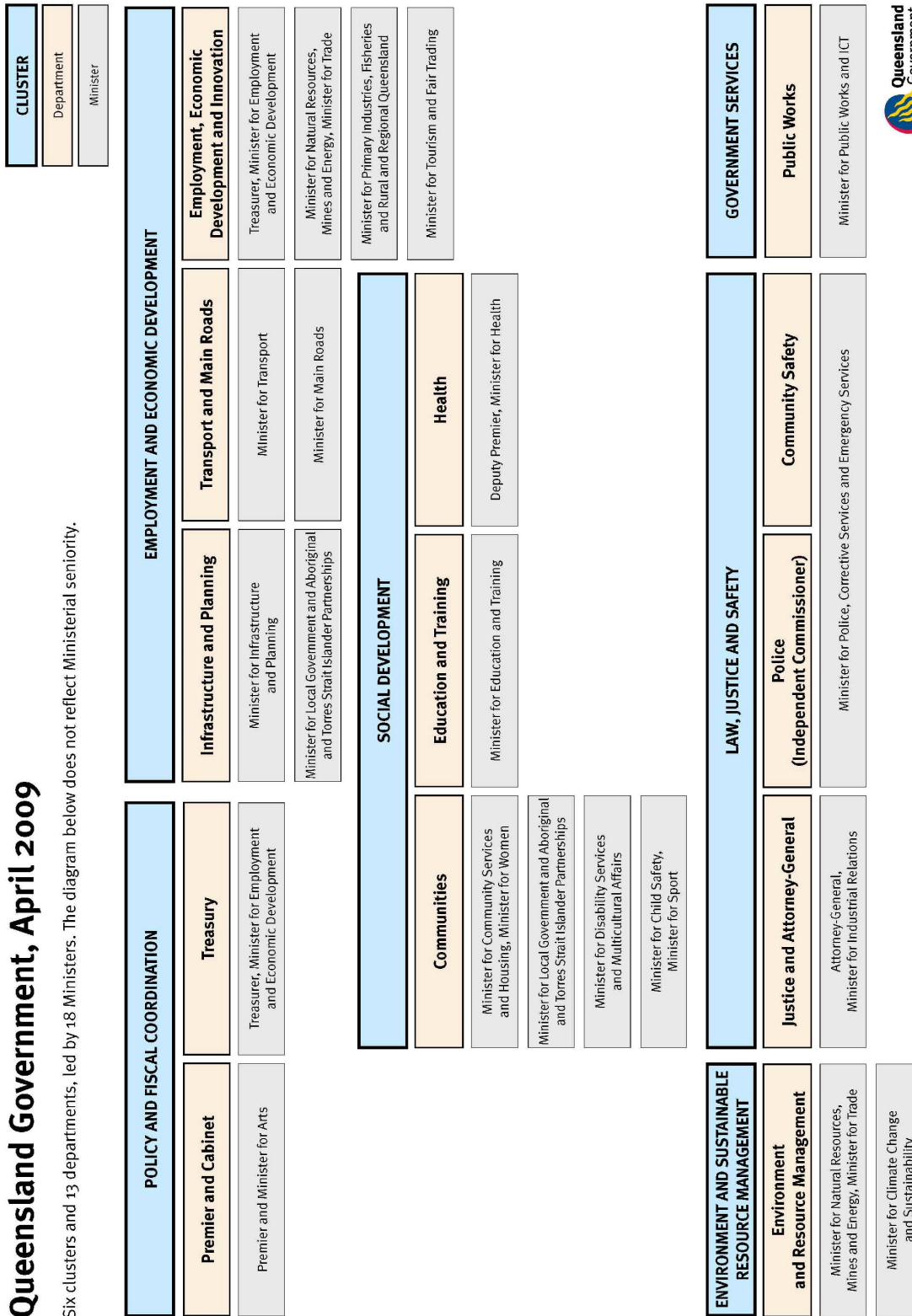
PUBLIC HEARING
Friday, 20 August 2010

Session Time	Witness
8.30 am – 9.00am	Hon. Kevin Rozzoli AM (via teleconference)
9.00 am – 9.30 am	Hon. John Mickel MP Speaker of the Queensland Parliament
9.30 am – 10.00 am	Mr Neil Laurie Clerk of the Parliament
10.00 am – 10.30 am	Morning Tea
10.30 am – 11.00 am	Dr Paul Reynolds Honorary Research Fellow, Queensland Parliament
11.00 am – 11.20 am	Dr Jim Rawson OAM Queensland Representative, FamilyVoice Australia

APPENDIX E – CURRENT QUEENSLAND GOVERNMENT DEPARTMENT STRUCTURE

Queensland Government, April 2009

Six clusters and 43 departments, led by 18 Ministers. The diagram below does not reflect Ministerial seniority.



APPENDIX F – HISTORICAL LIST OF COMMITTEES OF THE QUEENSLAND PARLIAMENT

Committee	Date of Appointment
First Parliament (May 1860 – May 1863)	
Library	30 May 1860
Standing Orders	30 May 1860
Immigration to the Colony of Queensland	31 May 1860
Elections and Qualifications	13 Jun 1860
Government Departments	13 Jun 1860
Internal Communication	20 Jun 1860
Police Forces	20 Jun 1860
The Judicial Establishment	26 Jun 1860
Dr Lang's Petition	5 Jul 1860
Messrs North of Wivenhoe	3 Aug 1860
Native Police Force	1 May 1861
Printing	1 May 1861
Library (Joint)	8 May 1861
Parliamentary Buildings (joint)	8 May 1861
Refreshment Rooms	8 May 1861
Treasury Deficiencies	14 May 1861
Board of General Education	27 Jun 1861
Tramway Bill	5 Jul 1861
Petition of Messrs Ferriter & Jones	10 Jul 1861
Steam Navigation Company's Bill	30 Jul 1861
Address-in-Reply to Opening Speech	21 Apr 1863
Immigration	29 Apr 1863
Real Property Act	13 May 1863
Second Parliament (July 1863 – May 1867)	
Address-in-Reply to Opening Speech	22 Jul 1863
Elections and Qualifications	22 Jul 1863
Dredging Operations at River Bar	28 Jul 1863
Library (Joint)	28 Jul 1863
Printing	28 Jul 1863
Refreshment Rooms (Joint)	28 Jul 1863
Standing Orders	28 Jul 1863
Parliamentary Buildings (Joint)	28 Jul 1863
Commercial Bank Bill	4 Aug 1863
Main Roads	5 Aug 1863
Queensland Bank Bill	6 Aug 1863
Subdivision of Land Bill	19 Aug 1863
Brisbane Incorporation Bill	1 Sep 1863
The case of Abraham Hartley	8 Sep 1863
The case of Dr Labatt	9 Sep 1863
Pleuro-pneumonia	10 May 1864
Harbours and Rivers	25 May 1864
Immigration	25 May 1864
Brisbane Bridge	29 Jul 1864
Brisbane Gas Company's Bill	9 Aug 1864
Proposed New House of Parliament (Joint)	9 Aug 1864
Bank of New South Wales	30 Aug 1864
Steam Postal Communication (Joint)	11 May 1865

Committee	Date of Appointment
Post Office and Money Order Dept.	17 May 1865
Petition of W.H. Richards and Co.	5 Jul 1865
Claims against Government Bill	11 Jul 1865
Insolvency Act Amendment	2 Aug 1865
Eastern Downs Electoral Roll	15 Aug 1865
"Commodore Perry"	23 Aug 1865
Civil Service	18 Apr 1866
Hospitals of the Colony	24 Apr 1866
Defences of the Colony (Joint)	1 May 1866
Claims of late Government Resident at Port Curtis	8 May 1866
Officers of the Legislative Assembly	22 May 1866
Financial Arrangements	12 Jul 1866
Third Parliament (August 1867 – August 1868)	
Address-in-Reply to Opening Speech	7 Aug 1867
Elections and Qualifications	8 Aug 1867
Library (Joint)	13 Aug 1867
Parliamentary Buildings (Joint)	13 Aug 1867
Refreshment Rooms (Joint)	13 Aug 1867
Printing	18 Sep 1867
Standing Orders	18 Sep 1867
Department of Engineer of Roads and Colonial Architect	24 Sep 1867
Prison Discipline	1 Oct 1867
Distribution of Loan Expenditure	15 Oct 1867
Management of the Auditor-General's Department	15 Oct 1867
Selections in Agricultural Reserves	15 Oct 1867
Southern and Western Railway	16 Oct 1867
Issue of Treasury Notes	23 Oct 1867
Crown Lands Sale Bill	31 Oct 1867
Queensland Emigration Department in Great Britain	20 Nov 1867
Insolvency Bill	21 Nov 1867
Address to His Royal Highness the Duke of Edinburgh	11 Dec 1867
Brisbane Bridge Act Amendment Bill	23 Jan 1868
Fourth Parliament (November 1868 – July 1870)	
Address in Reply to Opening Speech	18 Nov 1868
Elections and Qualifications	18 Nov 1868
Library (Joint)	29 Dec 1868
Parliamentary Buildings (Joint)	29 Dec 1868
Refreshment Rooms (Joint)	29 Dec 1868
Printing	30 Dec 1868
Standing Orders	30 Dec 1868
Queensland Insurance Company's Bill	18 Mar 1869
Management and Working of the Police Force	6 May 1869
Lunatic Asylum, Woongaroo (Joint)	13 May 1869
Operation of "The Polynesian Laborers Act, 1868"	14 May 1869
John Trevor Hull Gardiner	26 May 1869
Mr Henry Buckley, Late Auditor-General (Joint)	27 May 1869
Hansard (Joint)	10 Jun 1869
Supreme Court Offices	10 Jun 1869
Management of the Penal Establishment of St. Helens	8 Jul 1869
Fifth Parliament (November 1870 – June 1871)	

Committee	Date of Appointment
Address-in-Reply to Opening Speech	16 Nov 1870
Elections and Qualifications	16 Nov 1870
Library (Joint)	17 Nov 1870
Parliamentary Buildings (Joint)	17 Nov 1870
Printing	17 Nov 1870
Refreshment Rooms (Joint)	17 Nov 1870
Standing Orders	17 Nov 1870
Management of the Gaols of the Colony, and the Case of Job Short	2 Dec 1870
Railway Management	2 Dec 1870
Traffic Between Ipswich and Brisbane	9 Dec 1870
Address in Reply to Opening Speech	12 Apr 1871
Elections and Qualifications	12 Apr 1871
Printing	13 Apr 1871
Standing Orders	13 Apr 1871
Railway Management	20 Apr 1871
The Case of Job Short and Goal Management	20 Apr 1871
Supreme Court and other Law Courts	28 Apr 1871
Sixth Parliament (November 1871 - September 1873)	
Address-in-Reply to Opening Speech	8 Nov 1871
Printing	14 Nov 1871
Standing Orders	14 Nov 1871
Elections and Qualifications	15 Nov 1871
Library (Joint)	21 Nov 1871
Refreshment Rooms (Joint)	21 Nov 1871
Parliamentary Buildings (Joint)	21 Nov 1871
Lieutenant-Colonel Mackenzie	6 Dec 1871
Bank of New South Wales Bill	28 Dec 1871
Case of Henry Jacobs	21 Dec 1871
Mr John Douglas, Late Agent General for Emigration (Joint)	4 Jul 1872
Kangaroo Point Church Land Sale Bill	12 Jul 1872
Mr John Bourne's Contract for the Dalby Railway	17 Jul 1872
Statements against the Character of Mr J K Handy, one of the Members for Brisbane	11 Jun 1873
Proposed Completion of Parliamentary Buildings (Joint)	8 Jul 1873
Seventh Parliament (January 1874 - October 1878)	
Address-in-Reply to Opening Speech	25 Mar 1874
Elections and Qualifications	25 Mar 1874
Printing	26 Mar 1874
Standing Orders	26 Mar 1874
Library (Joint)	31 Mar 1874
Parliamentary Buildings (Joint)	31 Mar 1874
Proposed Completion of Parliamentary Buildings (Joint)	31 Mar 1874
Refreshment Rooms (Joint)	31 Mar 1874
Sericulture in Queensland - Claim of Sericulture in Queensland	2 Apr 1874
Bank of New South Wales Bill	9 Apr 1874
Claim of Mr P F McDonald	9 Apr 1874
Claim of Mr T F Merry	9 Apr 1874
Rockhampton Gas Company's Bill	9 Apr 1874
Australian Joint Stock Bank Bill	16 Apr 1874
Queensland Smelting and Assaying Company (Limited)	16 Apr 1874
Roads, Tramways, and other Feeders to the Railway Lines	16 Apr 1874

Committee	Date of Appointment
Manufacture of Salt	8 May 1874
Western Peak Downs Cooper Mining Company's Bill	8 May 1874
Alleged Offer of Bribes to Members	28 May 1874
Official Record of the Debates, commonly known as "Hansard"	28 May 1874
Waterstown Coal Leases Bill	4 Jun 1874
Petition of Mr John Buhot	9 Jun 1874
Warwick Chapel Land Sale Bill	9 Jun 1874
Mining Case - Bruse v. Taggart	25 Jun 1874
Petition of Patrick McNamara Corbett	25 Jun 1874
Mr Gordon Sandeman of Burenda	7 Jul 1874
Case of Stephen and James Broom	2 Jun 1875
Rockhampton Waterworks Bill	8 Jun 1875
Claims of the Municipal Council of Brisbane	10 Jun 1875
Forest Conservancy	17 Jun 1875
Gracemere Pre-emptive Bill	17 Jun 1875
Mr William Coote	17 Jun 1875
Friendly Societies Bill	1 Jul 1875
Queensland Turf Club Bill	6 Jul 1875
Financial Position of the Colony State of the Public Accounts	20 Jul 1876
Queensland National Bank (Limited)	9 Aug 1876
Construction and Cost of the Brisbane and Ipswich Railway	17 Aug 1876
Land Cases under Appeal to the Privy Council	17 Aug 1876
Maryborough School of Arts Land Sales Bill	17 Aug 1876
Case of Henry Jacobs	7 Sep 1876
General Question of South Sea Island Labour	7 Sep 1876
Mr Joseph Francis Kelsey	19 Sep 1876
Claim of the Hon. William Hobs	28 Sep 1876
Fire Brigades Bill – Petition from Municipal Council of Brisbane	19 Oct 1876
Roads from Warwick to Kilarney and Farm Creek	19 Oct 1876
Brisbane General Cemetery	31 May 1877
Government Advertising	31 May 1877
Fortitude Valley Parsonage Land Sale Bill	14 Jun 1877
Ipswich Gas and Coke Company (Limited) Bill	12 Jul 1877
Road through Portion 174 Goodna	12 Jul 1877
Working and Management of the Southern and Western Railway Department	12 Jul 1877
Custody and Disposal of Documents and Records of Parliament	17 Jul 1877
Ipswich Church of England School Land Lease bill	24 Jul 1877
Patrick Dalton, of Spring Creeks Clifton	26 Jul 1877
Claim of the Honourable William Hobbs	5 Sep 1877
Liverpool and London and Globe Insurance Company's Bill	6 Sep 1877
Bowen Park Lease Bill	3 Oct 1877
Widgee Creek Timber Reserve	9 May 1878
Patrick McNamara, of Warwick	5 Jun 1878
Lands Resumption Bill	6 Jun 1878
Toowoomba Gas and Coke Company (Limited) Bill	6 Jun 1878
Site of Railway Station at Warwick	18 Jun 1878
Maryborough Gas and Coke Company (Limited) Bill	16 Aug 1878
Eighth Parliament (January 1879 – July 1883)	
Elections and Qualifications	13 May 1879
Printing	14 May 1879
Standing Orders	14 May 1879

Committee	Date of Appointment
Library (Joint)	20 May 1879
Parliamentary Buildings (Joint)	20 May 1879
Refreshment Rooms (Joint)	20 May 1879
Tooth Estate Enabling Bill	27 May 1879
Case of Henry Milner Clarkson	29 May 1879
Mercentile Bank of Sydney	12 Jun 1879
Railway Workshops	12 Jun 1879
Irregularity at Beenleigh Land Office	24 Jul 1879
Toowoomba Chapel Land Sale Bill	24 Jul 1879
Claim of Nehemiah Bartley	7 Aug 1879
Conditional Homestead Selections, East, Prairie, West Prairie, and St. Ruth	7 Aug 1879
Warwick School of Arts Land Sale Bill	12 Aug 1879
Police Magistrate at Thornborough - Charges against Mr. J. Hamilton	4 Sep 1879
Burrum Railway Bill	10 Sep 1879
National Agricultural and Industrial Association Land Sale Bill	16 Sep 1879
Claim of Dr Hobbs	22 Sep 1879
Contract for, and Carriage of Steel Rails, Mr Hemmant's Petition	15 Jul 1880
Mr Tom Coward	15 Jul 1880
National Agricultural and Industrial Association Land Sale and Leases Bill	22 Jul 1880
Toowoomba Waterworks	22 Jul 1880
Rockhampton Racecourse Bill	11 Aug 1880
German Lutheran Church Land Sales Bill	9 Sep 1880
Claim of Messrs Wildash and Huthison	23 Sep 1880
Working for the Crown Solicitor's Office	5 Oct 1880
Disqualification of Members under the 6 th Clause of the "The Constitution Act of 1867"	7 Oct 1880
Working of the Queensland Museum	7 Oct 1880
Mrs E.S. Wells	21 Oct 1880
Gulland Tramway Bill	11 Aug 1881
Colonial Sugar Refining Company's Bill	31 Aug 1881
North Brisbane Leichhardt Street Church of England School Land Sale or Lease Bill	26 Jul 1882
Gympie Agricultural Society	27 Jul 1882
Maryborough Cemeteries Sale Bill	2 Aug 1882
Town Hall Bill	4 Oct 1882
Connection of B.D. Morehead and Co. with Land Sales in the Springsure and Peak Downs Districts	25 Oct 1882
Ninth Parliament (November 1883 – April 1888)	
Elections and Qualifications	8 Nov 1883
Printing Committee	11 Jan 1884
Standing Orders	11 Jan 1884
Library (Joint)	15 Jan 1884
Parliamentary Buildings (Joint)	15 Jan 1884
Refreshment Rooms (Joint)	15 Jan 1884
Wickham Terrace Presbyterian Church Bill	17 Jan 1884
Case of Charles Francis Cumming	31 Jan 1884
Sutton Estate Enabling Bill	31 Jan 1884
Address-in-Reply to Opening Speech	8 Jul 1884
Address-in-Reply to Opening Speech	8 Jul 1884
Pettigrew Estate Enabling Bill	22 Jul 1884
Report on the Palmer Goldfield Skyring's Road Bill	30 July 1884
Bundaberg Gas and Coke Company (Limited) Bill	31 Jul 1884

Committee	Date of Appointment
Warden Hodgkinson	31 July 1884
Gympie Gas Company (Limited) Bill	6 Aug 1884
Maryborough Racecourse Bill	19 Aug 1884
Maryborough Town Hall Bill	19 Aug 1884
Maryborough School of Arts Bill	11 Sep 1884
Townsville Gas and Coke Company (Limited) Bill	23 Sep 1884
Maryborough and Urangan Railway Bill	10 Oct 1884
Seizure of the Schooner "Forest King"	11 Sep 1885
Noble Estate Enabling Bill	20 Oct 1885
South Brisbane Gas and Light Company (Limited) Bill	23 Oct 1885
Condition of Public Business	13 Nov 1885
Condition of Public Business	13 Nov 1885
Coal Contract by the Government with R. and J. Lindsay	19 Aug 1886
South Brisbane Mechanics Institute Land Sale Bill	24 Aug 1886
Burning of the British Vessel "Rockhampton" at Normanton	3 Sept 1886
Ipswich Grammar School Trustees' Enabling Bill	26 Oct 1886
Godsall Estate Enabling Bill	27 Oct 1886
Bundaberg School of Arts Land Sale Bill	26 July 1887
Travelling Expenses of Mr Justice Cooper	2 Aug 1887
Australian Joint Stock Bank Act Amendment Bill	9 Aug 1887
Claim of Mr E B C Corser	11 Aug 1887
Queensland Trustees and Executors Society, Limited Bill	8 Sep 1887
Claim of Francis Porter	15 Sep 1887
Lady Bowen Lying-in Hospital Land Sale Bill	20 Sept 1887
Cooneana Railway Bill	21 Sep 1887
Maryborough and Urangan Railway Amendment Bill	28 Oct 1887
Contract for Second Section of the Brisbane Valley Line	4 Nov 1887
Toohy Estate Enabling Bill	11 Nov 1887
Proposed Closure of a Road on Application of the Queensland Depart Bank	28 Nov 1887
Proposed Closure of Road on Application of the Queensland Deposit Bank	28 Nov 1887
Tenth Parliament (June 1888 – April 1893)	
Address-in-Reply to Opening Speech	15 Aug 1888
Printing	15 Aug 1888
Standing Orders	15 Aug 1888
Library (Joint)	21 Aug 1888
Parliamentary Buildings (Joint)	21 Aug 1888
Refreshment Rooms (Joint)	21 Aug 1888
Australasian Natives Trustees Executors, and Agency Company, Limited, Bill	25 Sep 1888
Case of Mr Walsh Dawson River, Port Curtis Electorate	27 Sep 1888
Queensland Permanent Trustee, Executor, and Finance Agency Company, Limited, Bill	27 Sept 1888
Ann Street Presbyterian Church Bill	4 Oct 1888
Sandstone Quarries of the Southern Districts of the Colony	4 Oct 1888
Queensland Executors, Trustees and Agency Company, Limited, Bill	17 Oct 1888
Stafford Brothers Railway Bill	31 Oct 1888
Cases of Margaret Henry and Donald McNeil	23 May 1889
Ann Street Presbyterian Church Bill	13 Jun 1889
Brisbane Temperance Hall Bill	18 Jun 1889
Queensland Executors, Trustees and Agency Company, Limited Bill	16 Jul 1889
Rockhampton Gas and Coke Company, Limited, Bill	19 Jul 1889
Stafford Brothers Railway Bill	25 Jul 1889

Committee	Date of Appointment
Caswell Estate Enabling Bill	2 Aug 1889
Sanitary Contracts with Municipal Association of North and South Brisbane	8 Aug 1889
Union Trustee Company of Australia, Limited, Bill	13 Aug 1889
Slaughtering Stations of Fat Stock in the Interior	15 Aug 1889
Church of England (Diocese of Brisbane) Property Bill	16 Aug 1889
Warwick Gas, Light, Power and Coal Company, Limited, Bill	20 Aug 1889
Union Trustee Company of Australia, Limited Bill	23 Jul 1890
Ivory Estate Enabling Bill	8 Oct 1890
Brisbane Gas Company Act of 1864 Amendment Bill	16 Oct 1890
Townsville Gas and Coke Company (Limited) Act of 1884 Amendment Bill	6 Nov 1890
City of Brisbane Electric Lighting Bill	13 Nov 1890
Warwick Racecourse Bill	5 Aug 1891
St Andrew's Presbyterian Church of Rockhampton Bill	18 Aug 1891
Assisted Land Settlement	8 Apr 1892
Queensland Trustee, Limited, Bill	5 Jul 1892
Brisbane Leichhardt Street School and Warick Rectory and Glebe Property Bill	28 Jul 1892
Rockhampton School of Arts Bill	7 Sep 1892
Union Trustee Company of Australia	4 Oct 1892
Swanbank Collieries, Limited, Railway Bill	2 Nov 1892
Eleventh Parliament (May 1893 – February 1896)	
Library (Joint)	30 May 1893
Parliamentary Buildings (Joint)	30 May 1893
Printing	30 May 1893
Refreshment Rooms (Joint)	30 May 1893
Standing Orders	30 May 1893
Wesleyan Methodist Church Property Trust Bill	27 Jul 1893
Trades and Labour Hall Mortgage and Leases Bill	17 Aug 1893
Government Printing Office and Production of Hansard	21 Sep 1893
German Lutheran Church Land Sale and Mortgage Bill	22 Sep 1893
Acclimatisation Society and National Agricultural and Industrial Association Act of 1890 Amendment Bill	29 Aug 1894
Townsville School of Arts Bill	13 Sep 1894
Relations Between the Railway Commissioners (Joint)	25 Sep 1894
New Swanbank Colliery Company, Limited, Railway Bay	14 Nov 1894
Reporting, Printing and Circulating Hansard (Joint)	27 Nov 1894
North Queensland Pastoral and Agricultural Association Bill	21 Sep 1894
Reporting of Debates in the Legislative Assembly	20 Aug 1895
Church of England Bill	24 Sep 1895
Approval of Plan, Section and Book of Reference of proposed Railway from Hughenden towards Winton	15 Oct 1895
Approval of Plan, Section, and Book of Reference of proposed Railway Extension from Mirani to Cattle Creek	22 Oct 1895
Approval of Plan, Section and Book of Reference of proposed Branch Railway from Mayne to Enoggera	21 Nov 1895
Charges in Connection with the Consultations Regulation Bill, Reflecting on Members of the House	2 Dec 1895
Twelfth Parliament (June 1896 – February 1899)	
Library (Joint)	18 Jun 1896
Parliamentary Buildings (Joint)	18 Jun 1896
Printing	18 Jun 1896
Refreshment Rooms (Joint)	18 Jun 1896

Committee	Date of Appointment
Standing Orders	18 Jun 1896
Sandgate Racecourse Bill	13 Oct 1896
Industry of Meat Exportation (Joint)	22 Oct 1896
Complaint of Municipality of Dalby	21 Jul 1897
Branding of Horses and Earmarking and Branding of Cattle	3 Aug 1897
Romberg Estate Enabling Bill	7 Sep 1897
Charters Towers Gas, Coke, Coal and Light Company (Limited) Bill	9 Sep 1897
Bundaberg Racecourse Bill	14 Sep 1897
Union Street, Ipswich - Claim of Mr John Halley	29 Oct 1897
Brisbane Cricket Club	5 Nov 1897
Clermont Gold Field - Claim of John Memonitch	18 Nov 1897
Bishopsbourne Estate and See Endowment Trusts Bill	5 Oct 1898
Cairns Gas Company, Limited, Bill	12 Oct 1898
Petition of Lieutenant-Colonel Blaxlad, late Commandant of the Queensland Volunteer Forces	27 Oct 1898
Toowoomba Town Hall Bill	24 Nov 1898
Thirteenth Parliament (May 1899 – February 1902)	
Library (Joint)	18 May 1899
Parliamentary Buildings (Joint)	18 May 1899
Printing	18 May 1899
Refreshment Rooms (Joint)	18 May 1899
Standing Orders	18 May 1899
Petition of Thomas Hunder of Goondiwindi	12 Oct 1899
Mount Morgan Gas and Lighting Company Limited Bill	24 Oct 1899
Workmen's Compensation Bill	20 Dec 1899
Brands (Store Cattle) Bill	7 Aug 1900
Brisbane Hydraulic Powers Company's Bill	5 Oct 1900
Alleged Improper registration of names on Cambooya Electoral Roll	13 Sep 1901
Alleged Interpolation in Hansard	18 Oct 1901
Fourteenth Parliament (July 1902 – July 1904)	
Printing	10 Jul 1902
Standing Orders	10 Jul 1902
Library (Joint)	15 Jul 1902
Parliamentary Building (Joint)	15 Jul 1902
Refreshment Rooms (Joint)	15 Jul 1902
South Brisbane Gas and Light Company, Limited, Bill	4 Dec 1902
Improvement of Horse Stock	30 Jul 1903
Fifteenth Parliament (September 1904 – April 1907)	
Library (Joint)	26 Jul 1905
Parliamentary Buildings (Joint)	26 Jul 1905
Printing	26 Jul 1905
Refreshment (Joint)	26 Jul 1905
Standing Orders	26 Jul 1905
Sixteenth Parliament (July 1907 – December 1907)	
Library (Joint)	31 Jul 1907
Parliamentary Buildings (Joint)	31 Jul 1907
Refreshment Rooms (Joint)	31 Jul 1907
Printing	1 Aug 1907
Standing Orders	1 Aug 1907

Committee	Date of Appointment
Conveyancing Bill	17 Oct 1907
Seventeenth Parliament (March 1908 – August 1909)	
Library (Joint)	11 Mar 1908
Parliamentary Buildings (Joint)	11 Mar 1908
Refreshment Rooms (Joint)	11 Mar 1908
Printing	25 Mar 1908
Standing Orders	25 Mar 1908
Complaint of Matthew Dempsey against the Department of Public Lands	10 Apr 1908
Kooroon Holding	29 Jul 1909
Eighteenth Parliament (November 1909 – March 1912)	
Printing	4 Nov 1909
Standing Orders	4 Nov 1909
Library (Joint)	11 Nov 1909
Parliamentary Buildings (Joint)	11 Nov 1909
Refreshment Rooms (Joint)	11 Nov 1909
Evangelical Lutheran Church, Wickham Terrace, Bill	20 Jul 1910
Longreach School of Arts Land Sale Bill	9 Aug 1910
Mackay School of Arts Land Sale Bill	5 Oct 1910
Harrisville School of Arts Land Mortgage Bill	25 Oct 1910
Claim of W.H. Ramm	30 Aug 1911
Boonah School of Arts Land Mortgage Bill	25 Oct 1911
Nineteenth Parliament (July 1912 – April 1915)	
Library (Joint)	9 Jul 1912
Parliamentary Buildings (Joint)	9 Jul 1912
Refreshment Rooms (Joint)	9 Jul 1912
Printing	10 Jul 1912
Standing Orders	10 Jul 1912
Wynnum and Manly Gas and Lighting Company, Limited, Bill	16 Jul 1912
Evangelical Lutheran Church (Toowoomba) Land Sale Bill	11 Nov 1912
Great Western Railway Act Amendment Bill	22 Jul 1913
Roman Catholic Church Land Sales Bill	31 Jul 1913
District Courts Bill	25 Aug 1914
Royal Agricultural Society of Queensland Land Mortgage Bill	17 Sep 1914
Longreach School of Arts Bill	8 Oct 1914
Boonah Show Ground Bill	12 Nov 1914
Charges made against Hon. W.T. Paget, Relative to the Purchase of certain Cement, and any circumstances connected therewith	5 Nov 1914
Twentieth Parliament (July 1915 – February 1918)	
Library (Joint)	20 Jul 1915
Parliamentary Buildings (Joint)	20 Jul 1915
Printing	20 Jul 1915
Refreshment Rooms (Joint)	20 Jul 1915
Standing Orders	20 Jul 1915
Mr Munro Hull's alleged Discovery of Remedy for Cattle Tick	6 Oct 1915
Complaints re the Working and Management of the Blind, Deaf and Dumb Institution	2 Dec 1915
Twenty-First Parliament (May 1918 – September 1920)	
Printing	30 May 1918

Committee	Date of Appointment
Standing Orders	30 May 1918
Library (Joint)	5 Jun 1918
Parliamentary Buildings (Joint)	5 Jun 1918
Refreshment Rooms (Joint)	5 Jun 1918
Twenty-Second Parliament (November 1920 – April 1923)	
Printing	17 Nov 1920
Standing Orders	17 Nov 1920
Library (Joint)	18 Nov 1920
Parliamentary Buildings (Joint)	18 Nov 1920
Refreshment Rooms (Joint)	18 Nov 1920
Standing Orders, for the purpose of bringing the existing Standing Orders into conformity with a One-House Parliament and making certain other Amendments in the Standing Orders	4 Jul 1922
Twenty-Third Parliament (July 1923 – April 1926)	
Library	12 Jul 1923
Parliamentary Buildings	12 Jul 1923
Printing	12 Jul 1923
Refreshment Rooms	12 Jul 1923
Standing Orders	12 Jul 1923
Twenty-Fourth Parliament (July 1926 – April 1929)	
Library	29 Jul 1926
Parliamentary Buildings	29 Jul 1926
Printing	29 Jul 1926
Refreshment Rooms	29 Jul 1926
Standing Orders	29 Jul 1926
Twenty-Fifth Parliament (August 1929 – April 1932)	
Library	22 Aug 1929
Parliamentary Buildings	22 Aug 1929
Printing	22 Aug 1929
Refreshment Rooms	22 Aug 1929
Standing Orders	22 Aug 1929
Twenty-Sixth Parliament (April 1932 – April 1935)	
Library	17 Aug 1932
Parliamentary Buildings	17 Aug 1932
Printing	17 Aug 1932
Refreshment Rooms	17 Aug 1932
Standing Orders	17 Aug 1932
Twenty-Seventh Parliament (August 1935 – March 1938)	
Library	28 Aug 1935
Parliamentary Buildings	28 Aug 1935
Printing	28 Aug 1935
Refreshment Rooms	28 Aug 1935
Standing Orders	28 Aug 1935
Twenty-Eighth Parliament (August 1938 – February 1941)	
Library	11 Aug 1938
Parliamentary Buildings	11 Aug 1938

Committee	Date of Appointment
Printing	11 Aug 1938
Refreshment Rooms	11 Aug 1938
Standing Orders	11 Aug 1938
Twenty-Ninth Parliament (August 1941 – February 1944)	
Library	21 Aug 1941
Parliamentary Buildings	21 Aug 1941
Printing	21 Aug 1941
Refreshment Rooms	21 Aug 1941
Standing Orders	21 Aug 1941
Thirtieth Parliament (August 1944 – March 1947)	
Library	3 Aug 1944
Parliamentary Buildings	3 Aug 1944
Printing	3 Aug 1944
Refreshment Rooms	3 Aug 1944
Standing Orders	3 Aug 1944
Thirty-First Parliament (August 1947 – March 1950)	
Library	7 Aug 1947
Parliamentary Buildings	7 Aug 1947
Printing	7 Aug 1947
Refreshment Rooms	7 Aug 1947
Standing Orders	7 Aug 1947
Thirty-Second Parliament (August 1950 – February 1953)	
Library	3 Aug 1950
Parliamentary Buildings	3 Aug 1950
Printing	3 Aug 1950
Refreshment Rooms	3 Aug 1950
Standing Orders	3 Aug 1950
Thirty-Third Parliament (August 1953 – April 1956)	
Library	6 Aug 1953
Parliamentary Buildings	6 Aug 1953
Printing	6 Aug 1953
Refreshment Rooms	6 Aug 1953
Standing Orders	6 Aug 1953
Thirty-Fourth Parliament (July 1956 – June 1957)	
Library	2 Aug 1956
Parliamentary Buildings	2 Aug 1956
Printing	2 Aug 1956
Refreshment Rooms	2 Aug 1956
Standing Orders	2 Aug 1956
Thirty-Fifth Parliament (August 1957 – April 1960)	
Library	29 Aug 1957
Parliamentary Buildings	29 Aug 1957
Printing	29 Aug 1957
Refreshment Rooms	29 Aug 1957
Standing Orders	29 Aug 1957
Thirty-Sixth Parliament	

Committee	Date of Appointment
(August 1960 – April 1963)	
Library	25 Aug 1960
Parliamentary Buildings	25 Aug 1960
Printing	25 Aug 1960
Refreshment Rooms	25 Aug 1960
Standing Orders	25 Aug 1960
Thirty-Seventh Parliament (August 1963 – April 1966)	
Library	27 Aug 1963
Parliamentary Buildings	27 Aug 1963
Printing	27 Aug 1963
Refreshment Rooms	27 Aug 1963
Standing Orders	27 Aug 1963
Thirty-Eighth Parliament (August 1966 – April 1969)	
Library	9 Aug 1966
Parliamentary Buildings	9 Aug 1966
Printing	9 Aug 1966
Refreshment Rooms	9 Aug 1966
Standing Orders	9 Aug 1966
Thirty-Ninth Parliament (August 1969 – April 1972)	
Library	19 Aug 1969
Parliamentary Buildings	19 Aug 1969
Printing	19 Aug 1969
Refreshment Rooms	19 Aug 1969
Standing Orders	19 Aug 1969
Fortieth Parliament (August 1972 – November 1974)	
Library	8 Aug 1972
Parliamentary Buildings	8 Aug 1972
Printing	8 Aug 1972
Refreshment Rooms	8 Aug 1972
Standing Orders	8 Aug 1972
Punishment of Crimes of Violence	5 Apr 1974
Forty-First Parliament (February 1975 – October 1977)	
Library	4 Mar 1975
Parliamentary Buildings	4 Mar 1975
Printing	4 Mar 1975
Refreshment Rooms	4 Mar 1975
Standing Orders	4 Mar 1975
Subordinate Legislation	26 Nov 1975
Privileges	7 Apr 1976
Forty-Second Parliament (March 1978 – October 1980)	
Library	4 Mar 1975
Parliamentary Buildings	4 Mar 1975
Printing	4 Mar 1975
Refreshment Rooms	4 Mar 1975
Standing Orders	4 Mar 1975
Education	4 Apr 1978
Privileges	5 Sep 1979

Committee	Date of Appointment
Subordinate Legislation	6 Sep 1979
Forty-Third Parliament (March 1981 – September 1983)	
Parliamentary Buildings	11 Mar 1981
Subordinate Legislation	12 Mar 1981
Library	26 Mar 1981
Printing	26 Mar 1981
Privileges	26 Mar 1981
Refreshment Rooms	26 Mar 1981
Standing Orders	26 Mar 1981
Forty-Fourth Parliament (November 1983 – September 1986)	
Library	24 Nov 1983
Parliamentary Buildings	24 Nov 1983
Printing	24 Nov 1983
Refreshment Rooms	24 Nov 1983
Standing Orders	24 Nov 1983
Privileges	14 Dec 1983
Subordinate Legislation	14 Dec 1983
Forty-Fifth Parliament (February 1987 – November 1989)	
Subordinate Legislation	15 Feb 1987
Standing Orders	19 Feb 1987
Library	26 Feb 1987
Parliamentary Buildings	26 Feb 1987
Printing	26 Feb 1987
Privileges	26 Feb 1987
Refreshment Rooms	26 Feb 1987
Public Accounts	23 Nov 1988
Public Works	20 Apr 1989
Forty-Sixth Parliament (December 1989 – August 1992)	
Printing	1 Mar 1990
Public Accounts	6 Mar 1990
Public Works	6 Mar 1990
Standing Orders	6 Mar 1990
Subordinate Legislation	6 Mar 1990
Ambulance Services	21 Mar 1990
Criminal Justice	21 Mar 1990
Electoral and Administrative Review	21 Mar 1990
Privileges	21 Mar 1990
Travelsafe	10 May 1990
Members' Interests	12 Mar 1992
Forty-Seventh Parliament (March 1978 – October 1980)	
Parliamentary Service Commission	5 Nov 1992
Committee of Subordinate Legislation	10 Nov 1992
Parliamentary Committee for Electoral and Administrative Review	10 Nov 1992
Parliamentary Committee of Public Accounts	10 Nov 1992
Parliamentary Committee of Public Works	10 Nov 1992
Parliamentary Criminal Justice Committee	10 Nov 1992
Printing Committee	10 Nov 1992
Select Committee for Members' Interests	10 Nov 1992

Committee	Date of Appointment
Standing Orders Committee	10 Nov 1992
Privileges Committee	12 Nov 1992
Select Committee on Travelsafe	12 Nov 1992
Forty-Eighth Parliament (September 1995 – May 1998)	
Legal, Constitutional and Administrative Review Committee	15 Sep 1995
Members' Ethics and Parliamentary Privileges Committee	15 Sep 1995
Public Accounts Committee	15 Sep 1995
Public Works Committee	15 Sep 1995
Scrutiny of Legislation Committee	15 Sep 1995
Select Committee on Travelsafe	15 Sep 1995
Standing Orders Committee	15 Sep 1995
Parliamentary Criminal Justice Committee	24 Apr 1996
Select Committee on Procedural Review	19 Oct 1995 – 9 Jul 1996 27 Aug 1997 – 23 Apr 1998
Forty-Ninth Parliament (July 1998 – February 2001)	
Legal, Constitutional and Administrative Review Committee	30 Jul 1998
Members' Ethics and Parliamentary Privileges Committee	30 Jul 1998
Parliamentary Criminal Justice Committee	30 Jul 1998
Public Accounts Committee	30 Jul 1998
Public Works Committee	30 Jul 1998
Scrutiny of Legislation Committee	30 Jul 1998
Standing Orders Committee	30 Jul 1998
Select Committee on Travelsafe	30 Jul 1998
Select Committee on Parliamentary Entitlements	30 Jul 1998 – 30 Oct 1998
Fiftieth Parliament (March 2001 – January 2004)	
Legal, Constitutional and Administrative Review Committee	2 May 2001
Members' Ethics and Parliamentary Privileges Committee	2 May 2001
Parliamentary Crime and Misconduct Committee	2 May 2001
Public Accounts Committee	2 May 2001
Public Works Committee	2 May 2001
Scrutiny of Legislation Committee	2 May 2001
Select Committee on Travelsafe	2 May 2001
Standing Orders Committee	2 May 2001
Select Committee on the Consequences of Changing Political Status (lapsed without reporting)	14 Oct 2003 – 13 Jan 2004
Fifty-First Parliament (March 2004 – August 2006)	
Legal, Constitutional and Administrative Review Committee	18 Mar 2004
Members' Ethics and Parliamentary Privileges Committee	18 Mar 2004
Parliamentary Crime and Misconduct Committee	18 Mar 2004
Public Accounts Committee	18 Mar 2004
Public Works Committee	18 Mar 2004
Scrutiny of Legislation Committee	18 Mar 2004
Standing Orders Committee	18 Mar 2004
Select Committee on Travelsafe	18 Mar 2004
Palm Island Select Committee	19 Apr 2005 – 25 Aug 2005

Committee	Date of Appointment
Impact of Petrol Pricing Select Committee	25 Aug 2005 – 4 Apr 2006
Fifty-Second Parliament (October 2006 – February 2009)	
Legal, Constitutional and Administrative Review Committee	11 Oct 2006
Members' Ethics and Parliamentary Privileges Committee	11 Oct 2006
Parliamentary Crime and Misconduct Committee	11 Oct 2006
Public Accounts Committee	11 Oct 2006
Public Works Committee	11 Oct 2006
Scrutiny of Legislation Committee	11 Oct 2006
Speaker's Advisory Committee	26 Feb 2008
Standing Orders Committee	11 Oct 2006
Travelsafe Select Committee	11 Oct 2006
Broadcast of Parliament Select Committee	14 Feb 2008 – 30 May 2008
Health Quality and Complaints Commission Select Committee	24 May 2007 – 15 Nov 2007
Investigation Into Altruistic Surrogacy Select Committee	14 Feb 2008 – 8 Oct 2008
Review of Organ and Tissue Donation Procedures Select Committee	29 Apr 2008 – 28 Oct 2008
Fifty-Third Parliament (March 2009 – current)	
Parliamentary Crime and Misconduct Committee	23 Apr 2009
Scrutiny of Legislation Committee	23 Apr 2009
Law, Justice and Safety Committee (formerly known as Legal, Constitutional and Administrative Review Committee)	19 May 2009
Public Accounts and Public Works Committee (formerly two separate committees)	19 May 2009
Standing Orders Committee	19 May 2009
Economic Development Committee	19 May 2009
Environment and Resources Committee	19 May 2009
Social Development Committee	19 May 2009
Integrity, Ethics and Parliamentary Privileges Committee (formerly known as Members' Ethics and Parliamentary Privileges Committee - 19 May 2009)	1 Jan 2010
Committee System Review Committee	25 Feb 2010 – 15 Dec 2010