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RECORD OF PROCEEDINGS

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FIRST SESSION OF THE FIFTY-FIFTH PARLIAMENT

Tuesday, 8 November 2016

Subject Page

PW WELLINGTON
SPEAKER

NJ LAURIE
CLERK OF THE PARLIAMENT

LJ OSMOND
CHIEF HANSARD REPORTER

TUESDAY, 8 NOVEMBER 2016

The Legislative Assembly met at 9.30 am.

Mr Speaker (Hon. Peter Wellington, Nicklin) read prayers and took the chair.

For the sitting week, Mr Speaker acknowledged the traditional custodians of the land upon which this parliament is assembled.

SPEAKER'S STATEMENTS

National Cervical Cancer Awareness Week

Mr SPEAKER: Honourable members, I advise that National Cervical Cancer Awareness Week is being held from 7 to 13 November. The Australian Cervical Cancer Foundation has invited members to wear a pin on their lapels this week to raise awareness about cervical cancer and to encourage Australians to engage in the conversation about cervical cancer.

Same Question Rule

Mr SPEAKER: Honourable members, I have ordered that a ruling regarding the application of the same question rule to cognate bills be circulated. I seek leave to have the statement incorporated in the parliamentary record.

Leave granted.

On 16 August 2016, the Premier and Minister for the Arts introduced the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill (the government's bill).

On 18 August 2016, the member for Cairns introduced the Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill (the private member's bill).

Both bills seek to remove statutory limitation periods that apply to particular personal injury claims for damages.

Standing Order 87(1) provides that unless the Standing Orders otherwise provide, a question or amendment shall not be proposed which is the same as any question which, during the same session, has been resolved in the affirmative or negative. A number of Speaker rulings in relation to this issue have been made in recent years. In summary:

- The matters do not have to be identical, merely the same in substance as the previous matter. In other words, it is a question of substance, not form;
- There is no rule preventing the presentation of two bills on the same subject, or indeed opposite intent. However, if a decision of the House has already been taken on one bill, the other is not to be proceeded upon; and
- An amendment cannot be moved to a bill that has already been moved to another bill and defeated or is substantially the same as a bill that has been defeated.

(See Reynolds (S) 15/11/2007 PD p4321; Reynolds (S) 09/09/2008 PD p2559; Wellington (S) 16/09/2015 PD p1840.)

On this occasion, the government's bill seeks to remove limitation periods that apply to claims for damages brought by a person where that claim is founded on the personal injury of the person resulting from sexual abuse when the person was a child, and the sexual abuse occurred in an institutional context.

The private member's bill is broader in the sense that it seeks to remove limitation periods that apply to claims for damages brought by a person where the claim is founded on the personal injury resulting from child abuse, either sexual abuse or serious physical abuse, that is not restricted to an institutional context.

Whilst the bills deal with substantially the same subject matter, they are genuine alternative propositions, seeking to obtain similar outcomes by different mechanisms. There are also provisions in each bill not dealt with in the other. Therefore, the same question rule in relation to the second reading questions does not apply. (See Wellington (S) 12/11/2015 PD p2912-13.)

In the event that the government's bill passes its second reading and the private member's bill fails its second reading, consideration in detail can occur on the government's bill. But amendments cannot be moved that would substantially replicate matters in the failed private member's bill.

In the event that both the government's bill and the private member's bill pass their second reading a conundrum arises. Whilst both bills contain amendments that seek to achieve largely the same objects by altering different provisions, if both bills were to be passed in their current form the end result may end in confusion in the amended legislation.

The same question rule may be enlivened with respect to particular clauses which deal with the same subject matter. I will make a ruling in relation to the application of the same question rule for particular clauses during consideration in detail.

APPOINTMENT

Acting Minister for Agriculture and Fisheries

Hon. SJ HINCHLIFFE (Sandgate—ALP) (Leader of the House) (9.32 am): I wish to advise the House that, in addition to his responsibilities as Minister for Police, Fire and Emergency Services and Minister for Corrective Services, Minister Byrne has been appointed as Acting Minister for Agriculture and Fisheries until further notice.

PETITION

The Clerk presented the following e-petition, sponsored by the honourable member indicated—

Russell Island State School, Flashing School Zone Lights

Mr McEachan, from 59 petitioners, requesting the House to prioritise funding for the installation of flashing school zone lights at Russell Island State School [2004].

Petition received.

TABLED PAPERS

PAPERS TABLED DURING THE RECESS

The Clerk informed the House that the following papers, received during the recess, were tabled on the dates indicated—

4 November 2016—

1999 Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee: Report No. 30, 55th Parliament—Annual Report 2015-16

2000 Health Practitioner Regulation National Law: Health Practitioner Regulation National Law Amendment (Midwife Insurance Exemption) Regulation 2016 and Explanatory Memorandum

7 November 2016—

2001 Response from Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment (Ms Trad) to an ePetition (2610-16) sponsored by Mr Langbroek, from 554 petitioners, requesting the House to facilitate the creation and implementation of a community driven Master Plan for The Spit

2002 Education, Tourism, Innovation and Small Business Committee: Report No. 24, 55th Parliament—Annual Report 2015-16

2003 National Environment Protection Council—Annual Report 2014-15

TABLING OF DOCUMENTS

STATUTORY INSTRUMENT

The following statutory instrument was tabled by the Clerk—

City of Brisbane Act 2010, Local Government Act 2009—

2005 Local Government Legislation (Boundary Changes) Amendment Regulation 2016, No. 195

2006 Local Government Legislation (Boundary Changes) Amendment Regulation 2016, No. 195, explanatory notes

MEMBERS' PAPERS

The following members' papers were tabled by the Clerk—

Member for Bulimba (Ms Farmer)—

2007 Overseas Travel Report: Report on a visit to Canada to attend the 13th Canadian Parliamentary Seminar—Strengthening Democracy and the Role of Parliamentarians: Challenges and Solutions, 29 May-4 June 2016

Member for Broadwater (Miss Barton)—

2008 Overseas Travel Report: Report on a visit to London to attend the Commonwealth Women Parliamentarians Pan-Commonwealth Women's Conference, June 2014

MINISTERIAL STATEMENTS

Queensland Economy

Hon. A PALASZCZUK (Inala—ALP) (Premier and Minister for the Arts) (9.33 am): I have very good news for Queensland. Our state's economy—

Opposition members interjected.

Mr Seeney interjected.

Mr SPEAKER: Order! Thank you, member for Callide, for your interjection!

Ms PALASZCZUK: They do not want to hear the good news.

Mr SPEAKER: Oh, no, we have to. I call the Premier.

Ms PALASZCZUK: Our state's economy continues to bounce back. Deloitte Access Economics has reported this morning—

Slowly but surely, Queensland's economy is returning to comfortable positive territory. Compared to this time last year, Queensland's State Final Demand edged up 0.4 per cent over the June quarter. This growth has been driven by increases across three of the four major components of Final Demand including household consumption, housing investment and public final demand.

Deloitte Access Economics confirms that Queensland exports are up to $47.4 billion over the year to August 2016; international overnight visitor spending is up, growing by 10.6 per cent to a record high of almost $5.1 billion; and housing investment remains strong and housing construction continues to grow. In terms of Queensland's economic growth, Deloitte Access Economics is emphatic and reports—

Queensland has a solid growth outlook of 3.8 per cent each year on average across the forecast period to 2019. This rate of growth sees Queensland outpace the national average—outperforming the southern states of Victoria and New South Wales, and moving well ahead of the West.

Deloitte Access Economics highlights that the economic strength in South-East Queensland was not being enjoyed in parts of regional Queensland. This is why through the meetings of the Working Queensland Cabinet Committee across the state prior to the budget we developed specific programs and initiatives to support the regions. Our Back to Work program targets jobs in regional Queensland by offering assistance of up to $15,000 for employers in regional Queensland taking on an unemployed worker. Almost half of our $10.7 billion Capital Works Program is devoted to regional Queensland. Our support for the growth of key industries in regional Queensland, including tourism, agriculture and resources, is essential to promote more job opportunities in our regions. Significantly, our determination to develop new industries such as biofuels, large-scale renewable energy and advanced manufacturing will support jobs in regional Queensland.

I have called together the Working Queensland Cabinet Committee to meet in Brisbane Friday week to stocktake on the progress of major projects and our job-generating programs. My government is determined to grow Queensland and to create new job opportunities for Queenslanders. The Deloitte Access Economics report confirms that our government's economic plan is working and that more Queenslanders are working as a result.

Ms Jones: Just like you said you would.

Ms PALASZCZUK: I will take that interjection.

Biofutures

Hon. A PALASZCZUK (Inala—ALP) (Premier and Minister for the Arts) (9.36 am): We know that if we want to unlock the jobs of tomorrow we cannot just sit back and let it happen. As the Deloitte report has shown, our traditional sectors are regaining their strength, but I want new industries to complement them. The House would be aware that my government is working incredibly hard to create a biofutures industry in this state. We have established a partnership with the US Navy—potentially the biggest biofuels customer in the world and the only partnership of its kind with a state government anywhere in the world—and we have already attracted Southern Oil to develop a refinery in Gladstone. However, there is more work to be done and more opportunities to grasp. That is why tomorrow my government is starting an international call for expressions of interest to develop biorefineries in regional Queensland. We will be aiming at investment from within Australia as well as the US, Asia, Brazil and Canada. Already a request for information process has drawn 26 responses from Australian and international companies. They are interested in Queensland because we have the natural resources, we have geographic advantage, we are a technology leader and we have a government with the will to make it happen.

Last week in the House I reported that Thomas Hicks, Deputy Under Secretary of the US Navy, will be in Brisbane to talk biofuels in December. I can further advise the House today that I will also meet with President Obama's Secretary of the Navy, Ray Mabus, this month to progress our partnership on biofuels even faster. Secretary Mabus, a former governor and ambassador, is the longest serving Secretary of the Navy and has been championing the Great Green Fleet initiative.

My government is determined to attract international investment in biofuels and is determined to work with Secretary Mabus to fast-track our partnership to provide cleaner fuels for the US Navy. The secretary's meetings will be followed up by a visit from US Navy officials including Under Secretary Thomas Hicks, who signed the agreement in June. I am determined to ensure that whoever wins tomorrow's presidential election knows of our commitment to work with partners and customers in the US. In terms of tomorrow's result, I can only repeat what I said back in January: may the best woman win.

Vehicles, Offensive Slogans

Hon. A PALASZCZUK (Inala—ALP) (Premier and Minister for the Arts) (9.38 am): I promised that my government would take action against offensive advertisements and slogans on vehicles, and today I am delivering on that promise. I am sure most members of the House have, at some stage or another, encountered a vehicle on the road that was displaying a sexist, discriminatory or downright obscene message or cartoon on the side of it. Unfortunately, those same slogans are seen by kids and families, and that is something I am not going to cop.

Today my government will be introducing legislation to address this issue. The legislation to be introduced by Minister Bailey will ensure that advertisers who use these offensive slogans and cartoons will be required to remove them from vehicles or risk having those vehicles deregistered. Once they are deregistered they can no longer be used on roads until the advertisement is removed. The proposed changes will provide an enforcement mechanism for the already well-established processes adopted by the Advertising Standards Bureau, or the ASB. The ASB currently plays a regulatory role for advertisers; in response to complaints received it makes determinations about whether advertising is offensive or not. However, as the ASB has no enforcement mechanism, a small minority of advertisers has chosen to ignore those determinations and to continue to allow offensive ads to remain on vehicles. It is these advertisers that this legislation will deal with.

The changes we will be introducing will provide an effective mechanism for ASB determinations. If an advertiser chooses to ignore the ASB determination made about a Queensland registered vehicle, the Department of Transport and Main Roads can commence the deregistration process. As part of that process, advertisers will be given notice of any proposed deregistration and time to remove the offending ad. The ultimate goal of these changes is to remove offensive advertising from our roads, not to be deregistering vehicles.

I would like to thank the Attorney-General and the main roads minister and their departments for their work on this bill. I think most Queenslanders are up for good humour and tongue-in-cheek advertising. However, there is no place in Queensland for sexist, misogynistic rubbish on full display. Queensland is leading the way in this space and we are working closely with other states and territories to promote a nationally consistent approach to vehicle registration laws on this issue.

Indian Community Reception

Hon. A PALASZCZUK (Inala—ALP) (Premier and Minister for the Arts) (9.41 am): Tonight, I am proud to be hosting the annual Indian community reception at Parliament House. This reception is about strengthening the relationship between Queensland and India. I have also invited the Leader of the Opposition and the Deputy Leader of the Opposition to attend this important event on our parliamentary calendar.

Thousands of Indian Australians have been celebrating the Diwali Festival of Lights. Diwali signals the victory of light over darkness, knowledge over ignorance, and hope over despair. This message has had particular resonance here in Queensland in recent weeks following the tragic loss of one of our well-loved and respected members of the Indian community, Manmeet Sharma. Queensland's Indian community is a valued and respected part of our wider Queensland community and, as such, all Queenslanders have been shocked by the events that have occurred here in our community to a member of our community. My government recognises and values the significant contribution the Indian community brings to Queensland and the long-standing and strong relationship the Queensland and wider Australian community shares with the Indian community and businesses.

Tonight is an opportunity for the Indian community to come together here at Parliament House, for us to thank them for their contribution but also as a sign of respect to remember the life of Manmeet Sharma.

West Village Development

Hon. JA TRAD (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (9.42 am): I am pleased to advise the House that yesterday I approved the $800 million West Village development on the old Absoe site in West End. The West Village project represents a major urban renewal project for a key inner-city Brisbane site, a project that will create thousands of jobs and boost the local economy.

As we have seen from the Deloitte Queensland Business Outlook report, housing investment is vitally important to our state economy and under the Palaszczuk Labor government it is booming. Given the significance and scale of West Village as an urban renewal project, we simply had to get the planning right. I have ensured that my approval includes a number of conditions that I believe, based on independent expert advice sought by my agency, will deliver a much better outcome for the city of Brisbane. The significance of this project is reflected in the keen community interest. More than 700 submissions were received during the representation period with the majority supporting the call-in of this development, wanting a better planning outcome. The revised design is a far superior outcome for the community and the applicant than what had been previously approved. We have addressed the community's legitimate concerns about open space, traffic impacts and the scale of the development.

I have ensured that, through my approval, there has been a doubling of the publicly available green space on the site with two major areas of open space. My revised approval ensures that site cover will not exceed the 80 per cent contained in the town plan as opposed to the 95 per cent approved by Brisbane City Council. This will mean the public has more access to this important renewal development.

Based on the expert advice we received and in order to achieve these significant benefits at the ground level where people access the site, my department recommended transitioning the heights across the site with approved buildings from eight storeys to 22 storeys. This ensures the development accords with best practice in urban design and is more visually appealing, addressing community concerns while still remaining financially viable.

There will also be fewer overall apartments, with a maximum of 1,250 apartments in contrast to the 1,350 allowable under the previous approval. The public will benefit from 30 per cent of the site being publicly accessible open space, laneways and arcades. I have also conditioned the provision of community uses including a childcare centre and public arts space. Heritage buildings will be retained and reused including removing the possibility for residential accommodation being built on top of these heritage buildings, which had been part of the council approval. The sustainability requirements I have imposed will require a five-star green rating. We have also reduced car-parking spaces and added 10 car-share bays and eight electric parking stations to decrease the reliability on cars and traffic in the area. A new internal road will provide vehicle access to retail areas of the site and increase pedestrian and cycle access through the site between Little Jane and Mollison streets.

My final decision is now publicly available. I am confident that West Village will help set the new benchmark for urban renewal developments in Brisbane and ensure that they are set to the standard of a world-class city.

Queensland Economy

Hon. CW PITT (Mulgrave—ALP) (Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sport) (9.46 am): When the Palaszczuk government came to office we faced a Queensland economy at its lowest point in 30 years outside of the global financial crisis. Demand was being sapped in Queensland from the end of the boom in mining investment and a state government wedded to job cuts and service cuts. From day one we got to work implementing our positive economic plan for Queensland. We backed Queensland's economic potential instead of talking down Queensland. We have built instead of cutting and invested instead of planning to sell off our investments in Queensland.

Our economic plan has achieved results. As I announced last week, the Queensland state accounts show economic growth in Queensland accelerated to 3.2 per cent in 2015-16. That is four times the 0.8 per cent growth in 2014-15 left behind by the former government. According to the latest state budget forecasts, this places Queensland—

Honourable members interjected.

Mr SPEAKER: One moment, Treasurer. I apologise for interrupting. Member for Lockyer and member for Pine Rivers, if you would like to continue please take your conversations outside.

Mr PITT: I thank the member for Pine Rivers for her kind defence of these wonderful economic figures.

According to the latest state budget forecasts, this places Queensland as the fastest growing state economy. Today the release of Deloitte's Queensland Business Outlook again highlights Queensland's economic improvements from 21 months ago. It says Queensland has a solid growth outlook of 3.8 per cent each year on average across the forward estimates out to 2019. Specifically, the Deloitte outlook says Queensland should 'outpace the national average—outperforming the southern states of Victoria and New South Wales, and moving well ahead of the west'. That will probably be the case for the next decade. Deloitte also says that when we 'combine the strengthening domestic economy with strong exports—we get a gross state product result that tops the nation'. Deloitte also forecasts that state final demand will continue to improve with average real growth per year of 2.6 per cent across the forecast period to 2018-19, a result which is nation leading. The growth is broad based across three of the four major components of final demand including household consumption, housing investment and public final demand. The Deloitte report also notes that business investment is improving since last year. It points out that Queensland's growth prospects are more secure, as recognised by Moody's and S&P's recently reaffirming their credit ratings for the state.

As I have said before, stronger economic growth in Queensland is being influenced by increasing LNG shipments. However, it is in other sectors that Queensland's future export success will be underpinned. Deloitte says strong demand from income growth in emerging Asian economies will support Queensland's international exports in coming years. It points out that the China market is fuelling growth in international tourist numbers to Queensland with forecasts showing growth in international arrivals of 6.8 per cent per year on average out to 2019. That is great news for the tourism sector and great news for jobs.

The return to significant economic growth in Queensland has not been felt evenly across the state, and this is why the last budget introduced Back to Work as a big jobs scheme for our government. It is why we have implemented our accelerated works program and other regional initiatives to stimulate local economies and create jobs. Importantly for regional Queensland, the sharp rise in spot prices for our major commodity export, coal, has increased mine viability, leading to new production and new jobs. This is welcome news for an industry which has endured through extremely tough international conditions and now has cause for optimism about improved prospects for regional Queensland specifically.

The Deloitte Queensland Business Outlook is another welcome sign of an improving economy in Queensland. While there are regions of Queensland where there is more to do to improve economic conditions, the latest report is yet another indicator that Queensland is successfully transitioning to a postmining-boom economy and that our plan is working.

Tourism Industry

Hon. KJ JONES (Ashgrove—ALP) (Minister for Education and Minister for Tourism and Major Events) (9.50 am): As the Premier said, tourism was one of the great success stories of the Queensland economy. The Deloitte Queensland Business Outlook, released today, singles out our tourism industry as a major driver of Queensland's economic growth. International overnight visitor expenditure surged close to 11 per cent to $5.1 billion in the year to June. This growth comes off the back of a lower Australian dollar, a growing Asian middle class and a stronger government focus on tourism in Queensland, and I thank those opposite for their support.

Recognising the potential for growth, our government is investing $400 million over four years to advance tourism by marketing our destinations around the world, securing the best events to Queensland and attracting more international flights. We know that this growth will help create more tourism jobs around the state, including regional Queensland. The Deloitte report also recognises that our government's focus on growing market share is the key, and that is why we will soon release a new tourism marketing campaign which focuses on Queensland experiences.

We are pursuing growth markets like China and supporting our industry through a $33.5 million Connecting to Asia fund to grow our share of the pie. For example, we are also targeting the lucrative Chinese business traveller instead of just focusing on holiday visitors. We have already seen record growth in travellers from China, with 468,000 Chinese visitors spending close to $1 billion in the Queensland economy, which is more than 30 per cent growth in visitor numbers. We are determined to secure more of this growing market to grow tourism and tourism jobs for Queenslanders.

Tourism Industry, Jobs

Hon. YM D'ATH (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (9.52 am): I rise today to talk about the important work that the Palaszczuk government has been doing to support tourism through our training and skills investment. The release of the Deloitte Queensland Business Outlook backs the government's commitment that tourism is booming and we need to ensure that we have the skilled workforce ready. QTIC states that Queensland will need more than 20,000 extra skilled workers in the tourism sector by 2020. I am pleased to say that one of the first priorities of Jobs Queensland has been working with the Department of Tourism and Major Events, Small Business and the Commonwealth Games and the tourism sector to deliver a skilled workforce plan within the Advancing Tourism 2016-20 Strategy.

Jobs Queensland are conducting extensive regional industry engagement to ensure the tourism workforce plan reflects the workforce needs of Queensland's diverse tourism sector. Through the 2016-17 annual investment plan the government subsidises an extensive range of tourism and hospitality qualifications which are targeted to skill sets that are valued by employers through the Certificate 3 Guarantee, including VET in Schools, Higher Level Skills, User Choice and Skilling Queenslanders for Work. Last year, state government expenditure in tourism and hospitality-specific training was $43.5 million, with more than 30,000 Queenslanders participating in training. In addition to this direct investment the plan supports occupations critical to ongoing development in the tourism industry such as aviation, outdoor recreation, marine management, business management and leadership.

It was great to join the Premier and other government ministers and local members at DestinationQ in Mackay to talk about the importance of investing in the tourism workforce. There are many benefits for employers having skilled employees. As the CEO of Hamilton Island, Glenn Bourke, stated at DestinationQ, 'Investing in your workforce through training and career paths leads to a reduction in staff turnover, significant savings in recruitment and training and better customer satisfaction, resulting in return business.'

We want Queenslanders to see a job in the tourism sector not as something that you do casually while you get a real job, but as a career with many opportunities. By working together we can deliver on our commitment to grow tourism jobs and provide real pathways for Queensland workers. With the Deloitte Queensland Business Outlook indicating that international arrivals are projected at an average growth of 6.8 per cent until at least 2019, this government is committed to its suite of investment strategies to support training in the tourism sector in Queensland. It is vital that we give these tourists skilled staff and high-quality service with the Australian touch that they will come to expect.

The Palaszczuk government continues to invest in skills and training through the Skilling Queenslanders for Work initiative. This initiative, which was reinstated in July 2015, has funded 40 projects with direct focus on tourism or upgrading facilities at Queensland's key tourist destinations. This has assisted more than 1,100 disadvantaged jobseekers throughout Queensland. There have been tourism related SQW projects in Cairns, Noosa, the Gold Coast and many others across the state that also provide infrastructure for tourist sites such as shelters, pathway construction and the like. With the Commonwealth Games quickly approaching, the development of Queens Wharf about to get underway and a surge in international visitors to Queensland, the Palaszczuk government will ensure that we have the skilled workforce to capitalise on this great opportunity to create jobs and grow our economy.

Agriculture Industry

Hon. WS BYRNE (Rockhampton—ALP) (Minister for Police, Fire and Emergency Services and Minister for Corrective Services) (9.55 am): It is great to be back in the House representing agriculture for the people of Queensland! The Palaszczuk government recognises the strong contribution that the food and fibre sector has continued to make to the Queensland economy. Previous AgTrends forecasts have highlighted impressive growth in the value of production in Queensland over the past two years. This is growth that was achieved during, and in spite of, a record drought.

An honourable member interjected.

Mr BYRNE: That is good news. The latest AgTrends forecast indicates that the value of Queensland's primary industry commodities for 2016-17, both at the farm gate and for gross value production and first-stage processing, is on target to grow by six per cent. The total value for 2016-17 is now forecast to be $18.55 billion, which is a full 15 per cent greater than the average over the last five years. I would like to take the opportunity to highlight some of the star performers in the sector.

With regard to Queensland's avocado producers, for example, strong demand for avocados has kept wholesale prices at a premium and our growers have responded accordingly. The GVP for avocados for 2016-17 is forecast to be $225 million, which is 49 per cent higher than DAF's final estimate for 2015-16. The GVP for Queensland mandarins is forecast to grow by 30 per cent; mangos by 23 per cent; and macadamias by 17 per cent.

An honourable member interjected.

Mr BYRNE: Thanks for that interjection. Indeed, the forecast for macadamias is $140 million, which is 97 per cent greater than the average over the last five years. The contribution from our macadamia growers comes despite a slightly lower wholesale price this year. The GVP growth is due entirely to higher production levels, and it is not just AgTrends' forecast that underlines the strength of the agricultural sector. Today I can inform the House that the latest overseas merchandise export statistics confirm the remarkable success of our cotton growers. In the year to September 2016 the value of cotton exports for Queensland has soared by 90 per cent, from $406 million to $770 million. Hallelujah!

Opposition members interjected.

Mr BYRNE: It is great to see the enthusiasm from those opposite. I am simply stating facts here—and very positive facts, I might add. On behalf of the government I would like to thank cotton growers for their efforts. Queensland cotton is clearly in demand overseas, but the 90 per cent leap in cotton export values is eclipsed by—guess what—chickpeas. Queensland producers have risen to the challenge of increased demand for chickpeas overseas, driving a 176 per cent rise in export values to the year to September. This is fantastic news. Queensland chickpea exports are worth $649 million, up from $235 million in one year.

No-one in the Palaszczuk government would pretend that our producers do not face some challenges. Inevitably, some sectors are doing it better than others, but Queensland agriculture as a whole is clearly in fine fettle. This government will continue to support our farmers and growers with the inevitable and invaluable contribution they will make to our economy.

Mining Industry

Hon. CJ O'ROURKE (Mundingburra—ALP) (Minister for Disability Services, Minister for Seniors and Minister Assisting the Premier on North Queensland) (10.00 am): Our government recognises the importance of our resources sector and the difficulties being faced by the sector due to sustained low global commodity prices, but in the face of these challenging times there continue to be green shoots appearing across the state. I recently travelled to Cloncurry to officially open the Rocklands copper mine on behalf of Minister Lynham and the Palaszczuk government.

The Rocklands copper mine is a significant project that will help boost our state's economy and create much needed jobs. CuDeco's employment policy also ensures the project will deliver for the local economy and will provide ongoing benefits to the community over the life of its operation. This is thanks to its deliberate decision to not hire a predominantly fly-in fly-out workforce but instead create around 120 local jobs.

Just like CuDeco, our government recognises the importance of north-west Queensland for the economic future of the state, especially for its role as a world-class producer of commodities including silver, lead, zinc, copper and gold. Based on known discoveries, the north-west Queensland minerals province is the richest lead/zinc province in the world and also contains a number of world-class copper deposits. In fact, last financial year Queensland's metallic mineral was the second in the world for lead, third for zinc, fifth for silver and 13th for copper.

While the north-west minerals province maintains its reputation as a highly prospective region, we know that a new wave of exploration activity and innovative approaches will be needed to unlock this next generation of mines. That is why we have established the North West Minerals Province Taskforce and are currently considering a series of recommendations from the task force to help overcome barriers and challenges to exploration and production in the region. I look forward to being fully briefed on each of these recommendations. Our government is determined to lay the foundations for sustainable economic development and growth in the Queensland sector so that more of these projects can come to fruition.

In my role I am focused on driving economic development in this part of our state and creating jobs, which includes helping to grow this sector. Through my priority areas outlined in our government's Advancing North Queensland plan, I am working directly with my cabinet colleagues to find solutions in areas such as water, roads, trade and investment. As all members know, these are areas that are vital to supporting the mining sector.

These are just some of the ways we are supporting growth in North Queensland, and I am pleased that our continued focus on jobs and economic development in Queensland is working, as reflected in the Deloitte Access Economics September state outlook.

Swickers Kingaroy Bacon Factory, Fire

Hon. AJ LYNHAM (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (10.03 am): I want to assure the community of Kingaroy that government staff are already at work supporting the recovery effort following the Swickers bacon factory fire at the weekend. Yesterday I spoke to Dr Robert van Barneveld, managing director and CEO of Swickers' parent company Sunpork, and offered him our support. The bacon factory is one of Kingaroy's major employers and is critical to the local economy. That is why we are offering to provide practical assistance to help get the factory to full production as soon as possible. We want to see this company get back to full production for their workers, the farms and the businesses in their supply chain.

Staff from several government agencies including my Department of State Development were in Kingaroy yesterday talking to the South Burnett Regional Council and Swickers. My department is already coordinating the response across government agencies, seeking to fast-track any approvals required for the recovery. DSD staff will remain in daily contact with Swickers and, at the company's request, will return on Thursday, after the company has been able to assess its needs.

The fire destroyed the boning room, chillers and export distribution centre; however, other facilities on-site are unlikely to be damaged and the company is working to recommence partial operations as soon as possible. At this stage 150 workers directly involved in the fire-damaged part of operations may be affected. The number may be revised as the company has temporary chilling facilities available and is currently in negotiation to use alternative facilities. I will meet South Burnett Regional Council Mayor Keith Campbell later this week to identify further long-term actions needed to get the factory back to full operational capacity. I would like to thank the management of Swickers and Sunpork Group for their commitment to get the Kingaroy workforce back on track as soon as possible.

Ambulance Service, Infrastructure

Hon. CR DICK (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (10.05 am): Queensland Health's $1.4 billion infrastructure program underpins 1,500 jobs right across the state. As I have previously informed the House, we have a number of achievements: a new hospital being built in Roma as part of our $180 million four-year Enhancing Regional Hospitals Program; $230 million—

Opposition members interjected.

Mr DICK: I thank the members opposite for their support for the Roma hospital. There is also $230 million in this year's budget for the five-year Advancing Queensland Health Infrastructure program and $80 million for priority capital works.

When it comes to the Ambulance Service, since I became Minister for Health and Minister for Ambulance Services the QAS budget has increased by over $80 million. We have increased QAS staff by 225 in the first two budgets of the Palaszczuk government. The 2016-17 budget provides the QAS with a capital expenditure budget of $59.7 million, including $15.9 million for ambulance facilities and minor building works and $8 million for strategic land acquisitions.

The $15.9 million invested in ambulance facilities and minor works this financial year will generate approximately 48 direct construction jobs and 27 jobs in indirect industries such as materials supply and logistics. Within this program the Collinsville replacement ambulance station is already completed. Contracts have been awarded for projects at Rainbow Beach, Yandina, Bundaberg and Burtinya. A tender for the construction and build of a new ambulance station at Yandina was awarded on 27 June. Building works are already well progressed, with completion expected in March 2017. I am advised that concrete slabs will be poured for a new ambulance station at Rainbow Beach this week, with completion expected in mid-2017. I thank the member for Gympie for his support.

In August the member for Bundaberg and I were delighted to turn the first sod at a co-located fire and ambulance facility in Bundaberg. The member for Bundaberg has been a great champion for this facility in her community. I am pleased to say that works are underway, with practical completion anticipated by mid-2017. I am pleased to say that at Burtinya a 19-bay ambulance station to service the Sunshine Coast community will provide significant synergies across the broader Sunshine Coast Hospital and Health Service. Site works are scheduled to commence later this month, with completion expected in 2017.

The QAS is busily delivering its capital investment program. Our government is getting on with the job of restoring front-line services, creating jobs and making Queenslanders amongst the healthiest people in the world by 2026.

Queensland Rail, Timetable

Hon. SJ HINCHLIFFE (Sandgate—ALP) (Minister for Transport and the Commonwealth Games) (10.07 am): I can cautiously report that the new 2016 timetable for Queensland Rail is delivering for the public. This morning QR achieved an on-time running result of 88.36 per cent. These delays were due to a track fault at Yeerongpilly that affected the airport, Gold Coast, Beenleigh and Ferny Grove lines. These faults are a fairly routine issue that can occur across a heavy rail network the size and scope of Citytrain. I have not been advised of any service issues due to crew shortages this week.

I have spoken to the acting CEO of Queensland Rail multiple times this morning, and he advised that repairs to these impacted units are being progressed. Yesterday morning they achieved 98 per cent on-time running during the morning peak. Disappointingly, the p.m. peak on-time running was just above 80 per cent, largely impacted by a signal points failure on the Merivale Bridge and a boom gate strike at Cannon Hill. Those familiar with our train network would understand that an operational issue at the Merivale Bridge has significant flow-on impacts across our train network, as it is a bottleneck across the river. This further underlines the desperate need for the Cross River Rail project. I know how hard the Deputy Premier is working to deliver that project, with more funding already on the table from this government than from any other government in the project's history.

We are not out of the woods yet, but the acting CEO, Neil Scales, and the interim chair, Nicole Hollows, have developed this stable timetable for government. There is a long and ongoing body of work to do to build up our train crew numbers so that we can deliver the most services possible. We have started this task, opening recruitment for more than 200 more drivers and 200 more guards since coming to office. We have received high volumes of applications—over 300 for drivers and over 380 for guards—and are currently processing them. We are reaching out to former and retired drivers. We are investing in our network. We are getting things back on track. This new stable timetable from QR is frankly what should have been in place since the commencement of the Redcliffe peninsula line last month. That did not happen and I apologise for the impact on our travelling public that this has caused. I am focused on the task the Premier has given me to improve the service numbers in Queensland Rail and I am determined that we can deliver.

Small Business Digital Grants Program

Hon. LM ENOCH (Algester—ALP) (Minister for Innovation, Science and the Digital Economy and Minister for Small Business) (10.10 am): The Palaszczuk government is committed to supporting small business in Queensland, particularly at this time when the world is changing at an ever-increasing pace. We are seeing this fast paced change in nearly every aspect of our lives, including the way in which we purchase products and services. Figures from the 2016 Sensis e-business report show that 82 per cent of Australians searched online for information about a product or service. The same survey found that 78 per cent searched for the suppliers of goods and services and that 71 per cent of Australians ordered goods or services via the internet. These statistics show that the digital economy presents a huge opportunity for growth for Queensland small businesses, yet the Australian Bureau of Statistics figures from 2015 tell us that only 47.1 per cent of all Australian small businesses have an online presence. That is why the Palaszczuk government is supporting small businesses to grasp the opportunities that new technology offers to expand their potential customer base.

This morning I was pleased to officially open applications for the Small Business Digital Grants program. The Small Business Digital Grants are aimed at helping business to be innovative so that they can make the most of online business opportunities. In this year's state budget our government committed $6 million over three years to help small businesses around the state engage with the global

digital economy as part of a suite of new and expanded programs under the Advancing Small Business Queensland Strategy. The Small Business Digital Grants will provide up to $10,000 matched funding to enable small businesses to access the latest digital technologies to increase their productivity and competitiveness, access training to use new technologies more effectively, generate improved business confidence and increase business sustainability, and enable regional small businesses to expand their market reach through an online presence. Through this grant program the Palaszczuk government is committed to supporting Queensland small businesses to engage in the digital economy, to ensure sustainability and to provide an opportunity for growth. It is the Palaszczuk government that has a positive economic plan for Queensland—one that will help small business start, grow and employ.

Road Safety

Hon. MC BAILEY (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (10.12 am): Last week road safety ministers from across Australia met in Perth to discuss what more needs to be done to reduce serious crashes on our nation's roads. I am pleased that the Australian government has put road safety on the national agenda and a commitment to work with the states to reduce road deaths and hospitalisations. We are committed to work together to achieve 30 per cent reductions in death and serious injuries under the National Road Safety Strategy to 2020, and I table the communique from that meeting.

Tabled paper: Document, dated 3 November 2016, titled 'Ministerial Forum on Road Safety Communique' [2009].

When the Premier appointed a Minister for Road Safety for the first time in Queensland's history, it was a clear statement about our commitment to road safety in Queensland. We realised this with the launch of the Queensland Road Safety Strategy and action plan last year which committed to a vision of zero deaths and serious injuries on our roads—the most ambitious in Queensland's history. Under the plan, the Palaszczuk government is investing over $500 million in road safety programs, including statewide campaigns like Join the Drive to Save Lives. We brought in reforms to motorcycle licensing and double demerit points for repeated mobile phone offences in one year. We have toughened up the Q-Safe practical driving test for new drivers and launched a logbook app to help learner drivers and supervisors with road safety messaging. On the Bruce Highway we have completed 16 safety projects costing more than $30 million and we have installed flashing lights in 181 school zones and have 100 more on track for this financial year. Nearly 1,000 kilometres of wide-centre-line treatment has been rolled out on our highways. We have held three road safety forums involving key stakeholders and today I am announcing that I will be holding another road safety forum before the end of the year.

We have involved young people from all over Queensland directly through two CO-LAB Youth Innovation Challenges on road safety and distraction. The most recent just last month was attended by about 70 of Queensland's most creative and innovative young minds tasked with designing a social marketing campaign that encourages young motorists to put down their mobile phones while driving to make Queensland roads safer. Today I announce to the House the winning idea is a campaign called Chin Up which calls on young drivers to keep their chin up and not look down at their mobile phones while driving. I want to congratulate the winning team consisting of Justin Barrett, Devon Bright, Darcy Cox, Megan Dudley and Babak Khosravi who will each receive $1,000 in prize money as well as resource support from the Palaszczuk government and a creative agency towards developing and implementing their social media campaign. The inaugural 2015 CO-LAB winning campaign called Settle Down Stallion, launched in June 2016, was a great success after they received a professional shoot and production which saw it being viewed 2.7 million times and reach more than 4.7 million people online via social media. Road safety is everyone's responsibility. We all share the roads so we all have to be part of the solution every time we get behind the wheel.

INFRASTRUCTURE, PLANNING AND NATURAL RESOURCES COMMITTEE

Report

Mr PEARCE (Mirani—ALP) (10.16 am): I lay upon the table of the House the Infrastructure, Planning and Natural Resources Committee report No. 36, *Water (Local Management Arrangements) Amendment Bill 2016*. I commend what is yet another quality report to the House.

Tabled paper: Infrastructure, Planning and Natural Resources Committee: Report No. 36—Water (Local Management Arrangements) Amendment Bill 2016 [2010].

NOTICE OF MOTION

Racial Discrimination Act

Mr WALKER (Mansfield—LNP) (10.16 am): I give notice that I will move—

That this House calls on all Queensland members of the House of Representatives and Senate to:

1. acknowledge the stress and anxiety suffered by three QUT students subject to claims under section 18C of the Racial Discrimination Act;

2. recognise both the need to protect free speech as well as protect against hate speech; and

3. support reforms to section 18C of the Racial Discrimination Act.

Honourable members interjected.

Mr SPEAKER: I put the Minister for Health and the Minister for Industrial Relations on notice. If you persist with your inappropriate interjections, you will receive the appropriate response.

PRIVATE MEMBERS' STATEMENTS

Palaszczuk Labor Government, Performance

Mr EMERSON (Indooroopilly—LNP) (10.17 am): What we have seen here again today is the Premier and the Treasurer celebrating the fact that Queenslanders are losing jobs—an extraordinary situation—and cherrypicking from a report. It is extraordinary to see how much they did not mention from the Deloitte report. What did today's Deloitte report say on Queensland's employment? It says 'leaving the rest of Queensland behind'. They see that is cause to celebrate. If you are living in those parts of Queensland where unemployment is sky high, it is no cause to celebrate. What we are seeing here from the Premier and the Treasurer are them saying that it is great news to celebrate when the report clearly says 'leaving the rest of Queensland behind'. What an extraordinary situation! The next page of the report—again, something that the Treasurer and the Premier believe should be celebrated—states—

The latest employment figures show Queensland's participation rate has fallen ...

That means that people are giving up looking for work in Queensland under the policies of the Palaszczuk Labor government and under the policies of this Treasurer, who is so-called Captain Risky. Under those policies that is what we are seeing.

Let us not forget what those labour force figures were: 23,000 full-time jobs lost last month and, over the year, 50,000 jobs disappearing. People are leaving the workforce—disappearing—giving up on looking for work in Queensland because of the anti-investment, antibusiness and antijobs policies of this government. That is what we see and that is what this report says. The CommSec report said that we are competing with Tasmania rather than challenging New South Wales and Victoria to lead Australia. That is what we have seen. The Property Council report brands this government the worst in Australia. The CCIQ has said over and over again that the economy is weak and that the policies of this government are even weaker. The CCIQ does not believe in the policies of this government.

Whether it is the CommSec *State of the states* report, whether it is the Property Council's report, whether it is the CCIQ's report, or whether it is the Sensis report and the Deloitte report today, the members opposite are happy to pick out some of the numbers in them, but the reports say that the rest of Queensland is being left behind. Under the policies of those guys over there, they think that it is a cause to celebrate that the rest of Queensland is being left behind, that people are giving up looking for work in Queensland, that 23,000 jobs are gone. The reality is that Labor is not working in Queensland.

Mr SPEAKER: I remind members of the importance of referring to members by their correct title.

Palaszczuk Labor Government, Achievements

Hon. CW PITT (Mulgrave—ALP) (Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sport) (10.21 am): I knew that the member for Indooroopilly could not add up, but I did not realise that he could not read as well. That report says that it is good news for Queensland. As I outlined this morning, Queensland's economy is strong. We have the fastest growth in the nation. The Leader of the Opposition and his frontbenchers would have to be the laziest

opposition that we have ever seen in this House. Last week, I challenged the member for Indooroopilly to come up with some bad news in the good news. Like a $2 wind-up toy from the Reject Shop, he has not disappointed. We know that the shadow Treasurer is very fond of running down Queensland's economy. We know that that is in his DNA—it is in the DNA of all of those members opposite. According to the member for Indooroopilly, the 3.2 per cent growth that we achieved in 2015-16 is not good enough, because it is below our previous budget forecast. He accused me of inaction and not having a plan.

As members of this House know, the Queensland Treasury provides very important growth updates and forecasts. They are forecasts based on the best evidence available at the time. What was the forecast for the 2015-16 year under the second budget of the member for Clayfield? He said that the economy in Queensland would grow by six per cent in 2015-16. I recognise that Queensland Treasury was basing that figure on information available. However, mature economic minds understand that forecasts are not set in stone; they are forecasts.

We can follow the line of attack of the member for Indooroopilly. What was he thinking about the 0.8 per cent GSP result in 2014-15 under the bloke sitting next to him, the member for Clayfield? Our growth rate is four times—3.2 per cent—that growth rate, which was the best effort of the LNP under its last year in office. For the record, when the now opposition leader was treasurer, that 0.8 per cent was the result for 2014-15. The MYFER predicted that the growth rate would be 2.5 per cent. The opposition was not able to achieve essentially one-third of its forecast in the last MYFER in its last term in office. That figure of 2.5 per cent was revised down to 0.8 per cent. Yet the member for Indooroopilly has the gall to come into this place and complain about our growth rate being revised down to a result that was four times better than what the LNP could do when it was in government.

I have to tell members that it is very concerning that the member for Indooroopilly comes in here and attacks this government on these figures. The members opposite should be ashamed of their record. We know that they are continually cherrypicking figures. We are continuing to be positive about the economy. The members continue to bring doom and gloom. They cut, we build. They sack, we save. We on this side of the House believe in jobs. We believe in talking up the Queensland economy. As Deloitte has pointed out continually, we believe that the Queensland economy has 'sweet fundamentals'. That is what sets us apart from all the other states and that is what sets us apart from those opposite.

Ms Boyd interjected.

Mr SPEAKER: I think that is the member for Pine Rivers again.

Mrs Frecklington interjected.

Mr SPEAKER: I think that is the Deputy Leader of the Opposition as well.

West Village Development

Mr WALKER (Mansfield—LNP) (10.24 am): I can cautiously report that today is World Town Planning Day and that there are celebrations around the world. Unfortunately, those celebrations are a little bit muted in West End. When it comes to giving false hope, the Deputy Premier has set a new record. In fact, it could be a sport at the next Commonwealth Games—but just do not get the member for Sandgate to organise it.

The member for South Brisbane called in the $800 million West Village development in her own electorate, putting herself in a position of conflict, bypassing the independent court process and raising high expectations for her own community as well as her local adversary, Councillor Sri. At the same time, the member for South Brisbane sent the development industry in Queensland into a state of chaos and with it jeopardised thousands of associated jobs. Whose project was going to be called in next?

The Deputy Premier claimed that there was a state interest involved in the call-in. We know that it was all about political self-interest, not about state interest. In responding to the application, her own department raised only one concern: the location of a bus stop. The Deputy Premier has created an environment of fear and uncertainty in the development and construction sector. If the Deputy Premier has anything to do with it, companies are sure to have second thoughts now about investing in Queensland.

I ask members to remember the sight of Councillor Sri up in the gallery when the Deputy Premier charged in and ran roughshod over this project. When she read the South East Queensland Plan and the Brisbane town plan, she realised pretty quickly that it was the state government's own plan that calls for more density. The SEQ plan calls for 138,000 dwellings out of 156,000 to be placed within the Brisbane urban footprint by 2031. That is exacerbated in the draft South East Queensland Plan.

Labor's sneaky asset sale plan, known as the Advancing our cities and regions strategy, spruiks loudly about the economic benefits of urban renewal—just as long as it is not in the backyard of a sitting Labor MP under threat from the Greens. The report says—

Urban renewal is fundamental to the sustainability and liveability of regional towns and cities ...

In the end, the Deputy Premier had no alternative but to approve the project and announce that it would go ahead—a project that was already approved by the Brisbane City Council. It is laughable that, after nearly two years in government, the best economic news that this Labor government can come up with is to approve a project that has already been approved.

The buildings on the site are now set to be even taller—up to 22 storeys as opposed to the 15 storeys originally proposed. Councillor Sri is no doubt over the moon about that outcome. We know from social media that he is not at all. Today, we learned that there is a Greens candidate ready to go now in West End. It is clear that the Deputy Premier has a massive fight on her hands. Thanks to Labor's decision to reintroduce compulsory voting with only 18 minutes notice, a simple tick here or a preference there will unseat her in a second.

Palaszczuk Labor Government, Achievements

Hon. CR DICK (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (10.27 am): Since coming to power, the focus of the Palaszczuk Labor government has been restoring the damage done to Queensland through the cuts inflicted on Queensland by the Newman-Nicholls government. I am pleased to report that Queensland is becoming great again. We are doing that without pitting people against one another. The Palaszczuk Labor government is not going to build a wall, because Queenslanders are stronger together. That is why we repealed and replaced the Newman-Nicholls failed LNP industrial relations policies. We have restored front-line services.

When the people of Queensland look to the Leader of the Opposition, what do they see? They see his failed record on health care, his failed record on infrastructure and his failed record on jobs and the economy. When Queenslanders look at the Premier, they see that jobs are coming back and that the economy is improving. Queenslanders are saying, 'I'm with her.'

Today, the Deloitte report shows that the Queensland economy is gaining momentum. It says that this is more good news for Queensland. Sadly, the good news has not been welcomed by everybody. For years, the members opposite have been talking down the Queensland economy. The ambulance chasers of the opposition are always talking down the Queensland economy. They want it to fail. We remember the first year of the Newman government under the member for Clayfield. We were in a power-dive into the abyss. We were the Spain of the south. Do members remember all of that?

It turns out that we are the new phoenix. We are rising from the ashes of the failed economic policies of the Leader of the Opposition. We have our foot to the floor. We are barrelling down the highway. We are leading Queensland into a brighter future. Those opposite are weighed down by a failed leader, an old leader, the old plan—sack and sell—and stuck on the road to nowhere. That is their plan. The Leader of the Opposition has the old crew together—the crew that was left behind after he destroyed 30 political careers at the last election due to his policies. He has them in the jalopy. He is sticking it back together with sticky tape and he is rumbling down the road, putting the Strong Choices roadshow back on the road for the people of Queensland. They did not buy it in 2015. They can put it on the shelf as much as they like; they are not going to buy that product again from the member for Clayfield. With the release of the Deloitte report the last fig leaf has fallen from the Leader of the Opposition. It is flat on the ground. We know the truth. He has no policies. He has no plan. Under our Premier Queensland is moving into a brighter and better place.

Palaszczuk Labor Government, Performance

Mr NICHOLLS (Clayfield—LNP) (Leader of the Opposition) (10.30 am): What have we learned since last Thursday when the agriculture minister resigned? We see the writing on the wall. We see yet more signs of a government caving in to infighting amongst themselves, a government that does not

know what it is it wants to deliver. Queenslanders are paying the price for this Premier's indecision and this government's factional warfare. We have a Premier who is focusing on her faction allies and not focusing on the people of Queensland. She is so utterly compromised that she is unable to take decisive action or enforce any authority. We have a government so bereft of talent that five days after the resignation of the member for Bundaberg the Premier still cannot come up with a replacement.

We see today, like a sailor drowning, this government clasping at the plank of the Deloitte Access Economics report—the last thing they have as a drowning crew is to grasp that plank. What we really have is the crew of the *SS Minnow* on *Gilligan's Island*, a comedy of survivors doomed never to be rescued by anyone, falling to infighting amongst themselves. One might well ask who is the captain and who is Gilligan. Who is taking the responsibility? We do not know and Queenslanders do not know. Is the captain the member for Inala or is the captain the member for South Brisbane? Is Gilligan the Treasurer or is it the transport minister? Who is the Professor? Who is Ginger and Mary Ann? I think we know who Thurston Howell III is when we look at the member for Woodridge, but he still has not told us who Lovey is yet. We are still waiting. Today we had the comedy of the third agriculture minister in 18 months, the recycled member for Rockhampton.

Honourable members interjected.

Mr SPEAKER: Order, members! Government ministers, order!

Mr NICHOLLS: In this serious portfolio that is a major contributor to the economy of this state we are still waiting for this Premier to sort out her factions so she can appoint a minister. We had the Minister for Police take over his old role and pretend to be across his portfolio when all he did was read out the April 2016 AgForce trends. This is not a government across the job; this is a government that is failing to deliver for Queenslanders and Queenslanders are paying the price.

Mr SPEAKER: Thank you, members. We will now commence question time. Question time will finish at 11.34 am.

QUESTIONS WITHOUT NOTICE

Minister for Transport and the Commonwealth Games

Mr NICHOLLS (10.34 am): My first question is to the Minister for Transport. Last week the minister avoided responsibility for the rail crisis. Yesterday the minister denied responsibility three times for the future of the timetable and Queensland Rail services. Will the minister explain to the House just what exactly will he take responsibility for?

Mr HINCHLIFFE: I thank the Leader of the Opposition for his question. I have been very clear on a number of occasions that the Premier has given me responsibility to fix this mess up. That is why I have been working so closely with the acting CEO of Queensland Rail and the acting chair of Queensland Rail to make sure that we have in place a sustainable and reliable timetable that the commuters of South-East Queensland should justifiably expect. That is what we have seen delivered and put into place in the first instance from yesterday and will be in place for the remainder of this week and continue for the remainder of 2016. What that does is meet the measures of responsibility that the Premier has put down in front of me around delivering our five-point plan—our five-point plan that delivers a responsible and reliable timetable for the South-East Queensland Citytrain network and also has the pathway to recruit and develop the train crew capability that we need.

When we talk about responsibility, it is utterly important that in the context of looking at responsibilities we do understand and appreciate that a statutory authority has the responsibility for the operational activities of that statutory authority. What responsible ministers are responsible for is ensuring that those authorities have the resources and the capability to deliver what is required. That is what we are doing as a government. What I have been doing as minister is making sure that we deliver the resources to Queensland Rail to deliver on that five-point plan that we promised to commuters here in South-East Queensland.

When it comes to responsibility it is time that former shareholding ministers of Queensland Rail, the member for Clayfield and the member for Indooroopilly, take responsibility for the lack of resources that were present in Queensland Rail that has led to this mess. It is time that they take responsibility and deliver the documentation, the materials and the briefing papers that are relevant from their time of government that show that they were responsible for the cuts and damages that we have seen that

have led to this crisis. It is time that they take responsibility for the cut of 66 positions from the driver training unit. I call on the Leader of the Opposition to step up to that responsibility and table and provide the documents that are relevant from his time in government.

Minister for Transport and the Commonwealth Games

Mr NICHOLLS: My second question is to the Premier. Last week the transport minister failed to take responsibility for the Queensland Rail crisis. Yesterday he denied responsibility for fixing the crisis. Today he continues to deny responsibility for the Queensland Rail debacle. When will the Premier force the transport minister to do the right thing and either take responsibility or resign?

Ms PALASZCZUK: I thank the Leader of the Opposition for the question. As the minister has clearly stated, I have said to the Minister for Transport that he needs to fix the problem. That is what he is 100 per cent focused on. I have commissioned Philip Strachan to get to the bottom of what happened in Queensland Rail. Queensland Rail is responsible for the operational business of Queensland Rail. That is what their job is. They report to the shareholding ministers. For Philip Strachan to get to the bottom of what happened he needs to see the documents of the former government. It has been seven days since we have called on the Leader of the Opposition and the member for Indooroopilly to release those documents. What we are hearing very clearly is that there were savage cuts under the administration of the Leader of the Opposition when he was Treasurer of this state. What we are hearing is that there were 66 trainers who were cut from that program. We need to get to the bottom of it. Today I am calling on the Leader of the Opposition to release those documents. I do not want to be forced, but if I have to I will broaden Philip Strachan's responsibilities to access those documents. If I do not get those documents this week, I will broaden his powers so that he can get those documents. Today, is the opposition going to cooperate or not? Will they cooperate this week?

Yesterday morning, the Minister for Transport was at the train control centre monitoring the peak. He has been back, meeting with the train crews and the public, which is something that those opposite never did when they were in government. They were not willing to meet with the public, because they were too busy picking fights. I have charged the Minister for Transport with fixing this up. I am advised that we now have in place a reliable timetable for the commuting public of South-East Queensland. That is exactly what we are doing.

Gold Coast Commonwealth Games, Ticket Prices

Mr POWER: My question is to the Premier. Logan families would love to be involved in the Commonwealth Games. Will the Premier outline how ticket pricing for the Commonwealth Games will help families attend more events?

Ms PALASZCZUK: I thank the member for Logan for that very important question. The 2018 Commonwealth Games are not far away and we need to make sure that they are family friendly games. On Sunday I was delighted to join the Minister for the Commonwealth Games, as well as the chair of Goldoc, Peter Beattie, and the CEO, Mark Peters, to launch the ticketing for the Commonwealth Games. I can say that we have listened to Queenslanders and we are making the games family friendly. Tickets will go on sale in April next year. We need families to get in early, to ensure that they secure the tickets for their favourite events. I can report that for children tickets will start at $10 and for adults they will be as low as $20. We all know how much everyone loves the swimming. I can report that tickets to attend the swimming at the Commonwealth Games will start at $20 for children and $40 for adults. This Saturday is another very important day in Commonwealth Games benchmarks, because we will be with Anna Meares at the Chandler velodrome, which will be named in her honour.

Whilst talking about ticketing, I am reminded that those opposite are looking for some tickets to escape down to Canberra. We are hearing very clearly that George Brandis is looking very closely at moving overseas. We are not quite sure what the member for Indooroopilly wants to do or even what the member for Surfers Paradise wants to do, although we have heard some whispers there. However, the biggest whisper comes from Campbell Newman. Why do I say that? Because last night the former premier appeared on Andrew Bolt's program. He was asked a few questions and there was a bit of a wink and a bit of a smile, so I know that he is not ruling that out. We will be following very closely Campbell Newman's progress. Wouldn't that be interesting for Queensland and for those opposite? When I see Campbell Newman back on the news, I am reminded of all of the cuts that the former government made to Queensland.

Today, we have good news for Queensland from the Deloitte report. Those opposite hate good news. I do not know why they are against it. We see that exports are up and building construction is up. That is great news for Queensland—

(Time expired)

Queensland Rail, Train Cancellations

Mrs FRECKLINGTON: My question without notice is to the Minister for Transport. I refer to the ongoing impacts of the rail crisis on Brisbane commuters. In particular, a member of the public, April from North Lakes, has contacted the opposition, saying—

I was not able to get the train from the city in time to pick up my nephew from school. I had to phone the school—and he is only six—to tell them I would be late and not sure when I would get there. He had to wait for me for an hour and a half. This is not on.

When will the minister accept responsibility for Queensland Rail and apologise to April and her nephew?

Mr HINCHLIFFE: I acknowledge the question and thank the Deputy Leader of the Opposition for it. Clearly, the instance that we are hearing about would relate to the circumstances that occurred when we saw the late notice of cancellations last Friday. That is fundamentally what the new timetable, which delivers the certainty and the reliability that commuters in South-East Queensland want and expect, is all about. We want to eliminate the circumstances where things such as that can occur and we are seeing that already with the implementation of the timetable. No cancellations are occurring as a result of crewing issues and any of the cancellations that we are seeing—and, in fact, we are mainly seeing late running rather than cancellations—are a function of the normal challenges of running a heavy rail network the size and scale of the Citytrain network in South-East Queensland, with the rolling stock and infrastructure issues that can occur from time to time.

I note that again the Deputy Leader of the Opposition has raised the issue of responsibility. I encourage her to reflect upon the responsibility that the Leader of the Opposition might bear in making sure that he steps up to the challenge that the Premier and I have put down to release the vitally important documents from their time in government. We want to see whether they tell the public what side they are on in the whole issue of how we have dealt with the challenge of the delivery of services from Queensland Rail. We want to ensure that they step up to the mark.

What did we see from the former minister and member for Indooroopilly? In a media release dated 15 April 2013, he said—

We will make the organisation more efficient so we can employ more train crew, deliver better timetables and add more trains to the network.

What have we seen occur? We have seen 66 positions cut from the driver training unit. When in office, the LNP spent almost $350,000 on not one but three separate recruitment processes for a CEO. What they did not spend on was drivers and guards, which is what the Palaszczuk government is doing. The Palaszczuk government is making the investments that Queensland Rail needs to deliver for customers in South-East Queensland. That is the pathway forward in the five-point plan that I am taking responsibility for delivering.

National Redress Scheme for Survivors of Child Sexual Abuse

Mr KING: My question is to the Premier. How has the Turnbull government responded to the Premier's call for a national redress scheme for the survivors of child sexual abuse?

Ms PALASZCZUK: I thank the member for Kallangur for that very important question. As we know, there has been a national commission of inquiry into sexual abuse and the stories that have been told publicly have resonated with every member of this House. It is no secret that I have been championing the call for a national redress scheme in this nation. In 2007, in response to the recommendations of the Forde inquiry held in Queensland, the state government established a $100 million redress scheme to help those people who had suffered terrible abuse. Under that scheme more than 7,400 applications were assessed as eligible for payment and the scheme was finalised in June 2010.

It is fundamental that the national redress scheme is as broad as possible. It cannot be narrow. The many people who have come forward to present their stories have a right to access a national redress scheme. When the Prime Minister was last in Queensland, I personally raised this issue with him. While the initial signs are encouraging that the federal government is looking at this very important issue, I firmly believe that we must address the issue as a nation.

We need to look at the fact that across the different states and territories some states have had, in part, their own redress scheme and others have not. That needs to be factored into any consideration. It has been a tough time for many of those people who have appeared before the commission, which is still ongoing.

I am sure that this issue will also be raised when COAG meets in December in Canberra. Once again, I will implore the Prime Minister to make sure that a national redress scheme is as broad as possible. I would sincerely hope that all members of the House would support me in that call because it has been a long time coming and the victims of childhood sexual abuse and abuse in other institutions need justice. This is one way that we can actually deliver justice for so many people who have experienced horrendous acts against them.

Having met people personally and read their personal stories, these stories will stay with me forever. I thank them for their courage and for their ability to share their stories. That is not easy. At the end of the day, we must have a national redress scheme.

Mr SPEAKER: Before I call the member for Aspley, I am informed that we have students and staff from the Centaur Primary School in Ballina, New South Wales observing our proceedings. Welcome.

Queensland Rail, Train Cancellations

Ms DAVIS: My question without notice is to the Minister for Transport. I refer to the ongoing impacts of the rail crisis on Brisbane commuters. In particular, Geeta from Nundah has written to the opposition saying that she is very concerned for her son's safety as he relies on the train system to get to school. She said, 'I was very worried and concerned for my child's safety especially knowing that he was alone' after his train was repeatedly cancelled. When will the minister take responsibility for Queensland Rail and assure Geeta this situation will not be repeated?

Mr HINCHLIFFE: I thank the member for Aspley for her question. I have also spoken to the parents of children who travel using our rail network and share with them the concern around the short notice of cancellations that have occurred and damaged the reliability of our Queensland Rail network. That is why I took responsibility for delivering the five-point plan that the Premier asked me to deliver in relation to finding a pathway to a sustainable and reliable timetable. That came into play from yesterday to deliver for the commuters on South-East Queensland's rail network.

We are not seeing the cancellation or derogation of service or even lateness as a result of anything to do with train crew. Now that we have this sustainable timetable we are seeing a level of reliability that people have not been able to enjoy for the last couple of weeks. I absolutely appreciate that and accept that.

I know that is why we have had to take these actions and I have had to take responsibility for delivering this five-point action plan to deliver the reliability that Queenslanders need and to strengthen the capability and resources available. The responsibility of the shareholding ministers is to ensure that Queensland Rail has the resources available to it to deliver the operational outcomes that we expect of it. That is what we are doing not only through delivering a reliable timetable but also through ensuring that that timetable provides the opportunity for training to occur and for the expansion of the capability to deliver on the recruitment numbers that the Palaszczuk government has put in place.

We have seen a lack of recruitment. The last major recruitment campaign happened in 2011 under the Premier when she was the former transport minister. We have seen a dearth of recruitment over the last number of years. We saw that tick up when the Deputy Premier started a recruitment process in late 2015. That is where we started. We have added to that further with our five-point plan. Recruitment and training is going on at a greater level now. We want to improve that. That is what the sustainable timetable helps us deliver.

I equally want to acknowledge, because the member for Aspley makes particular reference to a student travelling from Nundah, that I have had representations from the member for Nudgee in relation to the changes to the timetable that have affected passengers in that part of the north. That is why with any further changes to the timetable we will look particularly closely at how we make sure we support customers, including students who rely on our transport network.

Mr SPEAKER: Before I call the member for Thuringowa, I am informed that we have students and staff from the Caloundra City Private School in the electorate of Caloundra observing our proceedings. Welcome.

Trade and Investment

Mr HARPER: My question is of the Deputy Premier. Will the Deputy Premier update the House on the growth of investment and exports in Queensland?

Ms TRAD: I thank the member for Thuringowa for his question. I know that he understands how important trade and investment is to the Townsville community. I know that everyone on this side of the House understands how important trade and investment is to the Queensland economy. One in five jobs are supported by trade and investment in our economy, particularly out in the regions.

That is why the Palaszczuk government has been incredibly focused on growing our exports and our foreign investment into Queensland. It is paying off. Our strategy and our focus is paying off. Our exports are growing, underpinned by the LNG industry—a new industry that was facilitated by previous Labor governments.

We are growing our international education and training sector with the potential to create 6,800 jobs over the next decade, returning more than $7 billion back to our state. We are doing it through a dedicated strategy, a long-term vision and additional resources. We are diversifying our economy by striking deals with companies like YouTube, Southern Oil, Dubai South, DGI-genomics and the US Navy, as the Premier outlined earlier today.

The latest Deloitte Access Economics Business Outlook released today shows that our economic plan for Queensland is paying off. As the Treasurer said, the baton for growth has been passed from investment through to exports. We are working hard to realise our vision for Queensland and Queensland's economy which is to make sure that we thrive in the fastest growing region of the world. The Deloitte report states—

Looking at exports, Queensland continues to perform better than the rest of the nation.

Deloitte also predicts—

Strong demand from income growth in emerging Asian economies will support Queensland's international exports in the coming years.

That is why our plan is absolutely focused on making sure that we get a bigger slice of the market so that we can grow more local jobs.

Let us contrast that with those opposite. What did the member for Clayfield do when he was treasurer and minister for trade? What did he do? Did he want to grow the pie? No, he cut 20 per cent from the budget for Trade & Investment Queensland. What did that mean? That meant less for international education, less money for missions, less money for Queensland to promote itself on the international stage. The contrast could not be starker. Here we support jobs and support growth. Over there they support cuts and they support their own careers and not Queenslanders.

(Time expired)

Queensland Rail, Train Cancellations

Mr MANDER: My question is to the Minister for Transport. I refer to the ongoing impacts of the rail crisis on Brisbane commuters. In particular, Ken from Lawton has written to the opposition stating—

Being a disabled pensioner and uncertainty of trains, our rail travel is put on hold.

When will the minister take responsibility for Queensland Rail and apologise to Ken and his family?

Mr WHITING: I rise to a point of order, Mr Speaker. There was a very lengthy preamble to that question.

Mr SPEAKER: There is no point of order. I will allow the question. Minister, did you understand the question?

Mr HINCHLIFFE: Yes, Mr Speaker. I thank the member for Everton for his question. This morning in my ministerial statement I have acknowledged and apologised—and I have done this in person to many commuters on our rail network—for the disruption and cancellations that we have seen over the past couple of weeks. That is why it is so important that I have taken up the responsibility that the Premier has charged me with to deliver the sustainable timetable that commenced as of yesterday and that is delivering for commuters on our rail network here in South-East Queensland. I heard from commuters firsthand when I was travelling on the rail network last week that what they were looking for was reliability.

Mr Minnikin: Was the train on time?

Mr HINCHLIFFE: Yes. I take that interjection from the member for Chatsworth. Each of the services that I have travelled on in the last week has been in fact on time. I am interested to know how many services the member for Chatsworth has been on.

I want to reiterate that I do apologise for the inconvenience that has been experienced by commuters on our rail network in the last couple of weeks. I particularly note the concerns that the member for Everton has raised on behalf of those people living with a disability who use and rely upon our rail network. It is particularly important that we look after them. That is why it is particularly important that part of our commitment in our five-point plan for restoring services in Queensland Rail is a commitment to having both drivers and guards on our Queensland Rail trains, including our new generation rolling stock—something which the previous government was certainly not committed to.

Mr SPEAKER: Member for Toowoomba North, you are now warned under standing order 253A for your repetitive interjections. You have had a pretty good go. If you continue, I will take the appropriate action.

Queensland Economy

Ms LINARD: My question is to the Treasurer. I refer to the Deloitte Access Economics report released today showing strong forecast growth in the Queensland economy. Will the Treasurer provide advice on how the government's economic plan has assisted in achieving this result?

Mr PITT: I take great pleasure in answering the question from the member for Nudgee. As I have said, and as most members on this side of the House have said this morning, the Deloitte Access Economics Business Outlook for September 2016 is good news for Queensland and it is proof positive that our economic plan that we put in place through the first two budgets of the Palaszczuk government has been working.

It is very important to note that when we talk about the great growth that we are seeing in this state—and it is great growth—we know that that is not uniformly being spread right across the state. That is critical and we have highlighted on numerous occasions that we know. That is why the last budget focused so strongly on regional Queensland with our Back to Work program, a $100 million package supporting and incentivising employers to take on unemployed people, including $15,000 for long-term unemployed.

The Deloitte report touches on a range of things. I think one of the most impressive statistics in the report is where it talks about the 3.8 per cent average GSP growth out to 2019. We know that other indicators and commentary have said that we will be leading growth across the nation for the next decade. It is again very important to look at the fundamentals that sit below the work that we have done.

The Queensland economy is something to be proud of, not talked down. That is all we heard the entire time the last government was in government. It is a very strange thing for a government to talk the economy down. We knew they were positioning for asset sales. We know that they spent $100 million on softening everyone up to sell the assets which they said they were going to seek a mandate for and to ask the question.

Mr Dick: How much?

Mr PITT: I take that interjection from the Minister for Health—$100 million. They got Governor in Council approval to spend up to $250 million—a quarter of a billion dollars—when they should have been focusing on driving the Queensland economy. We have heard of climate change deniers. Those opposite are growth deniers. They are simply economic growth deniers because, even when it is there in black and white, they cannot see it.

Let us run through a few things. Business confidence is up. Consumer confidence is up. Net jobs are up. Full-time jobs growth is up. Economic growth is up. The only thing that seemed to go up under the last government was the same debt that they said they were going to get a handle on. Debt went up under them, in both general government sector and—

Ms Trad: And unemployment.

Mr PITT: I take that interjection from the Deputy Premier. We cannot forget that unemployment went up at one point to 7.1 per cent. I have said it on numerous occasions, and in the last sitting we talked about the 14,000 people whose jobs they cut. That is 157 times the membership of parliament. That is how many individuals and families were hurt by the last government when they just could not see that the Queensland economy was a good thing. They should embrace it. They should talk it up so that business will also drive confidence. They drove confidence into the floor. We are not going to fall into that trap.

Gold Coast Commonwealth Games, Ticket Sales

Mr HART: My question without notice is to the Minister for Transport and the Commonwealth Games.

Mr Madden interjected.

Mr SPEAKER: Who is calling out, 'Speak up'? Is it in the gallery or is it in the chamber?

An honourable member: It was the member for Ipswich West.

Mr SPEAKER: Member for Ipswich West, you are now warned under standing order 253A for your interjections. Thank you for owning up to it.

Mr Rickuss interjected.

Mr SPEAKER: Look out, member for Lockyer. You might be next. Member for Burleigh, would you please repeat your question?

Mr HART: My question without notice is to the Minister for Transport and the Commonwealth Games. In the bid process it was estimated that the Commonwealth Games will recover ticket sales of $65.3 million. Last weekend Goldoc chair, Peter Beattie, said the games would recover between $50 million and $60 million. Can the minister guarantee taxpayers will not be left to pick up the tab for the difference?

Mr HINCHLIFFE: I thank the member for Burleigh for his question. I know he is keenly interested in supporting a great Commonwealth Games that will be accessible and available to as many Queenslanders, and as many Gold Coasters, as possible. That is why this government has worked very closely with Goldoc to make sure that we do see the delivery of a games that is accessible to many more Queenslanders. That is why the family friendly ticket pricing model that we have adopted and are seeing delivered will make such a difference. It will make a huge difference and provide great opportunities to the Queensland public who want to attend these wonderful games, well known not only as the friendly games but also as the family games, with very much family friendly ticket pricing.

The member for Burleigh raises a question around budget and concerns in relation to that. I can absolutely assure him that we will see the funding envelope for the 2018 Commonwealth Games remain at the $2 billion mark that has been set down and been in place for some time. We are working assiduously with the great leadership that we put in place in relation to Goldoc to make sure that we are delivering on the sponsorship needs. Sponsorship makes a huge difference to how we deliver a games like the 2018 Commonwealth Games.

I would like to acknowledge and thank the members on the Gold Coast who have all been largely very positive around the Commonwealth Games in most matters. That has been a great help and boon to what we have been doing to make sure that we support a fantastic global event, an event that will see some 6,500 athletes and officials from across the globe, from 70 different nations and territories, coming to the Gold Coast to be part of what is the second largest global multi-sport event in the world.

Mr Minnikin: Not by train.

Mr HINCHLIFFE: They will be able to come by train with the great work that this Queensland government is doing to duplicate the Helensvale's rail and the second stage of the Gold Coast Light Rail—light rail that I do note has not been universally welcomed by those opposite, light rail that has been criticised over the years by so many of those opposite. I do not want to put that at the forefront of my comments today. I welcome and appreciate the support that we have received from the LNP members and others on the Gold Coast to make sure that we make this event a truly successful global event and a great opportunity to promote the Gold Coast and Queensland to the rest of the world.

Gladstone, Health Services

Mr BUTCHER: My question is to the Minister for Health and Minister for Ambulance Services. Will the minister please advise the House of any changes to the delivery of health services in Gladstone?

Mr DICK: I thank the member for Gladstone for his question. I acknowledge the tireless work that he performs for his community. He is a great champion for Gladstone Hospital. I have some very good news for the member for Gladstone today. As the member for Gladstone knows, as does perhaps every member of this House, attracting specialist staff to work in hospitals outside of the south-east is a significant challenge for our state health system. I am pleased to inform the House that Gladstone Hospital has recently been successful in a recruitment campaign to attract specialists to all of their

vacant positions at the hospital. Like most hospitals, Gladstone has relied on temporary locum staff to deliver healthcare services for some years. I am delighted to report to the House that, as a result of a recent recruitment drive, 15 specialists will be appointed to the Gladstone Hospital. This includes the appointment of four clinical directors to emergency, obstetrics and gynaecology, anaesthetics, and paediatrics—all of whom have commenced work.

I am further advised that three clinical directors will be on the ground in the next six months. In addition to these 15 specialists appointed, extra junior doctors have also been appointed at different levels. Those extra doctors mean the hospital will be able to provide safe and sustainable rostering including after-hours cover without burning out staff. I will say a little more about previous staffing profiles at the hospital. These permanent doctors will be committed to the Gladstone community because it will be their home and it will be their community.

In the past, the hospital has had just one specialist position in each department and I am advised that they will now have three. A deputy director of medical services is also being employed to oversee medical services for Gladstone and other rural Central Queensland hospitals. Gladstone Hospital doctors are working with their specialist colleagues to enable advanced training, which will help attract even more junior doctors. I acknowledge the executive director of medical services, Dr Tim Smart, and the Gladstone Hospital management team for their hard work in getting these specialists to Gladstone.

The lesson of the last three years under the LNP is that, if you cut, you cannot deliver. If you cut, you cannot deliver. Under the LNP, I am advised that the Gladstone Hospital lost five per cent of its workforce including a six per cent loss in the clinical workforce including doctors, nurses and allied health professionals. Unless you fund the front line, you cannot deliver health services to Queensland. That is what we know in Labor. We are absolutely committed to funding the front line, to putting money into services where it matters the most, but it is a lesson completely lost on the LNP. They do not understand that. I thank the member for Gladstone. He is a great champion for that hospital. We will start building the new emergency department next year—something else that he has championed. We are delivering health services for Gladstone, as we are across Queensland.

Gold Coast Commonwealth Games, Ticket Sales

Mr LANGBROEK: My question without notice is to the Minister for the Commonwealth Games. At estimates, the Commonwealth Games CEO advised that up to $10 million of the additional costs of $19 million needed to add beach volleyball to the Games would be recouped through 'ticket sales et cetera', and I ask: does the minister stand by this figure given overall ticket revenue is now only expected to recoup between $50 million and $60 million?

Ms Palaszczuk: So you don't want family friendly prices?

Mr LANGBROEK: We do not believe you are going to get 15 per cent from one sport.

Mr SPEAKER: Order! This is not an opportunity for debate.

Mr HINCHLIFFE: I thank the member for Surfers Paradise for his question. What we have seen under this government and the leadership this government has shown in cooperation with the Commonwealth Games Federation is the addition of beach volleyball to the program for the 2018 Commonwealth Games, making it the largest sports program of any Commonwealth Games in the history of the Games with 18 different sports. We have also added to the para-athletics program to ensure that we extend the capability and opportunity for athletes with a disability to participate in the Games on the same footing and platform as other athletes. Indeed, for the first time we are seeing equal numbers of medal events across the Games for men and women as part of the event—initiatives that we have brought forward and delivered.

Adding the beach volleyball event has certainly added some cost to the delivery of the program, and that has been identified and work is continuing. There is continual work going on in the budget of Goldoc to make sure that we deliver an affordable and effective games, but clearly an extra event adds ticketing opportunities—ticketing opportunities for what is a premium and significant event.

I can talk about the importance of the way in which beach volleyball will add to the opportunities not only in relation to ticketing but also in relation to sponsorship. Clearly, an extra venue provides an opportunity for a specific venue sponsor. Those things can provide a significant offset of the costs, and that is part of the ongoing work that Goldoc is doing. That is the work that I have been discussing and engaging in with the chairman of the Commonwealth Games Corporation, the CEO and the whole of the board. They have been doing great work concentrated on delivering what will be a fantastic event for Queenslanders and a fantastic event for the Gold Coast.

I was very pleased that we could add the beach volleyball event to extend the reach and opportunity of the 2018 Commonwealth Games across the Gold Coast, adding a major venue to the southern end of the coast which had not been part of the arrangements before. This is something that will genuinely bring the whole of the coast together. I am absolutely confident that the Goldoc team have got the work done to deliver this in a way that remains within the budget envelope and delivers an exciting, wonderful opportunity with families able to afford to be a part of the event and to share the dream.

Mr SPEAKER: Order! Before I call the member for Mirani, I am informed that we have another group of students from the Centaur Primary School in Ballina, New South Wales observing our proceedings.

Tourism Industry, Passenger Movement Charge

Mr PEARCE: My question is to the Minister for Education and Minister for Tourism and Major Events. How will the Turnbull government's planned increase to the passenger movement charge affect tourism in Queensland?

Ms JONES: I welcome the visitors from Ballina to our great state here in Queensland. What we heard very resoundingly in the Deloitte report this morning is that tourism is surging in Queensland. Not only are we seeing record numbers of interstate visitors to Queensland; we are also seeing record numbers of international visitors choosing Queensland as their destination. To that end, we know that tourism creates jobs—jobs that we need to build right across Queensland's regions, including the honourable member for Mirani's electorate.

Now is not the time to make it harder and more expensive to choose Australia and Queensland for a holiday. Now is not the time to whack an extra tax on people who want to come to Queensland, but that is exactly what their LNP colleagues in Canberra are doing right now. Their Prime Minister is making Australia, I am advised, the second highest, most expensive place to visit in the world. While we say, 'Let's make it easier and encourage more visitors to come here,' they are slugging a tax on them—a $60 federal government departure tax. We will oppose the federal government departure tax every step of the way.

I thought Queenslanders would stand united on this issue. The LNP talk big about supporting the tourism industry, but when it comes to putting their money where their mouth is they always squib it. My friend the member for Surfers Paradise was on the Gold Coast saying, 'You know what, I do not think an extra $5 makes much of a difference. I don't think it makes a difference to put an extra $5 on a departure tax.' We know that this would increase our departure tax to the second highest in the world. I say to the member for Surfers Paradise: here is $5, because the other news I am hearing is that there is someone interested in a departure, and that is the member for Surfers Paradise. Last week he was on the Goldie talking up his chances of replacing George Brandis as a senator. He wants to ditch his mates here because he knows the chances of any flight being taken up from them over to this side are very, very slim. I will stump up the $5 for the honourable member for Surfers Paradise to make his departure to the federal Senate, because, quite frankly, if it is a choice between him and Campbell Newman I am going for the member for Surfers Paradise. I think he would be a great addition to the LNP Senate ticket. He is normally a very strong advocate for his community. I am a bit upset that he has walked away on the departure tax, but I understand there is an ulterior motive. As TTF CEO, Margy Osmond, has said about this departure tax: 'You don't have to be Einstein to work out that if you want to encourage more people to visit your country you should be reducing costs, not increasing them.'

Gold Coast Commonwealth Games, Infrastructure

Mrs STUCKEY: My question is to the Minister for the Commonwealth Games. Given Gold Coast City Council's City Infrastructure Committee's recommendation to proceed with construction of a seafront path from Tugun to Bilinga, will the minister commit to building the oceanway through the Currumbin electorate as a legacy project for the Commonwealth Games?

Mr HINCHLIFFE: I thank the member for Currumbin for her question. It is a matter that is being looked at. It is a matter that I have asked the legacy committee for the 2018 Commonwealth Games to consider and advise me on. As the member and former minister is well aware, we have a process where we engage the broader community, particularly focused on the Gold Coast, to advise on legacy matters and legacy projects.

That is why the process to consider these projects proposed by the city of the Gold Coast—and while I am on my feet and answering the question asked by the member for Currumbin I note that the city of the Gold Coast and the Palaszczuk government have had a very good working relationship in relation to the delivery of the Commonwealth Games. As the *Gold Coast Bulletin* said, the former minister spent too much time squabbling with the Gold Coast City Council during her time as minister. That is why I think it is important that we do take regard of and work very closely with the city of the Gold Coast and work closely with and take the advice of the legacy committee chaired by the Hon. Rob Borbidge, a former premier in this parliament and a great contributor to the work that is occurring in relation to the delivery of the 2018 Commonwealth Games.

The opportunities for delivering legacy from the 2018 Commonwealth Games are many. Some will be hard infrastructure that will take us further—great opportunities like we have seen with the building of sound stage 9 as part of the studios that have helped deliver opportunities for our movie industry here on the Gold Coast. That has delivered the ongoing commitment that Marvel are making to film production on the Gold Coast. There are also the soft legacy opportunities out of the 2018 Commonwealth Games like rebranding and retelling the story of the Gold Coast to the world as a global event city.

Mrs STUCKEY: I rise to a point of order. My question was very specific about whether the minister would commit to funding for building the oceanway and he has not committed to that. He is simply saying he is looking at it.

Mr SPEAKER: Minister, do you have anything further to add?

Mr HINCHLIFFE: I just reiterate, as I have said, that we have a process in place in relation to legacy projects which relies upon and looks for opportunities for the legacy committee that are based in the community across the whole of the state of Queensland. The legacy committee will advise the government and work with the government on projects that deliver legacy outcomes. I look forward to working closely not only with Mayor Tom Tate and the city of the Gold Coast but also with the chair, Rob Borbidge, and the legacy committee for the 2018 Commonwealth Games.

Opposition members interjected.

Mr SPEAKER: Before I call the member for Capalaba, the members for Albert and Redlands, you are both warned under standing order 253A for your interjections. They are disorderly. If you persist I will take the appropriate action.

Gold Coast Commonwealth Games

Mr BROWN: My question is also to the Minister for the Commonwealth Games. Will the minister please update the House on how the Palaszczuk government is making the Commonwealth Games the family games?

Mr HINCHLIFFE: I thank the member for Capalaba for his question about making the Commonwealth Games the family games. With 512 days until the opening ceremony of the 2018 Commonwealth Games, I am pleased that there is so much interest in the games today in the House. In thanking the member for Capalaba for his question, I want to acknowledge the expansion of the member for Capalaba's own family and wish him and his wife, Mel, the very best for the months ahead as we look forward to the addition to the Brown family in May.

We want these games to be a drawcard not only for the world but also for the residents of the Gold Coast and across Queensland. As I have said today, we are very keen to make sure that these family games deliver for Queenslanders. On Sunday the Premier and I joined Goldoc, the Council on the Ageing and the organisation The Parenthood to announce our family friendly ticketing strategy for the Commonwealth Games. I want to inform the House that 80 per cent of all tickets will be under $80 and families will have access to half-price children's tickets for $10 while adult tickets will start as low as $20, as the Premier has mentioned today. Further, tickets include free public transport, helping move our large crowds around the coast. That is what makes the second stage of the Gold Coast Light Rail so exciting—connecting the Gold Coast to the rail network in a way not experienced since the Bjelke-Petersen government ripped up the rails and sold off the corridor. That is the LNP way: ripping up the rails and selling off the corridor.

Commonwealth Games tickets will go on sale starting April 2017, one full year out from the opening ceremony. In addition to the 80 per cent of all tickets that will be priced $80 or below, some other highlights include: over 55 per cent of all tickets will be priced $40 or below; opening ceremony tickets will be available from $100 for adults and $50 for children; closing ceremony tickets from $70 for adults and $35 for children; athletics tickets, as I mentioned as part of that lower group, will be $20 for

adults and $10 for children; Rugby Sevens tickets will be available for $30 for adults and $10 for children—and I think that is something the member for Capalaba would be keen to go to. As we have discussed already, the Palaszczuk government included beach volleyball. I can advise that beach volleyball tickets will start from just $30 for adults and $15 for children; swimming tickets, as the Premier said, will be $40 for adults and $20 for children. We are excited about the opportunity of bringing 6½ thousand athletes and officials from 70 different nations and territories across the globe. We know that the families of Queensland want to embrace and welcome those athletes and officials and see them perform—

(Time expired)

Member for Bundamba

Mr LAST: My question is to the Premier, and I ask: given the member for Bundamba last week said—

I believe that it is time that I came back to the Queensland Government ministry.

"Quite frankly they need my skills around the cabinet table."

Will the Premier today rule out the return of the member for Bundamba to the ministry?

Ms PALASZCZUK: I thank the member very much for the question. I will make a decision in good time. In fact, I will probably make my decision before the Leader of the Opposition announces another policy because we know how bereft they are of policies. Here is another challenge: not only produce the documents but how about some policies as well for Queenslanders?

Gender Equity

Mrs LAUGA: My question is of the Minister for Police, Fire and Emergency Services and Minister for Corrective Services. I ask: will the minister update the House on the gender equity targets for the Police, Fire and Emergency Services and Corrective Services boards?

Mr BYRNE: I thank the member for the question. Before I address the question, can I just wish rescue crews searching for a man missing off a capsized trawler near Fraser Island all the best in their search. We certainly hope that the missing man is found safe and well.

I note that the Palaszczuk government is upgrading the Rockhampton fire communications centre and fire and rescue station through a $2.2 million grant from the Significant Regional Infrastructure Projects Program. This project will commence in early 2017 and will—

Mr Cramp interjected.

Mr SPEAKER: I apologise, Minister, for interrupting. Member for Gaven, that is disorderly. You are warned under 253A. If you persist, you will be thrown out.

Mr BYRNE: This project will commence in early 2017 and will directly support and enhance fire and emergency services delivery in both the electorates of Keppel and Rockhampton and right across Central Queensland. When we came to government our key priorities were to create jobs, build infrastructure and keep Queenslanders safe. That is exactly what we are doing with our approximately $140 million capital works program to ensure that communities across Queensland are provided with modern police, fire and emergency services facilities to keep them safe. In the process, these programs are supporting more than 200 jobs across Queensland. For example, the Bundamba Fire and Rescue Station is being constructed and is due for completion in the first half of next year at an estimated cost of $2.85 million. Not only will this project provide enhanced emergency facilities, but it will also be supporting an estimated seven jobs. In the electorate of the member for Bundaberg, construction has begun on the Bundaberg Fire and Rescue Station. This project will cost an estimated $7.22 million and is supporting an estimated 21 jobs in the process.

In the electorate of my colleague the Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs of Brisbane Central we are upgrading the forensic services facility at police headquarters. Not only will this project improve police capabilities but it is also supporting an additional 14 jobs. In the electorate of the member for Kallangur the new Petrie Fire and Rescue Station is soon to be officially opened by the member. This project cost an estimated $2.9 million and will provide improved emergency service facilities for the people of Kallangur. In the Treasurer's electorate of Mulgrave the replacement Gordonvale Police Station is in the planning stage, with construction slated for completion next year at an estimated cost of $4.5 million, creating approximately six jobs.

In the interest of nonpartisanship for which I am renowned, I note that the Palaszczuk government is rolling out the construction of the new Maleny replacement police station at a cost of approximately $2 million. The Palaszczuk government is proud to be following through on our election commitments to create jobs, build infrastructure and keep Queenslanders safe.

Land Tax Notices

Mr STEVENS: My question is of the Treasurer. Can the Treasurer advise why residents in my Mermaid Beach electorate are receiving land tax payable notifications when the householders are not liable for land tax and have never received land tax notices previously? I table an example of that notice.

Tabled paper: Office of State Revenue Land Tax Assessment Notice 2016-17 for a residential property in Mermaid Waters [2011].

Mr PITT: I am happy to have a look at the document that the member is tabling. I appreciate the question from the member today, but I do note that he has chosen to raise this issue in the House as opposed to writing to me in the first instance as a number of his other colleagues may have done. It is a shame that he could not ask for the answer to this question.

As we know, land tax has been charged in this state for over 100 years. We impose land tax on an owner's freehold land at midnight on 30 June each year. The Office of State Revenue sends assessment notices each year, as they have for more than 100 years, to ensure the statutory land valuations which are issued by the Department of Natural Resources and Mines. The state comes out with these letters. The first point I would make is that most landowners are not liable for land tax because the value of their land is not high enough and does not meet the threshold.

What we have seen in this particular instance is that a series of letters have gone out to first-time taxpayers. Some 6,595 letters have been issued. What the letter says is that in the most recent assessment you may be—may be—liable for land tax, and if this is not the case and this is your principal place of residence there is an exemption box. Of course you send that back to OSR and they will decide whether you are or you are not. The question is quite misleading. The letters are not saying that these people are liable for land tax; it says that on our records you may be, and of course they have to go through an assessment process.

Whilst I appreciate the member's interest on behalf of his constituents, I think he should have done what some of the other members opposite have done, and that is write to me to ask for the answer to the question rather than try to grandstand on an issue that is not based in fact. I think it is important for the member to have a very close look at this issue. I will obviously take offline any other concerns he may have, but I think what we have seen here today is an attempt to do a 'gotcha' and he is wrong. The letters are about assessing whether someone is actually liable for land tax. If it is a first-time taxpayer where we know that the owner has recently passed away, or it is a first-time taxpayer where the value of the home has increased to over the threshold or a first-time taxpayer in all other cases, OSR are simply asking the question based on the valuation whether you may be liable. I think the member needs to have a very close look at the question asked, because they are not receiving letters saying they are liable for land tax.

National Partnership Agreement on Homelessness

Mr WHITING: My question is of the Minister for Housing and Public Works. Can the minister please update the House on progress towards a new National Partnership Agreement on Homelessness and what roadblocks stand in the way of certainty for homelessness providers?

Mr SPEAKER: Thank you, Minister. You have one minute.

Mr de BRENNI: I thank the member for Murrumba for the question. I rose in this place last Friday to call on the federal government to come to a meeting of housing and homelessness ministers with a concrete plan to deliver certainty for the thousands of men and women who deliver homelessness services in Queensland. I was joined by the Queensland Council of Social Services, which said in a statement—

'It is urgent that this matter is addressed by all parties,' said Mr Henley. 'We need a long-term commitment to tackling homelessness. And must include certainty of service delivery.

While we were in Sydney on a unity ticket with every other state and territory, what did we hear back here in Queensland about what we are achieving? What did we hear from the opposition spokesperson on homelessness? Nothing. What did we hear from the Leader of the Opposition, the member for Clayfield? We heard nothing. What did we hear from the Deputy Leader of the Opposition

while we were meeting on Thursday? The Deputy Leader of the Opposition said that housing for needy Queenslanders is not being built. We know that they built 31 houses in 2013. We on this side are building 400. They can do anything. They can ring up their friends in Canberra—

(Time expired)

Mr SPEAKER: Question time has finished.

MATTERS OF PUBLIC INTEREST

Palaszczuk Labor Government, Performance

Mr NICHOLLS (Clayfield—LNP) (Leader of the Opposition) (11.35 am): As we draw to the end of this parliamentary sitting year and we look at the achievements of this government, we find very little that matters to everyday Queenslanders. We find a government, as I have said previously, that is more interested in preserving its own political position than it is in delivering jobs, in delivering services, in building infrastructure and in providing the future that Queenslanders want. Let me turn first to business confidence.

We have seen report after report which confirms that Queensland's business community lacks confidence in this do-nothing Labor government led by a small-target ribbon-cutting Premier and her 'Captain Risky' Treasurer. What we have seen from report after report is that the business community are saying they do not have confidence in this government. They do not have confidence in this government's policies, and as a result of not having that confidence they are not prepared to employ or invest. We have seen the Sensis report, the Property Council report, the Queensland Resources Council and the CCIQ all highlight a lack of confidence in Labor policies. Today we have heard much from the Treasurer, the Premier and ministers opposite about the Deloitte business report and, as I said earlier, like a drowning sailor grasping at any floating plank they have leapt on board. What they have not told you, and what they fail to talk about today, is the NAB monthly business survey result for October 2016 which was released just this morning.

That report shows that business confidence in Queensland has fallen six points since last month. It shows that on the seasonally adjusted figure we are down six points and on the trend figure we are down one point. That is another vote of no confidence in this government. The CCIQ report perhaps puts it best by listing Labor government inaction as one of the top two factors driving down confidence in Queensland. Since this do-nothing Labor government came to power Queensland's domestic economy has contracted by almost $4 billion, so this do-nothing Labor government has led to $4 billion less being generated internally—not riding on the back of agriculture sector exports, coal exports or gas exports, but actual work generated and domestic economic activity. Trend building approvals have declined for eight consecutive months, which indicates that our housing and construction sector is hurting.

The situation is no better for jobs and unemployment. Business confidence creates jobs, and without it the only sector that continues to grow under this government is the public sector. Haven't we seen a return to the bad old Labor days in that regard in the past 21 months. The government has to buy jobs, taking a leaf straight out of the Bligh government playbook when they said they were going to create 100,000 breadwinners' jobs and failed to deliver. What did they do? They expanded the size of the Public Service, leaving Queenslanders with the tab to pay for it all. This government has to buy jobs because it does not know how to create real ones. Nearly 8,200 jobs have been added to the public sector since Labor came to government, in contradiction of their own stated financial principles.

This year, Public Service expenses grew at almost six times the population rate. Next year, Public Service numbers are forecast to grow at almost twice the population rate. Queenslanders are entitled to ask whether they are getting the services they want. I think the answer from Queenslanders catching rail transport over the past three weeks is: definitely not.

Mr Bailey interjected.

Madam DEPUTY SPEAKER: I ask the Minister for Main Roads to cease interjecting.

Mr NICHOLLS: It is a very different story when we look at the engine room of private sector jobs growth. Some 23,000 full-time jobs have disappeared in Queensland in the last month alone, and this year 50,000 Queenslanders gave up their search. Some 23,000 full-time jobs have disappeared and 50,000 Queenslanders have now said, 'It is too hard to get a job,' and have fallen off the list. We are

seeing a decline in the participation rate. If the participation rate had stayed where it was under the former LNP government, the unemployment rate under this government would be far higher. Youth unemployment in regional areas is the highest in the nation—and higher than at any time during our term in government. To see that you only need to look at the electorates of Whitsunday and Hinchinbrook. You only need to travel to regional Queensland to understand the scourge that is youth unemployment in those areas.

All of this contributes to the bleak economic picture of how this state's finances are running. Business confidence is at low levels we have not seen since Anna Bligh and Andrew Fraser were in charge. I have to say, that is saying something. Bad old Labor makes it return and every Queenslander is paying.

Infrastructure spending is grinding to a halt. The Palaszczuk Labor government has dismally failed to deliver the job-creating, productive infrastructure that builds confidence that Queensland needs. This year's budget was a document without hope. It included an almost $800 million cut to infrastructure. Over the next four years, capital purchases have been slashed by $2.3 billion. Regional communities are hit particularly hard. In Cairns, the annual infrastructure spend is down more than $120 million, compared to the LNP's last state budget. In Mackay it is down $80 million and in Townsville it is down $180 million. These communities are missing out on the infrastructure they need because this government cannot manage a budget and the Labor members representing those regions are silent about it.

In the meantime, private investment continues to decline. According to Queensland Treasury's own numbers, business investment last year declined by $12 billion. The value of engineering construction work in Queensland has declined every single quarter under the current Labor government. It is clear, and it is clear to Queenslanders, that Labor has no plan and Queensland is going backwards.

It is no wonder, when you consider the litany of Labor stuff-ups that we have seen in the past 21 months. In terms of rail we have seen a minister in charge of transport who even today will not take any responsibility. In the good old-fashioned Labor tradition, he blames others for his incompetence. The poor old member for Bundamba was given only one chance; the Premier has given the member for Sandgate 333 chances. Let us look at the rap sheet so far this year, because the member for Sandgate has plenty of form. When Queenslanders see the member for Sandgate on TV they know one thing: do not plan a rail trip tomorrow and bad news is coming. They know that it is going to cost them in the long run.

First we saw the signalling debacle with the Redcliffe peninsula line. It was revealed then that, while the red flags emerged about the rail project and final testing was delayed time and time again, the minister could not get to the bottom of the problem. This know-nothing, see-nothing, do-nothing minister derailed the Moreton Bay Rail Link and once again refused to take responsibility. We recently saw the minister claim that he had no idea about a train driver shortage which resulted in hundreds of train services being slashed and blame QR, but QR, according to page 10 of the Indec report, reported on train driver shortages to the Department of Transport and Main Roads. It passed the message across. Once again, the know-nothing minister blamed others when ultimately the buck stops with him. This government has form. Whether it is a Health payroll debacle or a Queensland Rail debacle, when it comes to responsibility Labor and its ministers go missing. In the middle of this debacle, when he should have been working on a solution to the problem, what was the minister doing? Where was he? He was watching the V8s going around the racetrack, having some high-octane fun in a corporate box.

We have the Cairns and Hinterland Health and Hospital Service in relation to which the minister went missing and we are yet to see the report, and we have Cross River Rail—another program, with six new taxes for Queenslanders not being disclosed. This government has no plan—

(Time expired)

Biofuels Industry

Mr BUTCHER (Gladstone—ALP) (11.45 am): I rise to speak about Queensland's economic future—a future that seeks out innovation and builds jobs for tomorrow, investing in new industries. The Palaszczuk government has a solid economic plan that brings jobs to the regions. The latest Deloitte Access Economics state outlook is more independent proof of Queensland setting the pace for growth. This report and other hard data show that the LNP campaign of negativity and talking down Queensland has no basis. The lazy approach of Tim Nicholls offers no economic plan—just jobs cuts, front-line

service cuts and asset sales, as we have seen. Not even the negativity of the member for Clayfield and the LNP can dampen the great news that construction of the biofuels pilot plan in Yarwun has commenced.

This government has worked hard to secure this industry, launching the biofutures road map and action plan at the BIO International Convention earlier this year. This government has committed almost $20 million under the biofutures road map. The development of a $1 billion industrial biotechnology and bioproducts sector is a cornerstone of the Queensland government's Advance Queensland program. For my electorate of Gladstone, biofutures is at the forefront of people's minds. We welcome the news from the Premier that this government has established a partnership with the US Navy, potentially the biggest biofuels customer in the world, and the only partnership of its kind with a state government anywhere in the world.

The people of my electorate of Gladstone also welcome the Premier's announcement that this government is starting an international call for expressions of interest to develop biorefineries in regional Queensland. This is the kind of vision and forward thinking that regional Queensland has been calling out for. Regional Queensland was left in the dark under the Newman-Nicholls years, and in the House this morning all we have seen is more negativity from those opposite. Under the Palaszczuk government the Department of State Development continues to work—

Mr LANGBROEK: Madam Deputy Speaker, I rise to a point of order. I ask you to rule on a previous ruling about referring to previous governments by the names of whoever was a part of that government.

Ms Jones interjected.

Mr LANGBROEK: A ruling has been made about whether people can refer to the Bligh-Fraser government or the Newman-Nicholls government—or the Palaszczuk-Gordon government. That was the one that came to attention earlier in this parliamentary term.

Madam DEPUTY SPEAKER (Ms Farmer): Order! I will take advice on that.

Mr HINCHLIFFE: I rise to speak to the point of order. I appreciate the concern that the member has raised in the point of order, but in terms of the references made to the Newman-Nicholls government, I do not think there is a question in anyone's mind, especially the member for Clayfield, that he was a very senior member of that government.

Madam DEPUTY SPEAKER: Order! There is no point of order. I will seek advice on a previous Speaker's ruling and get back to the House. I ask the Clerk to confirm that advice.

Mr WATTS: I think I might be able to add. On 19 May it was ruled by Mr Speaker that the Palaszczuk-Gordon government could not be referred to as the Palaszczuk-Gordon government, even though that is how they had the numbers to be able to—

Madam DEPUTY SPEAKER (Ms Farmer): Order! Member for Toowoomba North, that is a different consideration. I have already said to the House that I will look at whether there is a specific ruling from the Speaker on the matter that has been raised by the member for Surfers Paradise.

Mr BUTCHER: Under the Palaszczuk government, the Department of State Development continues to work with local councils and key stakeholders to explore biofutures options in the Central Queensland region, with Southern Oil's $16 million advanced biofuels pilot program being the major biofuels project in our area at the present time. Construction has recently commenced on the Gladstone site to develop the $16 million pilot plant and I look forward to inspecting that this Friday. Subject to a successful trial, the pilot plant will be expanded to a large commercial scale refinery worth $150 million and will produce over 200 million litres of advanced biofuel annually, suitable for military, marine and aviation use. The plant will be Australia's first commercial scale advanced biofuels production facility. A fully-fledged biofuels industry has the potential to play a key role in our economic future, and this pilot plant is a giant step towards reaching that goal. This pilot plant is essentially the launch site for a Queensland biofuels industry. The Palaszczuk government is committed to supporting the industries of the future. The pilot plant is expected to be operational early next year and within the next three years aims to have produced one million litres of fuel for use in field trials by the US Navy as part of its Great Green Fleet initiative and also by the Australian Navy. I look forward to the day when I can see those ships coming into the Gladstone port.

Queensland is positioning to be the biofuels industry leader. The foresight of previous Labor governments brought cutting-edge technology and industry to Gladstone with the LNG industry and plants in the Gladstone harbour, and here is another example of the forward-thinking positivity that is at the heart of our Labor government. This new industry would not be possible without a government

that is committed to jobs growth and without the support of the backbone of the Gladstone economy, the Gladstone port. Those opposite have no plan for Queensland's future. In fact, if the member for Clayfield had his way, there would be no biofuels future for Central Queensland ever. There would be no conversation between our government and the United States because the US Navy would not be in a position to rely on the port of Gladstone under private ownership. The LNP has a deliberate and misleading campaign of baseless negativity that simply aims to talk down Queensland in the hope that it can scare voters into accepting asset sales once again. Our port continues to go from strength to strength and pays dividends to our state economy and is an integral part of attracting investment such as this new biofuels industry. The Palaszczuk government is not only delivering for the people of Gladstone but for Queensland, advancing Queensland with jobs for the future.

Palaszczuk Labor Government, Swickers Kingaroy Bacon Factory, Fire; Unemployment

Mrs FRECKLINGTON (Nanango—LNP) (Deputy Leader of the Opposition) (11.52 am): It is interesting to note that some 48 hours after the disaster that came upon Kingaroy on Sunday morning this Labor government has made its first statement in relation to it. In fact, this was a disaster that enabled the disaster management committee to meet. It first met at 3 pm on Sunday and it was incredible that during that meeting a state government local department said that it was unable to contribute to the conversation because it was a Sunday. Unfortunately, this disaster did befall on a Sunday in my electorate. There was a fire in the boning room at Swickers pork factory. The fire destroyed the boning room, distribution area and the chillers. This is Australia's largest pork processing plant. It processes 96 per cent of the pork that comes out of Queensland and processes between 18,000 to 20,000 pigs a week. Thankfully no workers or anyone else was injured. I want to personally thank all of the emergency workers and the 60 firefighters involved who worked not only through the day but through the night. Swickers is our biggest employer, with up to 600 workers, and this fire has caused much angst across the wider community.

I have been heartened by the assurances from the chief executive of Swickers who has told company workers that he is hoping to have the plant or part of the plant back online within a week. I also welcome the assurance from Swickers that all employees will be paid for the week, obviously using an averaging strategy. I also welcome assurances from Swickers that it will meet obligations to its consumers and producers to get the business back to normal as quickly as possible in the lead-up to Christmas. This is important not only for the workers and their families within Kingaroy but also for pork farmers across the wider Darling Downs and the Burnett areas. As I noted earlier, many regional communities are doing it tough and regional centres rely on major facilities like this to keep our communities going.

This morning we have also heard a bit about the Deloitte Queensland Business Outlook and what it says about our state's future. One thing that I think deserves our full attention in this House is what the report says about regional development and the ongoing issue of job security in many parts of the state. The report notes the emergence of the tale of two Queenslands and it is a tale that is not particularly good for regional parts of Queensland. A large gap has emerged between unemployment in South-East Queensland and the rest of Queensland. That gap is only getting wider. For the benefit of members, this is what this Deloitte Access report says—

> Two years ago, the unemployment rate in Greater Brisbane and the rest of Queensland was almost the same. But over the last two years, this has diverged.

We all know what has happened in the last two years. What has happened to this great state of Queensland has been this failed Labor Palaszczuk government! The unemployment rate for the rest of Queensland is listed as 6.6 per cent. The reality is that the unemployment rate in many regional communities is far higher than that. Places like Townsville and outback Queensland are doing it particularly tough. In the last 12 months we have seen almost 10,000 jobs disappear from the Townsville region. Outback Queensland, which takes in central and western parts of our state, has fared even worse. More than 12,000 jobs have disappeared from the outback in the last year. The unemployment rate has increased by eight per cent. The youth unemployment rate is almost 35 per cent. In Cairns one in four people cannot find a job.

Clearly many regional communities are feeling the effects of slower activity, particularly as investment in our major resources projects continues to decline. The decline in investment is evidenced by the fact that engineering construction has declined every single quarter under this Palaszczuk Labor government. Business investment has also declined by $12 billion in the last financial year. We know that regional parts of our state are doing it tough. Infrastructure spending has been slashed by this lazy

government and private sector investment is going backwards. We know that this government, like when the disaster struck Kingaroy on Sunday, was completely lacking—nowhere to be seen—because it was in regional Queensland.

(Time expired)

Community Legal Centres, Funding

Ms LINARD (Nudgee—ALP) (11.57 am): Every week my office has someone walk through the door who is in desperate need of legal assistance in relation to domestic violence, complex family or child protection and/or custody issues, debt, consumer law and employment law matters. These are members of the community who have low or no income, who may be experiencing disadvantage and vulnerability and who may be at the absolute limit of their personal reserves. They are simply not able to meet the financial cost of private legal assistance and advocacy and have nowhere else to turn. I have no doubt that members across the House similarly experience this need within their communities.

Community legal centres represent an essential free and independent legal service directed at the most disadvantaged within our communities. According to Community Legal Centres Queensland, last financial year Queensland's community legal centres helped almost 60,000 vulnerable Queenslanders and had to turn away a similar number. Their average client is female and aged 35 to 49 who receives less than $500 per week, many with dependent children, and does not live in stable housing and one in six identify as having a disability. These people are dealing with increasingly complex legal issues due to a multitude of factors including social and financial disadvantage, cultural and ethically relevant issues, mental health issues and the increase in people coming forward regarding family and domestic violence. With regard to many of the matters community legal centres deal with, an estimated 40 per cent to 60 per cent are family law matters that fall within the Federal Court jurisdiction. With these figures in mind, it is impossible to comprehend how the Commonwealth government could cut almost 30 per cent of funding to these centres across Australia in 2017 and further entrench disadvantage in our communities.

While the Commonwealth government spends over $700 million on its own lawyers, it seemingly cannot find $2 million to continue providing legal assistance for Queenslanders facing legal crisis. This funding cut is a direct attack on the most vulnerable within our communities and more of the same from this and the previous LNP federal government. A justice system that provides individuals with access to justice at the earliest opportunity promotes early resolution of legal issues and reduces the ongoing impact of such issues on those individuals, the community and, ultimately, government resources. If governments do not provide for those who are at greatest risk of entrenched disadvantage, surely we must then ask: who are they serving?

Last year alone, the Nundah Community Legal Service, which services my community, assisted 2,777 people with information and referral requests and provided legal advice and information to 760 clients. This co-located service with the Nundah Neighbourhood Centre services a large geographical region—from Brisbane CBD to Pine Rivers, extending to Shorncliffe and Sandgate. The Nundah Community Legal Service harnesses the energy and expertise of 50 volunteer solicitors and legal students—many local—who have a strong community connection. Their current service delivery model consists of appointments with a general solicitor Tuesday to Friday, 9.30 to 3 pm or a Wednesday evening walk-in service from 6.15 pm to 8.30 pm with specialist solicitors who have expertise in the areas of family law, employment, wills and estates, debt and consumer law, child protection and domestic violence. This co-located service is highly valued and trusted by the local community.

In the 2014 *Access to justice arrangements* report by the Productivity Commission, the Nundah Community Legal Service was highlighted as best practice in delivering holistic services by a co-location, allowing for seamless service delivery and providing a more client focused approach to resolving problems. The Nundah Community Legal Service is an essential part of the community legal service sector and provides services that are cost effective, accessible and community focused to the north Brisbane region—a region where the demand for services is significant and growing. A removal of the legal service, or a 30 per cent reduction in funding to community legal services across this state, will result in additional risk for individuals and families in need of such support.

Although, gratefully, the Nundah Community Legal Service services my electorate, it is not physically located within my electorate. It is located a few hundred metres from the boundary in the electorate of Clayfield. Disappointingly, I have not heard the opposition leader stand in this House and give voice to this vital service that is located in his electorate. So I will.

Attorneys-general across the country have joined together, put politics aside and signed a joint letter calling on the federal Attorney-General to stop the cuts. The heads of Australia's eight law societies have joined together and last week signed a joint letter calling on the Prime Minister and the federal Attorney-General, George Brandis, to stop the cuts. Earlier this month, the Queensland Attorney-General and member for Redcliffe called on the shadow Attorney-General and member for Mansfield, or the opposition leader, who himself lays claim to a vital community legal service at Nundah in his electorate, to put politics aside and call on the federal Attorney-General to stop the cuts.

(Time expired)

Agriculture Industry

Mr LAST (Burdekin—LNP) (12.02 pm): This state was built on the back of agriculture, yet today in this place we have witnessed nothing short of breathtaking hypocrisy. Earlier today, the Premier stood in this place and said that agriculture is essential to promoting more jobs. If the agricultural industry is so essential, why am I standing here today looking at the vacant seat that should be occupied by the minister for agriculture? Since the departure of the member for Bundaberg last week, the Premier still has not appointed a minister for agriculture, fisheries and forestry. Instead, she has foisted this portfolio on the minister for police and corrective services to handle until a cabinet reshuffle takes place. Are we to believe that the member for Rockhampton will devote the time and resources that are necessary to take this portfolio forward? Earlier today, we heard the 'minister for everything' say, 'This government will continue to support our farmers.' Really? Is it any wonder that our agricultural industry bodies have expressed dismay at the way this government continues to put agriculture at the bottom of the pile. I ask the minister: what exactly will he be doing to support our farmers?

Australian farmers produce more than 90 per cent of Australian daily domestic food supply and agricultural produce accounts for 60 per cent in volume in total agricultural production. In Queensland, agricultural land occupies close to 1.5 million square kilometres, or around about 84 per cent of the state. Queensland is Australia's largest supplier of beef products and is renowned for producing high-quality and safe beef products. Based on the gross value of agricultural production, the state's cattle industry is worth around $5 billion. Ninety-five per cent of Australian sugar that is produced comes from Queensland, with the sugar industry being one of Queensland's largest agricultural crops, with about 85 per cent of the raw sugar produced in this state being exported, generating up to $2 billion in export earnings. The latest *State of Queensland agriculture report* states that the total gross value of Queensland's fishery production was more than $279 million, with fisheries product exports valued at just over $170 million. The report also shows that the value of Queensland's aquaculture production has increased by nine per cent, to more than $89 million, with prawn and barramundi farms accounting for the largest share of production value.

I can say to the Premier that the agricultural sector is essential to promoting more jobs. It is our biggest employer in rural and regional communities. It is estimated that the state's agriculture, forestry and fishing sector employs close to 60,000 people. If we consider all of those employed in the input and output sectors, food manufacturing and processing, distribution and retail, agriculture provides employment to many tens of thousands of Queenslanders. It has many important linkages with other sectors of the economy. The knock-on effects of successful agricultural production boosts many sectors.

The benefits to Queensland from agriculture are not all fiscal. Farmers have also led the sustainability surge, placing important emphasis on natural resource management. Farmers work relentlessly in areas such as weed prevention, pest, land, soil, natural vegetation and water related issues. Farmers also invest heavily in research and development so that they may be a step ahead of international competitors to get the best from the land and contribute to the economy.

Queensland farmers make important economic and environmental contributions to the state and the nation. They are at the forefront of pioneering new technology and practices to aid their efficiency and competitiveness. Agriculture in Queensland continues to be a driving force, creating new jobs, boosting the economy and encouraging innovation. The ability for agriculture to service a platform for future economic growth in Queensland is grounded in a number of key global trends and developments, including a rapidly expanding population, the market access advantage that Australia has through its geographic proximity to Asia, a strong reputation for safe, high-quality produce and produce that has the potential to achieve a price premium.

I believe in the agricultural, fisheries and forest industry sector. I make no apologies for being a passionate advocate for our farmers, fishing and forestry workers and rural producers. If we are to grow our agricultural sector in Queensland, which has the potential to grow significantly over the medium and long term, we need to support this industry. My challenge to the Premier is simply this: if she is serious about this portfolio, she will demonstrate her government's commitment to agriculture, fisheries and forestry by appointing a minister to show people in the regions—in the bush, our farmers, graziers, fishermen, canefarmers and forestry workers—that her government values them and will invest in the agricultural sector.

Queensland Economy; Renewable Energy

Mr KING (Kallangur—ALP) (12.07 pm): I would like to start by referring to the good news that we heard this morning from the Deloitte report. I was disappointed that the member for Indooroopilly has not read it. He continues to talk down the Queensland economy. The report states that it expects the state's economic growth to look good through to the end of this decade. It is glaringly clear.

I want to talk about Solar 150, Arena's large-scale solar announcement. The Palaszczuk government's Solar 150 program will turn Queensland, the sunshine state, into the solar state. Just 18 months ago we inherited a large-scale renewable energy sector from the previous Newman-Nicholls government, if I may still say that. Some members opposite appear to be embarrassed about that, so I will say—

Madam DEPUTY SPEAKER (Ms Farmer): Order! Member for Kallangur, we are still waiting for a ruling on that. I believe that the point that was raised by the member for Surfers Paradise is probably correct. While we are seeking advice on that ruling, I will ask members to just refer to the Newman government.

Mr KING: Allow me to correct that: the previous LNP government of those who do not wish to be named. The renewable energy sector of that government was struggling with local investor confidence and no major projects were coming on line. To put it bluntly, it was a renewable energy blackout. Since then, we have seen a dramatic turnaround. Queensland is now well and truly on the map.

Mr Crandon interjected.

Madam DEPUTY SPEAKER: Order! Member for Coomera.

Mr KING: Madam Deputy Speaker, thank you for your protection. With our Solar 150 program the Palaszczuk government is almost quadrupling its election commitment to deliver a 40-megawatt reverse auction, with the Palaszczuk government supporting four of the six projects representing nearly 150 megawatts through long-term revenue contracts.

We are building a large-scale renewable energy industry, creating investment and jobs and acting on climate change. Six Queensland solar projects totalling 300 megawatts receiving Arena grant funding this year will increase our existing large-scale solar generation 30-fold, inject investment of more than $630 million and support more than 600 direct jobs. Let us look at some of these projects. The Kidston Solar Project has a 50-megawatt capacity. Phase 2 will take that out to a 150-megawatt capacity. It will provide 100 direct jobs and power up to 20,000 homes. The Oakey Solar Farm has a 25-megawatt capacity, will provide 50 direct jobs and power up to 10,000 homes. The Longreach Solar Farm has a capacity of 15 megawatts, will provide 30 direct jobs and power up to 6,000 homes. The Whitsunday Solar Farm just near Strathmore substation—I know well where it connects in—has a 58-megawatt capacity, will provide 116 direct jobs and power 23,000 homes. The Darling Downs Solar Farm has a 110-megawatt capacity, will provide 220 direct jobs and power up to 44,000 homes. Collinsville Solar Farm, receiving Arena grant funding, has a capacity of 42 megawatts, will provide 84 direct jobs and will power 17,000 homes. The solar farms at Strathmore and Collinsville are very good for the town. In a previous life I spent a bit of time in Collinsville disconnecting the old power station from the grid. Under the previous government—we will not mention any names—the town was dying. It is good to see that we can deliver jobs in those communities.

This is fantastic news for our regional economies, supporting jobs at a time when jobs and job security are more important than ever. The Renewable Energy Expert Panel's draft report released last month shows not one but three credible pathways to get to our renewal energy target of 50 per cent by 2030. The draft report identifies that our renewable energy target is achievable, cost effective and provides for a sustainable approach in our commitment to reduce carbon emissions and to act on climate change. The Palaszczuk government is committed to maintaining affordability as we transition

to our renewable energy future. Importantly, the expert panel's modelling projects that a 50 per cent target could have a cost-neutral impact on electricity prices. This is because competition from new renewable generators is anticipated to place downward pressure on wholesale prices. We have consumers' interests front and centre.

Let us be clear: Queensland's renewable energy target was developed in the absence of federal policy. The Turnbull government still does not have a renewable energy policy beyond 2020, only a strategy to scare Queensland businesses and consumers for a political agenda. Last month the renewable energy target panel held forums across Queensland in Cairns, Mackay, Rockhampton, Bundaberg, Toowoomba and the Gold Coast. Hundreds of Queenslanders attended and I am advised feedback was very positive towards our renewable energy target. I could go on and on about this because I am very passionate about it, but I will leave it there.

Correctional Centres, Overcrowding

Mr MANDER (Everton—LNP) (12.13 pm): The news overnight of another prison riot where five prison guards were assaulted by prisoners at the Brisbane Correctional Centre is further proof that our prisons are out of control. Running on an average capacity rate now of 112 per cent, the prisons in our state are like sardine cans. Our prisons are turning into fight clubs and unfortunately the victims are not only other prisoners being assaulted but also our hardworking prison staff.

The events of last night are now becoming a regular occurrence right across the state. Last week in the electorate of the Minister for Corrective Services we saw stories emerge from the Capricornia Correctional Centre of prisoners fearing greater risk of sexual assault due to overcrowding. This prison is operating at 129 per cent capacity. The prisoners even wrote to the minister stating—

Overcrowding in Capricornia Corrections is causing friction amongst prisoners, hostility between officers and prisoners, and sexual assaults.

A government member interjected.

Mr MANDER: I will take that interjection. It is not something that we should be laughing about at all. Queensland Law Society president Bill Potts said you would not keep a dog in the same situation. It was revealed in August that a former officer at the Maryborough prison had raised concerns about overcrowding and that this overcrowding could be putting at risk the safety of guards and inmates. Ian Barber worked in Corrective Services for 27 years before joining the Together union as the Maryborough prison's project manager. Mr Barber said overcrowding at the facility was diminishing the ability of officers to prevent violent conflicts. Then we had the following reports from the Brisbane women's prison where there are 108 more inmates than it was built for. Women are forced to double up and sleep with their head next to the toilet as they sleep on the floor on a mattress. The Ombudsman said—

In my view, QCS has failed to provide adequate living conditions for prisoners at BWCC.

The report also says that assaults in our women's prison have increased, as have the cases of self-harm. What did we hear from the Minister for Corrective Services when he heard these reports? He said he was comfortable with the situation at the Brisbane Women's Correctional Centre, even though some of these women lying on the floor were pregnant. The minister was quickly slapped down by the Premier a couple of days later. We have heard nothing else from the Minister for Corrective Services. Our state jails are so overcrowded that Corrective Services have been forced to take drastic action. We have double-up placements, we have buddy cells, we have temporary bunk beds, we have trundle beds and mattresses in secure cells and in residential areas.

Injuries received yesterday in the incident that I referred to earlier included concussion from an elbow to the side of the head, a possible fractured cheekbone and a broken nose. Five officers required medical assessment. Assaults on prison staff in the first six months of this year have increased by 83 per cent. This is clearly unacceptable. No employee of a state government who works in an incredibly difficult situation should have to go to work and wonder whether they are going to return home that night in a way that is safe.

Our message to the minister is to take heed of his own words when he was in opposition, when he said that any increased assaults that came from prison overcrowding should be the direct responsibility of the minister. He is the minister and he needs to heed those words and take responsibility for it. The worst-case scenario is that our prisons are turning into fight clubs and they are quickly becoming uncontrollable. It is bad enough that prisoner assaults have increased, but assaults on prison officers are totally unacceptable.

Palaszczuk Labor Government, Performance

Ms FARMER (Bulimba—ALP) (12.18 pm): I have been really worrying over these last few months. I have had something going around in my head telling me that there was something wrong and I just could not figure out what it was. I woke up this morning and I realised what it was: it was the LNP I was worrying about. I was worrying about what they are actually going to say at the next election to convince Queenslanders to vote for them. I know that a lot of constituents raise issues about the economy. Are those opposite going to say they know that under the Palaszczuk Labor government unemployment is the lowest that it has been after their 11-year high; they know that the Westpac-Melbourne Institute Consumer Sentiment Index says that consumer sentiment in Queensland is the highest in the nation; they know that the NAB monthly business survey for October had business confidence in Queensland ranked as the equal highest; they know that the Standard & Poor's report said that because of the ALP's strong financial management we could return to a AAA credit rating; and they also know that brilliant news that was released this morning by Deloitte that says that we have the strongest growth of any Australian state, with 3.8 per cent of gross state product predicted, the top in the nation this financial year?

I do not think they are really going to say those things; they are going to say that those things are just good enough. They are going to say, 'It's not good enough that our economy is doing really well. The important thing is that the economy has to look really bad or you will not vote for us. It is all wrong anyway. All those independent and highly regarded bodies such as Deloitte and Standard & Poor's are just plain wrong, so you can't believe them anyway.' They are going to say, 'You should vote for us instead, because we are really good at this economy stuff. We know we don't have a plan and we never really had one anyway. When we were last in government, basically we sold stuff and sacked people. That seemed like the way to go, but you should trust us anyway. We know that we lost 360 jobs a month when we were in government in Queensland and we spent nearly $20 million on the Strong Choices campaign so that we could rig the results while we were pretending to ask your opinion. We know that even though you do not like it, it is actually really good to sell assets. Look what a great deal we got on selling the seven government buildings and have to pay the rates instead. Isn't it great that we have to now pay $1.45 billion in rent on 1 William Street'—

Honourable members interjected.

Madam DEPUTY SPEAKER (Ms Linard): Order! I am trying to hear the member. I am happy to add the members for Chatsworth and Burnett to the list, if you do not cease interjecting.

Ms FARMER: How good is it to pay $1.45 billion in rent? That is a great message for them to sell.

When they speak to all the public servants in their electorates, especially the city ones because there are lots of them, they will say, 'We really do care about you. We know that we sacked 14,000 of you when we were in government, but Campbell Newman says that you are actually really grateful for that. In fact, he was really upset when he had to sack you.' We know from right to information that, on the night that all the news channels were reporting that, Mr Sanderson, the Premier's media adviser at the time, was reporting to Campbell Newman about cases of self-harm as a result of job losses. We know that Campbell Newman was so concerned about that, he said, 'How did I end up looking on the TV?' We know that the LNP really cares about public servants, so they will be able to reassure them when they go to the next election. However, we also know that Campbell Newman is not here anymore. That is for sure.

Just so that every public servant knows where they stand now, the member for Maroochydore made it very clear. At the last sitting, she said—

> Labor has not learnt that jobs that create the opportunity in Queensland are actually not public servant jobs ... it is actually jobs in the private sector that generate the wealth ...

In addition, the member for Clayfield has made it very clear that he will right size the public sector if elected next time.

We have to talk about social issues. We know what happened to Malcolm. He had to sell out to the far right to make sure that he had the numbers and the same has happened to the member for Clayfield. With the issue of same-sex adoption, 80 per cent of Queenslanders think that it is a good idea and that it is discriminatory to exclude people of the same sex from being able to adopt. However, those opposite have to keep all of the numbers happy, so there is nothing more that they can do.

Mr Bennett interjected.

Madam DEPUTY SPEAKER (Ms Linard): Order! Member for Burnett, I have warned you once. I now put you on the list. I warn you under standing order 253A.

Ms FARMER: If they want advice, all they need to do is look at what Labor is doing: shoring up the economy, investing in infrastructure, creating jobs, restoring front-line services, keeping our promises and showing respect to Queenslanders. If they want tips, they can come to us.

(Time expired)

Gold Coast Commonwealth Games, Ticket Prices

Mr LANGBROEK (Surfers Paradise—LNP) (12.23 pm): As we have seen today, you cannot trust Labor with money, whether it is delivering a budget surplus—

Ms Jones interjected.

Mr LANGBROEK: I did get $5 from the member for Ashgrove, which shows that Labor is quite prepared to give it away whereas on this side of the House we take care of our money very carefully. They are quite prepared to give it away.

Ms JONES: I rise to a point of order. I take offence at that, because I think the five bucks was for a very good cause.

Madam DEPUTY SPEAKER: Order! Thank you, Minister. There is no point of order.

Mr LANGBROEK: As I said, you cannot trust Labor, whether it is delivering a budget surplus, the costs of building projects, pre-election promises and policies and now, of course, the projected ticket revenue from the Commonwealth Games, which is something we pursued today in question time and is what I want to speak about in this MPI. I am concerned that Minister Hinchliffe, the member for Sandgate, says that he is 100 per cent focused on transport, which is what we have heard from him in the past couple of weeks. People on the Gold Coast are concerned about the Commonwealth Games and whether this minister is focussed on the Commonwealth Games. What about his role as Leader of the House? In the past week, we saw that he was unable to manage a quorum and he had to withdraw the Heavy Vehicle National Law and Other Legislation Amendment Bill because it did not have an appropriate message.

While the minister says he is focused on transport, my real concern is that taxpayers will have to wear the costs of the ticket projections that we have heard change just in the past couple of days. The Auditor-General's report from some time ago stated that ticket sales would generate over $65 million. It looks like the games will be family friendly, but not for taxpayers. Over the weekend, the government released the ticket prices for the games with an expected revenue of between $50 million and $60 million, which is a major decrease from the estimated ticket revenue provided in 2014-15 audit papers, which stated that tickets would raise $65.3 million. Today we heard from the minister that that is okay, because it will all stay within the envelope of $2 billion. In other words, the money is going to have to come from somewhere. As we always see with Labor, they are never concerned about that.

Today they have been talking about the cost of tickets and I am happy to go through that. Some of the detail released today included that, for the preliminaries at beach volleyball, tickets would cost $30, but it turns out that for children it will be $15. I do not have a problem with family friendly prices, but that calls into question some of the statistics and detail that we were given at estimates by the CEO of the Commonwealth Games. The numbers simply do not add up. For the beach volleyball preliminaries, it will cost $30 for adults and $15 for children; for the semis the cost will be $80 and $50; and for the finals the cost will be $100 and $75. However, at the estimates hearing of 28 July 2016, at page 82 of *Hansard,* the CEO of the games, Mr Peters, said—

> The overall cost of adding beach volleyball to the games is just over $19 million. We expect to receive revenue back through sales of seats et cetera, which will leave us at this stage with a cost of around $9 million—$9.5 million or $9.2 million.

That means ticket sales will be either $9.8 million or $9.5 million. He stated further—

> We are, as we say, value engineering now to look at how we fit the venue in. We are planning a 5,000-seat capacity at the moment. It may well be more economic for us to run a 4,000-seat-capacity stadium.

I table a copy of that excerpt.

Tabled paper: Extract from the Transport and Utilities Committee transcript (proof) of public estimates hearing on 28 July 2016, p 82 [2012].

Allowing for the fact that some sponsorship may go along with the ticket sales, with the numbers and the amounts that have been quoted for ticket prices how on earth are we going to have revenue of up to $10 million in ticket sales alone? It just does not add up at those prices. Even if we were to say

that the average price is $66—looking at just the prices for adults that we have seen so far—there would have to be 136,000 spectators at the beach volleyball paying an average of $66. I do not think that is going to happen. Most importantly, the overall quantum of saying it will be up to $10 million in ticket sales is 15 per cent of the total revenue of the Commonwealth Games, allowing for all sports. We have already heard from Peter Beattie, who is obviously running the games as opposed to the member for Sandgate, that we are only going to have revenue of $50 million to $60 million in ticket sales, yet at estimates we were told that it could be up to $10 million in ticket sales from the beach volleyball alone.

I am very concerned, even though the Labor government says these will be family friendly games and supposedly we will be able to catch trains; let us hope that we can catch trains, under this Minister for Transport. The people of the Gold Coast know we can deliver great games, but unfortunately at the moment what we are seeing from the minister responsible for the Commonwealth Games is uncertainty about what is going to happen in terms of finances.

Madam DEPUTY SPEAKER (Ms Farmer): Order! Before I call the member for Stretton, I wish to return to the point of order raised by the member for Surfers Paradise before. Although there was not a formal ruling on the matter, there has been reference from the Speaker to the appropriateness of referring to a government by the name of the leader, the Newman government in this instance. However, I understand the Speaker is going to make a formal ruling on this during the course of today.

Queensland Economy; Multiculturalism

Mr PEGG (Stretton—ALP) (12.29 pm): At the outset, I acknowledge what could be one of the final, if not the final, contributions from the member for Surfers Paradise if the rumours are true that he is seeking to replace Senator Brandis. It tells us all we need to know about the morale and the kind of show the member for Clayfield is running that the member for Surfers Paradise sees joining Malcolm Turnbull's team as paradise. If he sees that show as a better show than the member for Clayfield is running then it says all we need to know about the kind of show the member for Clayfield is running and the morale of those opposite.

The latest Deloitte Access Economics state outlook is a big tick for the Treasurer and it is great news for Queensland. As we have heard earlier today, Queensland is setting the pace for growth with the Deloitte Access Economics report forecasting nation-leading growth in GSP of 3.8 per cent on average for Queensland to at least 2019. I congratulate the Treasurer on this fantastic result.

Of course we have had to suffer the predictable attacks and cherrypicking of statistics by those opposite, including by the member for Surfers Paradise. He has been talking nickels and dimes about ticket prices. We all remember his record as education minister when he sought to cut the extremely successful Fanfare program. It had a completely negligible impact on the bottom line.

I must admit that I do not often quote from the opposite side of politics with approval. I have to be honest, I cannot foresee a situation where I will quote the member for Surfers Paradise favourably. However, in my first speech in this place I did quote the late former prime minister Malcolm Fraser in his speech to the Institute of Multicultural Affairs on 30 November 1981. He said—

Multiculturalism is concerned with far more than the passive toleration of diversity, it sees diversity as a quality to be actively embraced, a source of social wealth and dynamism, it encourages groups to be open and to interact, so that all Australians may learn and benefit from each other's heritages. Multiculturalism is about diversity, not division—it is about interaction not isolation.

Those comments were made 35 years ago. However, I would argue that they are just as relevant today, if not more so, than they were back in 1981.

We have seen the LNP member for Dawson say some appalling and hateful things in the federal parliament. I said earlier that I do not often quote from speeches from the opposite side of politics with approval, but I will quote briefly the member for McMillan, Russell Broadbent. He gave a speech last night where he said—

... as I sat waiting for the Speaker's call, my spirit of good humour evaporated as I listened to the member for Dawson deliver what amounted to a diatribe about the rise of Islam in this country. The member's speech was replete with generalisations. There were appeals to fear and prejudice that appalled me. My instinct was at the very least to dissociate myself at the first opportunity.

He went on to say—

The politics of fear and division have never created one job, never come up with a new invention, never started a new business, never given a child a new start in life and never lifted the spirits of a nation.

I commend those words to those opposite particularly. Queensland is a great multicultural success story. Queensland is home to more than 200 cultures, 220 languages and 100 religious beliefs. Our identity is characterised by this diversity. It is also a big economic strength.

The success of the Multicultural Awards, held by the Minister for Multicultural Affairs, was a showcase of the contribution Queensland makes to multiculturalism. It was wonderful to see the diverse range of cultures and religions coming together in harmony.

Last year I was very fortunate to participate in a research internship program. I had a parliamentary intern who did a paper on multiculturalism in Queensland and stressed that we need to move beyond the division that some seek to foster and embrace our multiculturalism in Queensland. Her report focused on my electorate. I table that report for the benefit of the House.

Tabled paper: Document, dated 2015, by Emily Hansell, titled 'Parliamentary Research Project—Enhancing Multiculturalism in Australia: Moving beyond resentment and towards embracing Australia's cultural reality' [2013].

My electorate also has the highest proportion of Queenslanders identifying Islam as their religion. The divisive and hateful remarks by the member for Dawson have a direct impact on my community. We have already seen the member for Buderim receive endorsement from Senator Hanson. I am really hopeful that none of those opposite will be seeking her endorsement.

(Time expired)

Madam DEPUTY SPEAKER: The time for matters of public interest is over.

STRONG AND SUSTAINABLE RESOURCE COMMUNITIES BILL

Introduction

Hon. AJ LYNHAM (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (12.34 pm): I present a bill for an act to provide for matters that will benefit residents of communities in the vicinity of large resource projects during their operation, and to amend this act, the Anti-Discrimination Act 1991 and the Mineral Resources Act 1989 for particular purposes. I table the bill and the explanatory notes. I nominate the Infrastructure, Planning and Natural Resources Committee to consider the bill.

Tabled paper: Strong and Sustainable Resource Communities Bill 2016 [2014].

Tabled paper: Strong and Sustainable Resource Communities Bill 2016, explanatory notes [2015].

I am pleased to introduce the Strong and Sustainable Resource Communities Bill 2016. At the outset, I acknowledge the strong contribution of the member for Mirani whose community will be affected significantly by this bill. I acknowledge him as a very strong local member, standing up for his constituents. This bill shows that a backbencher who makes strong representations can change the state for the better.

This bill responds to the 2015 parliamentary committee inquiry and review panel into fly-in fly-out, or FIFO, workers and delivers on a key Queensland government election commitment. This commitment is to ensure regional communities in Queensland in the vicinity of large resource projects benefit from the operation of these projects.

The bill introduces 'location' as grounds for discrimination and prohibits the future use of 100 per cent FIFO arrangements for operational workers on large projects near regional communities. The new legislation will also prescribe an enhanced social impact assessment process for resource projects undertaking an environmental impact statement. The bill will also ensure that assessment and approval processes for social impacts of resource projects are the same under both the State Development and Public Works Organisation Act 1971 and the Environmental Protection Act 1994. The bill will prohibit discrimination against local residents in regional communities for large resource projects.

The anti-discrimination provisions in the bill will be delivered through amendments to the Anti-Discrimination Act 1991. In the recruitment of workers for a large resource project, it will become an offence to advertise positions in a way that prohibits residents from nearby regional communities from applying. It is only right that local workers get an opportunity to be considered for these jobs and are not discriminated against because they are local residents. They should be allowed to live in the local community if they so choose.

To minimise any unintended consequences, the grounds for discrimination apply only to those large resource projects that have been subject to an environmental impact statement assessment report since 30 June 2009 and to proposed projects going through an environmental impact statement process now or in the future. Banning 100 per cent FIFO workforces on future projects will mean that proponents will be required to employ people from nearby regional communities to work on projects, where possible, and help protect resource worker health and wellbeing.

The Coordinator-General's revised draft social impact assessment guideline is specifically referenced in the bill and will now be a mandatory requirement for large resource projects. It includes administrative and procedural changes to resource project assessment, monitoring and reporting processes. The social impact assessment guideline requires that each proponent demonstrate that it has considered workforce recruitment from the local community first and from the regional community or the relocation of workers into the region as a second preference. Areas within Queensland with high unemployment and socioeconomic disadvantage should be considered third followed by other areas within Queensland.

The bill will provide the Coordinator-General with a head of power to state approval conditions to manage potential social impacts for resource projects in the environmental impact statement evaluation report under the State Development and Public Works Organisation Act 1971 or the Environmental Protection Act 1994. This will enable a more comprehensive and consistent approach to the management of social impacts of resource projects across regions. The social impact assessment process will also further encourage resource companies to provide local businesses with access to project supply chains and maximise opportunities to build resource communities that attract and retain workers and, most importantly, their families.

The Office of the Coordinator-General consulted with stakeholders on the strong and sustainable resource communities framework in June and July 2016. This consultation was conducted on the draft strong and sustainable resource communities policy document, the draft social impact assessment guideline and a summary of the proposed bill. An exposure draft of the bill was subsequently released for stakeholder comment from mid-August to early September 2016.

I table for the benefit of the House the draft strong and sustainable resource communities policy and the Coordinator-General's enhanced draft social impact assessment guideline that would become a statutory instrument. These documents have been revised following consultation. These documents further support the government's comprehensive and integrated approach to managing FIFO workforce arrangements.

Tabled paper: Document, undated, titled 'Strong and sustainable resource communities (SSRC)—Draft policy framework' [2016].

Tabled paper: The Coordinator-General: Draft Social impact assessment guideline, October 2016 [2017].

The bill also amends the Mineral Resources Act 1989 to prohibit underground coal gasification, or UCG, and in situ oil shale gasification activities. In 2009, the Queensland government established a process for three companies to undertake limited UCG trials to establish the commercial and environmental viability of this potential industry. The government was always going to consider whether this technology was appropriate for Queensland after the completion of the trial process.

As a part of this process, an independent scientific panel produced a report on the UCG trial. While the panel remained open to the possibility that the UCG concept is feasible, it also found that sufficient scientific and technical information was not yet available to reach a final conclusion, particularly in relation to potential commercial scale UCG projects. This uncertainty, along with the issues associated with the trial projects to date, has led the government to the decision that the potential issues of allowing projects to grow to commercial scale are simply not acceptable.

On 18 April 2016, the Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef and I announced the government's decision to ban all UCG activity in Queensland. The prohibition of UCG activities also means that in situ oil shale gasification activities will be prohibited. Activities relating to environmental rehabilitation and the decommissioning and removal of plant and equipment will still need to be actively carried out where UCG activities have been conducted. The environmental rehabilitation will be monitored by the Department of Environment and Heritage Protection.

This bill delivers on the commitments made by the government, commitments made in the best interests of our vital regional communities. The commitments are a demonstration of this government's will to deliver economic development opportunities in a way that is balanced against critical social and environmental considerations. I commend the bill to the House.

First Reading

Hon. AJ LYNHAM (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (12.42 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Infrastructure, Planning and Natural Resources Committee

Madam DEPUTY SPEAKER (Ms Farmer): In accordance with standing order 131, the bill is now referred to the Infrastructure, Planning and Natural Resources Committee.

TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) (OFFENSIVE ADVERTISING) AMENDMENT BILL

Introduction

Hon. MC BAILEY (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (12.42 pm): I present a bill for an act to amend the Transport Operations (Road Use Management) Act 1995 for particular purposes. I table the bill and the explanatory notes. I nominate the Transportation and Utilities Committee to consider the bill.

Tabled paper: Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016 [2018].

Tabled paper: Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016, explanatory notes [2019].

I am pleased to introduce the Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016 to the Queensland parliament. The aim of this bill is to ensure that vehicles that are registered in Queensland are not driving around with sexist, obscene or otherwise offensive advertising displayed on them.

Advertising on the sides of vehicles is visible to all other road users. Unlike some other forms of advertising, people cannot simply switch it off or turn the page if they find it offensive or if they would rather their children were not exposed to it. If they are following a vehicle that has some offensive advertisement on it, it can be very difficult to avoid.

It is true, of course, that the overwhelming majority of advertising that appears on vehicles is perfectly acceptable and is a legitimate means to advertise a business. There has, however, been some longstanding community concern about the sexually explicit, misogynistic or otherwise offensive images and slogans that appear on some vehicles, particularly vans. That concern has been growing.

In response to that concern, in July this year, the Attorney-General and Minister for Justice and Minister for Training and Skills announced that the government would introduce legislation to regulate offensive advertising on vehicles. Complaints about offensive advertising are currently made to the Advertising Standards Bureau, or the ASB as it is known. The ASB applies a well-respected process, based on international best practice, for considering and resolving those complaints.

Three features of that process are notable. Firstly, the process is based around the Australian Association of National Advertisers' Code of Ethics, which seeks to ensure that advertisements are, amongst other things, decent and truthful. For example, the code requires that advertising does not depict material in a way that is discriminatory; that sexual appeal should not be employed in a way that is degrading to any individual or group; and that sex, sexuality and nudity should be treated with sensitivity relative to the audience.

Secondly, the assessment of complaints is handled by the Advertising Standards Board, which is made up of 20 people that represent the diversity of the Australian community. Members of the board are individually and collectively independent of the advertising industry. Thirdly, the ASB's process provides procedural fairness, as an advertiser is able to respond to any complaints made about their ad before the board makes a determination, and a review is available if the advertiser—or the complainant—does not agree with the board's determination.

In the vast majority of cases, where the ASB makes an adverse determination about a particular ad, the advertiser either withdraws the ad or modifies it to remove the offensive aspect. This self-regulation model works extremely well but it does rely on the cooperation and support of industry. If an advertiser chooses not to comply with an adverse determination then there is no power for the ASB to enforce it. The bill I am introducing allows further action to be taken where an advertiser ignores a determination made by the Advertising Standards Board.

Specifically, the bill provides that Queensland vehicle registration holders who fail to comply with an Advertising Standards Board determination will face the prospect of having the registration of the offending vehicle cancelled. These amendments have received widespread support in the media, including from the RACQ, the Advertising Standards Bureau and the peak advertising industry body, the Australian Association of National Advertisers.

The bill delivers on the government's commitment in a measured, fair and pragmatic way. The provisions are only activated once the ASB's process, including any review, has been completed and the ASB has notified the Department of Transport and Main Roads that an adverse determination has been made against a Queensland registered vehicle.

Even after the department is notified, however, the registration will not be automatically cancelled. The department will provide written notification to the registered operator of the vehicle that the registration may be cancelled on the date stated in the notice. That date will be at least 14 days from the date of the notice.

Importantly, the deregistration will not proceed, however, if the advertiser resolves the matter with the ASB by modifying or removing the advertisement. When that happens, the ASB will withdraw its notification to the department and the deregistration will not occur. The registered operator is given fair warning of the proposed deregistration and is given a further opportunity to remove the ad and keep operating the vehicle on the road.

I should state very clearly for the record that the objective of this bill is not the cancellation of vehicle registrations. What the bill is designed to achieve is the removal of offensive images and slogans from the sides of vehicles. However, ultimately, if the advertiser refuses to remove the advertisement, the registration will be cancelled. Once a registration is cancelled, the vehicle cannot be used on any Australian roads until it is reregistered. However, the bill adopts a fair and practical approach. If, for example, the vehicle in question is a hire vehicle and it is out on hire, the chief executive of the department, or his or her delegate, will be able to delay cancellation for a reasonable period to avoid inconvenience to any customers.

To ensure these new provisions cannot be circumvented by registered operators, the bill also includes provisions to ensure that, after the department has issued a notice of proposed deregistration, the vehicle cannot be transferred to another registered operator. There will also be no refund of registration fees if the vehicle is ultimately deregistered, and the person will not be able to reregister the vehicle in Queensland unless they provide a statutory declaration that the offending advertisement has been removed.

Underpinning these amendments is the commercial imperative of all businesses to keep their vehicles on the road and to avoid adverse public comment from their customers. The ASB's process, together with the new process contained in this bill, ensures that there are multiple opportunities for advertisements to be removed from vehicles. The bill provides considerable motivation for offensive advertising to be removed voluntarily but also provides concrete follow-up action where an advertiser refuses to remove an ad. The legislation will not impact on the overwhelming majority of vehicle advertising but is targeted at only the worst examples that have no place whatsoever on our roads. I commend the bill to the House.

First Reading

Hon. MC BAILEY (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (12.50 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Transportation and Utilities Committee

Madam DEPUTY SPEAKER (Ms Farmer): Order! In accordance with standing order 131, the bill is now referred to the Transportation and Utilities Committee.

LIMITATION OF ACTIONS (INSTITUTIONAL CHILD SEXUAL ABUSE) AND OTHER LEGISLATION AMENDMENT BILL

LIMITATION OF ACTIONS AND OTHER LEGISLATION (CHILD ABUSE CIVIL PROCEEDINGS) AMENDMENT BILL

Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill resumed from 16 August (see p. 2748) and Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill resumed from 18 August (see p. 2985).

Second Reading (Cognate Debate)

Hon. YM D'ATH (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (12.51 pm): I move—

That the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill be now read a second time.

On 16 August 2016, the Premier and Minister for the Arts introduced the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill into this House. The bill was referred to the Legal Affairs and Community Safety Committee for consideration for report by 1 November 2016. The committee tabled its report on 1 November 2016 and recommended that the government bill be passed. I would like to thank the committee for its timely and detailed consideration of the bill. I would also like to thank those individuals and organisations who submitted to the committee and took the time to discuss what is a complex and sensitive issue.

I note the committee also recommended that the Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill 2016, introduced by the member for Cairns, Mr Pyne, on 18 August 2016, which touches on similar policy objectives as the government's bill, not be passed. I will speak to that recommendation and a number of other recommendations made by non-government members of the committee shortly.

I am sure we have all heard the stories that the courageous survivors of child sexual abuse have been reliving at the Royal Commission into Institutional Responses to Child Sexual Abuse and from those survivors whom we have met personally over the years. The stories are at times harrowing and difficult as we hear how these victims were, as children, subjected to abuse at the hands of people who were entrusted with their care. The stories that have been told have highlighted the long-term impact that this type of abuse has had on the wellbeing of victims. I acknowledge the courage and bravery of these people who have made the significant decision to tell their stories in public. The courage of these people has meant that others will also hopefully find the courage to speak out and be heard and, importantly, seek support.

I want to acknowledge their bravery here today. Sadly, I also want to acknowledge those who are no longer with us—those victims who took their own lives because the trauma was too great. Today this parliament must come together to recognise them. There will be disagreement on the two bills before the House. However, it is important to note that this House collectively will deliver on the recommendations of the royal commission to remove the limitation period for litigation for victims of child sexual abuse in institutions.

I will now speak to the government's bill before the House. I would like to highlight that the core element of this bill is to introduce reforms to Queensland's civil litigation system in response to the recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse contained in its *Redress and civil litigation report* to create a more accessible civil litigation system for survivors of child sexual abuse where that abuse has occurred in an institutional context.

The bill gives effect to recommendations 85 to 88 of the report by retrospectively abolishing the limitation periods that apply to claims for damages arising from child sexual abuse that happens in an institutional context. Central to the argument that the limitation period for bringing actions should not

apply in the case of child sexual abuse was the fact that the average length of time for a survivor to disclose the abuse is 22 years. This government recognises that for many survivors this is an important starting point while other civil litigation issues raised in the report are worked through.

I note a number of submissions to the committee considered it important for Queensland to be consistent with New South Wales and Victoria, which have enacted legislation to remove the limitation period for actions relating to child abuse more generally and do not limit claims to institutional abuse. The decision to extend the removal of the limitation period in these states followed considerable consultation. This is important as the broader scope of child abuse was not covered by the royal commission in its report, as its terms of reference were concentrated on child sexual abuse in institutions. For this reason, the government considers that it is equally important to consult with the community and key stakeholders to fully understand the implications for Queensland of broadening the scope of the removal.

Limitation periods are based on the longstanding principles of bringing fairness and certainty to civil litigation matters by removing the threat of open-ended liability; ensuring that a defendant is not unfairly prejudiced in proceedings through the passage of time; and ensuring disputes are resolved as quickly as possible. As has been the case for the removal of the limitation period for child sexual abuse in an institutional context, it would be important that there be a clear justification for overriding these principles in a wider range of circumstances. That is why on 16 August this year the Premier and Minister for the Arts also tabled the issues paper *The civil litigation recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse: Redress and civil litigation report—understanding the Queensland context*.

The issues paper sought community feedback on the remaining civil litigation recommendations of the royal commission's *Redress and civil litigation report* published in 2015 and removing the limitation periods for other types of child abuse and for settings other than institutional settings. The closing date for submissions to the issues paper was 25 October 2016. Twenty-three submissions were received from stakeholders including private citizens, a small number of legal professionals, a number of support and advocacy providers, a few religious organisations and private education institutions. I would like to thank those individuals and organisations for their contributions. Unfortunately, submissions were not received from a wider range of church and educational institutions, sporting or social organisations that provide services and activities for children, independent childcare operators and insurance and financial institutions. It will be important to consult with these stakeholders before considering these reforms.

The decision on whether or not to remove the limitation periods for other forms of child abuse and settings will be made after further targeted consultation, with other civil litigation reforms under consideration in the issues paper. It is important, however, not to delay the amendments to give effect to recommendations 85 to 88 of the royal commission any longer. Victims of institutional child sexual abuse have waited long enough to see the shadow of the limitation period removed to allow their claims to be determined on their merits.

I note that the non-government members of the parliamentary committee recommended in their statement of reservations to amend the scope of the removal of the limitation period to also cover child sexual abuse in non-institutions. Subject to considering the wording of that amendment, the government indicates its in-principle support. The government does so on the basis that such proposed amendment would be consistent with the general feedback received in relation to the government's issues paper. As we all said when this bill was first introduced, it is important to have bipartisanship when it comes to tackling such an important issue in this parliament.

In addition to the government's proposed removal of the limitation period, the bill also proposes to introduce a statutory regime for representative proceedings in Queensland; replace current funding arrangements under the Legal Practitioner Interest on Trust Accounts Fund, known as LPITAF, and improve solicitors' trust accounts administration generally; and permanently embed the arrangement whereby justices of the peace hear certain minor civil dispute matters in the Queensland Civil and Administrative Tribunal, QCAT.

Sitting suspended from 1.00 pm to 2.30 pm.

Mrs D'ATH: I continue speaking to the government's bill in relation to the amendments to the Civil Proceedings Act 2011. Currently, Queensland has only court rule based provisions to facilitate representative proceedings under the Uniform Civil Procedure Rules 1999. These rules are not considered adequate. The bill amends the Civil Proceedings Act 2011 to introduce a comprehensive

regime for the conduct and management of representative proceedings, also known as 'class actions', in Queensland. Representative proceedings, or class actions, enable one person to bring an action on behalf of multiple claimants whose claims are in respect of or arise out of the same, similar or related circumstances and give rise to a substantial common issue of law or fact.

Modelled on legislative schemes in the Federal Court of Australia and in New South Wales and Victoria, the bill sets out the threshold requirements for commencing a representative proceeding and the standing requirements to bring a representative proceeding on behalf of the group members. The bill also makes provision for potential claimants to opt out of the representative proceeding; the requirements for court approval of discontinuance or settlement of a proceeding; and for costs orders to be made only against the representative party or defendant with limited and specific exceptions. The provisions are prospective and will apply only to proceedings started on or after the commencement of the amendments. It will not matter, however, if the cause of action, the subject of the proceedings, arose before the commencement.

At present, Queenslanders who wish to take class action law suits have to operate through other jurisdictions to do so. For people who are often involved in emotionally and financially difficult circumstances, this can limit their access to justice through unnecessary complexity and inconvenience. There can also be an additional cost burden for claimants who currently need to pursue class action matters through other jurisdictions. For cases that are particularly pertinent to Queensland, it will also allow the knowledge and expertise of our judges and lawyers to be better utilised. Although all of the focus on this bill has rightly been on the removal of the limitation period for proceedings related to child sexual abuse in institutions, the power to progress class actions in Queensland is one for which many in the legal profession have advocated for many years and is an important reform for Queensland's legal system.

The bill also provides for amendments to the Legal Profession Act 2007. The Legal Practitioner Interest on Trust Accounts Fund has been used to fund legal assistance, legal profession regulation and law library services. It was identified that this funding stream is no longer sufficient to fully fund these services. Consequently, these services are now being funded from the Consolidated Fund. The bill, therefore, amends the Legal Profession Act 2007 to effect the closure of the fund. The bill also amends the Legal Profession Act 2007 to simplify and improve the administration of solicitors' trust accounts. This is achieved by removing the requirement for law practices to hold a portion of trust account moneys in a prescribed account and transferring the responsibility for approval of banking institutions from the Queensland Law Society to the Department of Justice and Attorney-General.

The bill also amends the QCAT Act and the QCAT Regulation to make permanent the justices of the peace QCAT trial, whereby JPs hear particular minor civil dispute matters in QCAT. With respect to the amendments to permanently embed JPs in the QCAT model, I note that submissions made to the committee by the Queensland Law Society and Protect All Children Today raised concerns about the qualifications and expertise of JPs to determine minor civil disputes. The QCAT Act requires that when constituting the tribunal at least one of the two QCAT JPs hearing a matter must be legally qualified and that the legally qualified JP preside over the hearing. QCAT matters in general are heard by a range of legally qualified and non-legally qualified members. Having JPs in both of these categories is also consistent with this approach. The JP QCAT trial has delivered many benefits to QCAT including improved clearance rates and improved time-to-trial rates in the minor civil disputes jurisdiction. Importantly, it also provides JPs with a valued professional opportunity to enhance their role and their recognition in the community.

Finally, with regard to the duplication in subsection numbering in the government bill in proposed new sections 103T and 103V as noted by the committee, I am advised this will be corrected under standing order 165.

As members will be aware, on 18 August 2016 the Legislative Assembly agreed to the motion that the government's bill introduced on 16 August by the Premier and the Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill 2016, introduced by Mr Rob Pyne, the member for Cairns, would be treated as cognate bills. The government has had an opportunity to consider the member's bill, which also proposes to remove time limits for commencing a civil damages action for child sexual abuse but has extended the scope of the removal to serious physical abuse and any other abuse perpetrated in connection with the sexual or serious physical abuse of the child, regardless of the setting. While it is acknowledged that this approach is consistent with that taken in New South Wales, expanding the scope, without consideration of the Queensland context, is not supported.

I understand the member was assisted by a number of victims groups and legal professionals in the development of the member's bill. Given that the proposed change would create another exception to the limitation period and expose a significant additional range of parties to potential litigation, it is important that the impact of this departure is known and clearly justifiable. As already stated in addressing the government's bill, many of these issues have been canvassed in the government's issues paper that was released on 16 August, submissions for which closed on 25 October this year. Some of the submitters to the issues paper requested additional consultation based on the complexity and the implications of broadening the definition of child abuse and whether it should extend beyond institutions. The government is, therefore, not prepared to support this aspect of the member's bill at this time.

The member's bill also seeks to reintroduce trials by jury for claims for personal injury damages arising from child abuse. Section 73 of the Civil Liability Act 2003 currently provides that a proceeding in court based on a claim for personal injury damages must be decided by the court sitting without a jury. Jury trials for personal injury proceedings were abolished in Queensland in 2002 under the Personal Injuries Proceedings Act 2003. The Queensland position is generally consistent with other state and territory jurisdictions with the exception of Victoria. I note that Soroptimist International in its representations to the committee raised valid concerns that jury trials would likely be cost prohibitive and counterproductive for victims or survivors wishing to access civil remedies. Their submission noted that jury trials are typically longer in duration than judge-only trials and the presentation of evidence before a jury takes longer than with a judge. Accordingly, there are greater costs to the court and litigants in holding jury trials. The organisation also raised the potential for victims to feel re-traumatised if required to provide evidence-in-chief before a jury.

In its supplementary submission to the committee, the Queensland Law Society also did not support the introduction of jury trials for personal injury resulting from child abuse. Importantly, the society states its 'complete confidence in the Queensland judiciary to apply the law and find facts to the highest standard'. The society also considers the removal of limitation periods is likely to affect the nature of evidence which can be produced to the court and will require careful consideration of the legal weight to be attached to many and varied materials. In addition to the above, it is important to point out that, although it had the opportunity, the royal commission, with its extensive policy and research program, has not recommended that juries be reintroduced for civil actions for personal injury damages arising from child sexual abuse claims.

Another amendment in the private member's bill goes to the discretion of the court to permanently stay or dismiss a proceeding. Consistent with recommendation 87 of the commission's report, the government bill preserves the court's inherent jurisdiction to stay proceedings. The member's bill seeks to introduce overly complicated restrictions which are an unnecessary fetter on the court's discretion. For example, the member's bill proposes to amend the Civil Proceedings Act to prevent an institution from having civil proceedings stayed on the basis of passage of time where the institution caused or contributed to the delay in the start of the proceeding or to prevent an institution from having proceedings stayed on the basis of seeking to question facts—either facts of the child abuse or facts of liability—where the institution has already admitted those facts, or an inquiry has made formal findings regarding those facts.

I support the comments of the Queensland Law Society in its submission to the committee that the court is best placed to determine 'the individual factual matrix of any claim' and to 'ensure that claims can appropriately meet the standard of proof required in civil law matters as a safeguard against the initiation of highly speculative claims'.

It is also important to note that the commission specifically recommended in recommendation 87 that state and territory governments should expressly preserve the relevant court's existing jurisdiction and powers so that any jurisdiction or power to stay proceedings is not affected by the removal of the limitation period. In doing so the royal commission stated—

> We acknowledge that institutions may face additional claims as a result of the removal of limitation periods with retrospective effect. However, we are satisfied that limitation periods have worked great injustices against survivors for some time. We consider that institutions' interests are adequately protected by the need for a claimant to prove his or her case on admissible evidence and by the court's power to stay proceedings in the event that a fair trial is not possible. Institutions can also take steps to limit expensive and time-consuming litigation by offering effective redress and by moving quickly and fairly to investigate, accept and settle meritorious claims.
>
> Removing limitation periods may create a risk that courts will interpret the removal as an indication that they should exercise their powers to stay proceedings in a more limited fashion. We consider that it should be made clear that the removal of limitation periods does not affect the courts' existing powers.

The member's bill also allows for previous barred rights of action to be relitigated in circumstances where judgement was given. The court hearing the matter can set aside a previous judgement and take into account any amounts paid as damages or costs made under the judgement.

Unlike the government's bill, the member's bill does not specifically address the scenario of an action that has been dismissed on the ground that a limitation period applying to the right of action had expired, or an action has been started but either not finalised or discontinued before the commencement of the amendments. In the absence of such provisions such matters may not be able to be relitigated under the doctrine of res judicata. The government bill reflects similar provisions to those used in the New South Wales legislation to overcome this issue.

The government bill does not deal with the issue of settlements. This approach is consistent with New South Wales and Victoria. The member's bill, however, inserts a new section 51 into the Limitation of Actions Act to allow a person who has previously settled and entered into a settlement agreement after the limitation period had expired, but before commencement of the new provisions, to bring an action on the same matter. If they do, the settlement agreement is void. While a party to the voided agreement may not seek to recover any money paid under the agreement, a court hearing an action may, when awarding damages, take into account any amounts paid under the voided settlement agreement.

While the policy objective of these amendments seems to be providing a further opportunity for victims to renegotiate settlement amounts, the member's bill goes further to create an automatic right. It does not factor in that some defendants may not have relied on the expiry of the limitation period to influence settlement negotiations. The provision as drafted provides no opportunity for this to be raised. Although the court may consider previous amounts paid under a settlement agreement, a defendant will have to expend further costs regardless of whether the limitation period was relied on or not.

Turning again to the commission I note that, despite this issue being raised in hearings and submissions to the commission, the commission did not make any recommendation to provide for settlements to be relitigated. However, the commission did recommend in recommendation 23—

Survivors who have received monetary payments in the past whether under other redress schemes, statutory victims of crime schemes, through civil litigation or otherwise should be eligible to be assessed for a monetary payment under redress.

In recommendations 24 and 25 the commission went on to outline how previous payments should be considered against any monetary payments under a redress scheme.

It is interesting to note that in the *Redress and civil litigation report* the commission considered the issue of whether a survivor receiving a monetary payment under a redress scheme should be required to enter into a deed of release. The commission at recommendation 63 stated—

As a condition of making a monetary payment, a redress scheme should require an applicant to release the scheme (including the contributing government or governments) and the institution from any further liability for institutional child sexual abuse by executing a deed of release.

In reaching this recommendation the commission states—

A number of submissions argued for including in the deed of release a power to apply to set it aside.

The commission goes on to state—

We are not satisfied that it is possible to identify clear criteria for setting aside a deed in certain limited circumstances that would not risk undermining the effect of deeds generally.

The commission's report also noted that, in its submission in response to the *Redress and civil consultation paper,* Catholic Church Insurance submitted—

Is likely then that insurance protection for determinations made on re-opened old settlements will not be available, leaving many non-government institutions vulnerable to settlements.

In case where insurers have indemnified policyholders in the original settlements, those insurers are likely to not provide any additional contribution where the original legal liability has been extinguished by an apparently valid settlement.

The consequences of the amendments proposed in the private member's bill are likely to result in non-government institutions being held solely liable for any damages that are above the original settlements, with the insurers unlikely to provide the funds. Noting that the definition of institutions is extremely broad, this could include local sporting clubs such as swim clubs, Little Athletics and Scout groups. Such claims could result in the organisation closing its doors.

It is also probable that insurers could increase their premiums, knowing that these types of institutions are liable for future claims despite past deeds. Alternatively, insurers may put caveats on government institutions to not enter future settlements at the risk of future parliaments legislating to reopen such settlements. The consequence of this is that the victims may be forced into pursuing civil claims through the courts, as non-government institutions will be less likely to settle due to the precedent that has been set by parliament willing to interfere with private settlements.

The wording of the amendment also voids the settlement upon a person bringing an action in relation to child abuse. The amendment does not provide for a situation where the person may be unsuccessful in their claim. In such case the settlement remains void. If such settlement provided ongoing payments or support for counselling, such relief under the settlement would immediately cease upon the action being brought and would not recommence upon the decision being released.

Importantly, it should be noted that currently a court may overturn settlements if vitiating factors such as misrepresentation, unconscionable conduct or mistake exist. The introduction of such amendments establishes a precedent that the Queensland parliament is willing to intervene or allow the courts to intervene in private settlements beyond the existing principles at law, and doing so could result in fewer settlements into the future, increased insurance premiums and non-government institutions being unable to adequately fund damages awarded. This could lead victims to be significantly disappointed after lengthy proceedings and could result in the non-government institution closing.

The government believes that the approach taken by the commission—to recommend that those survivors who have entered into past settlements be provided for under a redress scheme—is appropriate. For the reasons I have outlined the member's bill should not be supported.

Based on the non-government members' statement of reservation to the committee report, the opposition intends to move an amendment to provide a discretion to the court to reopen settlements in certain circumstances. Although the opposition's amendment does not go as far as the private member's bill, the arguments why the parliament should not intervene on private settlements beyond the court's current jurisdiction remain the same. Again I note that the commission did not make any recommendations regarding amendments overriding settlements, and neither New South Wales nor Victoria have legislated in that area; nor is there any other statute in this jurisdiction or others where the parliament has legislated to allow for intervention on existing settlement deeds. For these reasons the government will not be supporting the opposition's amendment on this point.

I would mention, however, that, while the government bill does not provide for settled matters to be reopened, this government has made a decision not to ordinarily rely on a release or discharge from liability made as part of a payment under the redress scheme following the Forde inquiry in matters where the state is the defendant institution in a matter. This approach is in recognition that these payments were not representative of common law damages but acknowledgement of the abuse that occurred. The *Whole-of-government guidelines for responding to civil litigation involving child sexual abuse* are available on the Department of Justice and Attorney-General website.

The Palaszczuk government has committed to consultation on the civil litigation reforms. The recommendations of the royal commission create a new and novel approach to civil litigation for personal injuries and it is important that we get it right for victims the first time. It would be remiss if, after all this time, we vote to pass legislation that is inoperable, has the potential to further traumatise victims and only acts to benefit lawyers.

I again thank the Legal Affairs and Community Safety Committee for its consideration of the bill and acknowledge the very valuable contribution of all those who have made submissions on the bill and assisted the committee during its deliberations. The bill represents the government's continued commitment to supporting the work of the royal commission, and I commend the bill to the House.

Mr PYNE (Cairns—Ind) (2.50 pm): I move—

That the Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill be now read a second time.

I will not repeat many of the principles of law or talk to the many public submissions received, as the Attorney-General has done that at great length. I note the words on our coat of arms: 'bold but faithful'. I do not consider the government's legislation to be bold; nor does it keep the faith with survivors of childhood abuse.

I welcome the bipartisan support for the repeal of the statute of limitations as it applies to sexual abuse in institutions; however, the government bill creates discrimination. It leaves victims of serious physical abuse and non-institutional abuse, such as in foster care, still blocked by the three-year time limit. The government states that its consultation consisted of writing to two organisations and receiving no reply. That is shameful. The government bill abandons the very people the Premier promised to help. In her introductory speech the Premier named her inspiration as Allan Allaway, the Brisbane Grammar network and Micah Projects. They are now understandably disappointed and angry with the government for this latest betrayal.

First, the government bill betrays children placed in abusive orphanages. These children suffered years of serious physical and psychological harm. Second, the bill will not aid survivors of abuse in non-government institutions. Third, Micah Projects supports two of the important reforms I have called for in my private member's bill: to extend the definition of 'child abuse' and to revoke past unjust and unfair settlements.

The government bill leaves victims and the taxpayer to pay for the medical and welfare costs of child abuse and lets offenders and institutions off the hook. Deferring law reform to an issues paper is not acceptable, because the government has all the information it needs to make effective legislation today. We have all heard of this matter covered in reports, at inquiries and by media for many years now—decades.

The royal commission has found that time limits are unjust for all victims, that all barriers to accessing justice should be removed and that there should be national consistency of legislation. Experts such as Micah, Bravehearts, knowmore, Indigenous Lawyers Association, the Centre Against Sexual Violence, the Queensland Family and Child Commission, Queensland Advocacy Incorporated, Tzedek, Zig Zag and the Queensland Child Sexual Abuse Legislative Reform Council all supported my private member's bill and called on the government to amend its bill to include these reforms.

During the parliamentary committee inquiry there were no submissions from any private school, church, institution or insurer. They all remained silent. No institution raised any concerns about possible financial burden arising from my reforms. Victoria and New South Wales have already extended the definition of 'abuse' to include physical abuse and abuse outside of institutions. What more does the government need to know in order to do this? How many more times will the government require victims to front up to inquiry after inquiry before it listens and acts?

The government's failure to offer adequate legislation leaves the door open for the opposition to now write the law on this issue. I welcome any improvements to the government's bill. The opposition amendments are better than the government's bill but they do not go far enough, as they also do not meet community expectations. They should include physical abuse. They should revoke unfair deeds automatically on application, not at the court's discretion, because this creates a cost barrier to survivors trying to access justice. My policy objectives are the only reforms creating—

Mr STEWART: Mr Deputy Speaker, I rise to a point of order. Hansard is having difficulties. There is feedback through the speaker system and they are having difficulty hearing. Can the system please be reset?

Mr DEPUTY SPEAKER (Mr Elmes): Thank you, member for Townsville.

Mr PYNE: My policy objectives are the only reforms created from wide public consultation, the only reforms that create equality for victims, the only reforms that revoke past unjust settlements, the only reforms that properly hold abusers and institutions to account and the only reforms before the House that lay the foundation for victims, the community and institutions to begin to heal from our dark past. Sadly, I expect the House to vote down my bill. I table a table of the submissions received from the various non-government organisations, child abuse survivor groups and advocacy organisations that have responded.

Tabled paper: Document, undated, summarising submissions to the Legal Affairs and Community Safety Committee inquiry into the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill and Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill [2020].

I urge the Premier, the Leader of the Opposition and members of the House to listen to the people of Queensland to amend the government bill to adopt my reforms and provide adequacy for survivors of child abuse in this state.

I think this is so important. It is the right thing to do. I think we as a society—as a community, as a Queensland people—can have a bigger heart than this. We can be better than this. We should be better than this. We should do this out of the goodness of our hearts and out of generosity and goodwill

to the survivors of childhood violence, many of whom have been little short of tortured, though not sexually abused, and not deny the waiver of the limitation on actions. I heard one guy on the ABC who relayed how he was bullwhipped—pieces of flesh removed from his body. They will not have the statute waived for them? That is wrong.

Even if we cannot do it on the basis of having a big heart, let us talk about the operation of free market principles. We should make the organisations that have done the wrong thing pay so that that will reward institutions that do the right thing. Those that provide loving care for children will be the winners if the statute of limitations is waived for the victims of all childhood physical violence. I commend my bill to the House.

Mr WALKER (Mansfield—LNP) (2.57 pm): I rise to address the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill, as introduced by the government, and also the Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill 2016, introduced by the member for Cairns. For ease of reference I will refer to the respective bills as the government's bill and the private member's bill.

First, I thank the parliamentary committee which considered these bills and acknowledge its detailed report. Given the very delicate nature of the matters with which we are dealing here—that is, instances of child sexual abuse—it would have been particularly harrowing, I am sure, for each of the committee members to hear the terrible stories of injustices that have been done in the past and how those injustices have deeply affected the lives of so many Queenslanders.

The government's bill, introduced by the Premier on 16 August, seeks to create a more accessible civil litigation system for survivors of child sexual abuse where that abuse has occurred in an institutional context. This is following recommendations by the Royal Commission into Institutional Responses to Child Sexual Abuse, which was appointed in 2013 and tabled a report in September 2015, the *Redress and civil litigation report*, recommending that state and territory governments should remove any limitation periods that apply to claims for damages brought by a person where that claim is founded on the personal injury of a person resulting in sexual abuse.

The following recommendations were also made to support that change. Recommendation 86 states—

State and territory governments should ensure that the limitation period is removed with retrospective effect and regardless of whether or not a claim was subject to a limitation period in the past.

Recommendation 87 states—

State and territory governments should expressly preserve the relevant courts' existing jurisdictions and powers so that any jurisdiction or power to stay proceedings is not affected by the removal of the limitation period.

Recommendation 88 states—

State and territory governments should implement these recommendations to remove limitation periods as soon as possible, even if that requires that they be implemented before our recommendations in relation to the duty of institutions and identifying a proper defendant are implemented.

I add, as has been pointed out by the Attorney-General, that the royal commission's remit ran to institutions only and, of course, its recommendations therefore were limited to recommendations with respect to child sexual abuse occurring within institutions.

In Queensland, the Limitation of Actions Act 1974 provides that a claim for damages for personal injury cannot be brought more than three years from the date on which the cause of action arose. For a child, that means that they are prevented from commencing proceedings after turning 21. In July this year the LNP announced that in government we would be supporting these changes and the recommendations adopted in the royal commission's report. We are glad to see that that announcement prompted action by the government and we will be supporting the bill introduced by the government to that effect. The issue is an important one for many Queenslanders and we owe it to them to be their voice—a voice they have not had for so long—and to give them the opportunity to seek justice in their own time. As the Leader of the Opposition outlined in his speech to the House on 16 August—

We feel very strongly about survivors of child sexual abuse having a voice when they have been denied that right in the past simply because of an arbitrary time limitation.

…

The LNP believes that, by restricting the removal of the statute of limitations to only certain cases of child sexual abuse, there is an effective creation of two classes of survivors. That would be patently unfair. How could we as legislators say to a victim of child sexual abuse that they do not deserve their day in court to seek justice simply because of the circumstances of their abuse?

Accordingly, we will seek amendments to the government's bill to broaden the scope of the legislation and to ensure that it applies to all forms of child sexual abuse, not just that which occurs in an institutional setting.

We also believe that deeds that have been previously entered into and may have been unfairly settled due to the time limitation period and the relative lack of bargaining power for the survivor should be able to be reopened upon application to the court. I just want to explain that, particularly in light of some of the comments of the member for Cairns, who pointed out that he felt it was unfair that there needed to be an application to the court for the deed to be reopened. We thought long and hard about that and in our view the range of deeds that have been entered into in these circumstances is undoubtedly going to be a very wide range. This was the sort of circumstance: you may have a person in their mid-20s who goes to an institution and alerts the institution to the abuse that has occurred and yet is told by the institution, 'Bad luck. Your time limit's expired,' and there is no doubt, I am sure, that in some of those cases the institution said to the victim, 'Here's $1,000. Sign a deed. Go away. You've lost your rights,' and that was the end of the matter.

I am sure that there are other deeds that have been entered into which are more complex than that and which may have been a fair dealing with the relevant person. I think the difficulty with the proposal put by the member for Cairns is that all of those deeds would become void and some of them may well be quite proper and effective deeds. The mechanism that we will propose in our amendment to the legislation is that the court can, upon being satisfied that it is just and reasonable to do so, reopen the deed. That retains as best we can within this difficult area the sanctity of the arrangements of deeds which people enter into voluntarily which basically should be balanced against the fact that obviously that mechanism could be adversely used against a victim given that the victim had little or no bargaining power in the circumstance.

In doing all of these things, we respect the inherent jurisdiction of the court. We note that the government's bill retains, as the royal commission recommended, the inherent jurisdiction of the court to say that, notwithstanding that rights have been re-enlivened, the circumstances of the case and the justice of the case mean that in particular circumstances it cannot proceed and justice still be done. We think that that reserve power is necessary for the court. Survivors should be able to make application to the court in the interests of justice and on the grounds that it is just and reasonable to do so when they have previously entered into a deed. Then it will be a matter for the court and we believe that that is a fair and reasonable solution in the circumstances. We will be moving these amendments to the bill because the issue has been a long time coming and we believe it is important to get this right. These amendments are about fairness and doing what we can in the interests of justice, making the system as fair as possible.

The government's bill also introduces a statutory regime to facilitate class actions in Queensland. We are supportive of that change given that we introduced it ourselves into the parliament in November 2014. However, due to the election, the bill lapsed. The government's bill also permanently embeds the arrangements whereby justices of the peace determine certain minor civil disputes in the Queensland Civil and Administrative Tribunal, or QCAT. This is also welcomed by the LNP given the initial trial of this program was introduced by our government in 2012-13 following an election commitment at the 2012 state election. Justices of the peace play an important role in our justice system on a daily basis. Without them, the wheels of justice would simply grind to a sudden halt. I have certainly been informed by members of QCAT and also people who have appeared before justices of the peace in QCAT as to the basic common sense they bring to simple legal matters. That is something that QCAT prides itself on and something that justices of the peace can well add to QCAT's reputation in that respect. I was honoured to speak at the recent Queensland Justices Association annual conference in Rockhampton, and there I welcomed the extension of the JP QCAT trial and this permanent recognition of the role the program has made in delivering swift and fair justice for Queenslanders.

The pilot of the use of JPs in QCAT, which is about to be extended by the current government, recognises and expands the role of JPs in delivering justice services. This has been tested by the recruitment and establishment of a pool of JPs and legal practitioners to hear certain minor civil disputes valued at less than $5,000. This pool represents fully our diverse community and the important role of legal practitioners and JPs in delivering justice services in Queensland. The pilot commenced on 3 June 2013 at four sites—Ipswich, Brisbane, Maroochydore and Southport—and in Townsville in October 2013. Each JP panel consists of a JP and a legally qualified JP who are each paid a small daily sitting fee. By the end of our time in government there were over 4,500 matters heard by JPs across the five sites.

The other element of the government's bill replaces current funding arrangements under the Legal Practitioner Interest on Trust Accounts Fund, or LPITAF, with funding through the Consolidated Fund and improves the administration of solicitors' trust accounts. I do not think I mentioned earlier in my speech the introduction of the class action provisions in the government's bill. Again, that is something welcomed by the LNP.

Turning to the private member's bill, a couple of elements in that bill have already been mentioned which differ from those that are in the bill introduced by the government. The first is the reintroduction of a jury trial for civil cases in Queensland, and that is a measure that we cannot support at this time. We think that there are issues, as the Attorney-General pointed out, with cost and also with consistency in jury trials that make it difficult to revert to that circumstance, which was removed from our legal system some 15 years ago. We believe that it is possible for judges to get it right and that they can provide justice more cost-effectively and in a more consistent way than juries may.

As the Queensland Law Society said in its submission to the bill—

> The Society does not support the proposed introduction of new section 73 of the Civil Liability Act 2003 to institute jury trials for personal injury resulting from child abuse. The Society has complete confidence in the Queensland judiciary to apply the law and find facts to the highest standard.
>
> ...
>
> Furthermore, the removal of limitation periods is likely to affect the nature of evidence which can be produced to the court and will require careful consideration of the legal weight to be attached to many and varied materials.

There is also the issue of the definition of 'child abuse' including serious physical abuse. This is an important matter and it is one that deserves further consideration. However, on this side of the House the view is that the normal rule of there being a time limit—for better or for worse—on legal actions should apply as a general rule. Sexual abuse comes outside that rule. The reason it does is the nature of offending. Sexual abuse goes to matters that people find very difficult to acknowledge and talk about, far less to summon up the energy to take legal action for many years after it has happened. We on this side of the House are not convinced that that is necessarily the case with physical abuse. Of course, that is not to say that physical abuse is not serious and not debilitating, but that is not the issue; it is whether people can reasonably within the normal time limits provided take action in respect of physical abuse if they wish to do so. At the moment, we are not convinced that the normal arrangements in relation to time limits should not continue to apply to physical abuse.

However, I congratulate the member for Cairns for his obviously compassionate stance on this issue. Although we will be supporting the government's bill, the member for Cairns raises many valid points for discussion and further debate on the issue. That is an important part of this process. I also appreciate the discussions that we have had on this issue with many survivor groups and individuals and consultations with the Queensland Law Society, which has been an important source of information and ongoing dialogue as the opposition formulated its position with respect to these two bills.

This is an important issue for many Queenslanders. People have been waiting for a long time. In some cases, they may have never thought that this day would come. There are many people who have a personal connection to survivors of these horrible crimes—many of us here in this House. Standing up for the voiceless is an important part of our role and, collectively, here today we have achieved that. To those who have suffered some horrible forms of abuse, I hope that this legislation goes some way to allowing them to find peace within themselves and justice within their own time. I commend the bill and the LNP amendments to the House.

Mr FURNER (Ferny Grove—ALP) (3.12 pm): I rise to make a contribution to this cognate debate on the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016 and the Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill 2016. As chair of the committee, I thank those persons who lodged written submissions on these bills and those witnesses, particularly the victims of child sexual abuse, who appeared before the committee. I also thank the Queensland Department of Justice and Attorney-General and the member for Cairns for their assistance during the inquiry. I thank all members of the committee for their work and thorough examination of the issues raised in this inquiry. Additionally, I wish to express my appreciation to the committee staff and the Queensland Parliamentary Library for the support they provided in our deliberations.

The committee has unanimously endorsed the report and recommended that the government's bill be passed while deciding that the private member's bill not be passed. The committee received 23 submissions and an oral briefing on the government bill from the Department of Justice and Attorney-General on 31 August 2016. The committee also received an oral briefing on the private member's bill from the member for Cairns. On 26 September 2016 in Brisbane, the committee held public and private hearings on the bills.

The emotions expressed by not only the witnesses but also some members of the audience in the public hearing brought back distinct memories of my time as a member of the community affairs committee in the Senate when hearing from victims during the Senate committee's Inquiry into the Implementation of the Recommendations of the Lost Innocents and Forgotten Australians Reports. The emotions and hurt of those innocent victims that the Senate committee heard were real and concerning and they never left those victims. It is the case for these victims who appeared as witnesses before the Legal Affairs and Community Safety Committee. I respect these victims for their bravery in providing their stories of the terrible circumstances of their experiences. I have never understood how a human being could steal the innocence of a child—a child who has fallen victim at the hands of someone they generally place their trust in. These people who prey upon innocent children deserve to be challenged and will be held to account for their actions.

This bill will provide the opportunities for victims of child sexual abuse to go back in time beyond the usual statute of limitations and seek settlements for the wrongs that have been perpetrated against them. The bill shall remove statutory limitation periods for child sexual abuse that occurred in institutions.

On 14 September 2015, the Royal Commission into Institutional Responses to Child Sexual Abuse released its *Redress and civil litigation report*, with recommendations to provide justice to survivors. Recommendation 85 of that report is that state and territory governments should introduce legislation to remove any limitation period that applies to a claim for damages brought by a person based on personal injury of the person resulting from sexual abuse in an institutional context. We are doing this.

Recommendation 86 of the report states—

State and territory governments should ensure that the limitation period is removed with retrospective effect and regardless of whether or not a claim was subject to a limitation period in the past.

We are doing this. Recommendation 87 of the report states—

State and territory governments should expressly preserve the relevant courts' existing jurisdictions and powers so that any jurisdiction or power to stay proceedings is not affected by the removal of the limitation period.

We are doing this. In addition to the introduction of the government bill, the government released an issues paper and commenced a public consultation process on how to respond to the royal commission's civil litigation period recommendations in the *Redress and civil litigation report.* The issues paper sought detail on a range of civil litigation reforms, including whether the removal of the limitation period should be widened to apply to all forms of child abuse rather than only child sexual abuse, whether it should apply more broadly than to abuse suffered in institutions and include other settings, and whether the current scope of damages is sufficient.

Although the non-government members supported the report and the government's bill, those members put forward two recommendations. Recommendation No. 1 states—

That the government Bill be amended to include the right to claim to sexual abuse victims, in circumstances other than an institutional sexual abuse setting.

I thank the Attorney-General for her consideration and for accepting this amendment. Recommendation No. 2 states—

That the government Bill be amended to provide the courts, at their discretion, the right to re-open Deeds of Settlement which have been entered into, with respect to time barred sexual abuse claims.

Although the royal commission recommended extending the limitation period, in recommendation 87 it stated specifically—

State and territory governments should expressly preserve the relevant courts' existing jurisdictions and powers so that any jurisdiction or power to stay proceedings is not affected by the removal of the limitation period.

The Queensland Law Society in its submission suggested a more cautious approach and noted some of the disadvantages of this proposed reform. It stated—

The Pyne Bill proposes section 51 of the Limitation of Actions Act 1974, which voids a prior settlement agreement and collateral agreements upon commencement of a new action.

The Queensland Law Society in its submission stated further—

As previously stated, institutions may find that any such claim is uninsurable, if the insurer were a party to the original settlement arrangement. It may also bring associated problems for unincorporated associations.

Therefore, we are not in a position to support non-government recommendation No. 2. On the subject of the reintroduction of jury trials for civil actions for physical injury arising out of child abuse as contained in the private member's bill, the majority of witnesses opposed this move. Submission No. 23 stated—

Facing a single judge (a person who represents authority and establishment) is far more stressful to a survivor of child abuse than having a body of ordinary people, a group of peers who are not necessarily part of the establishment and who can bring common sense into their deliberations..

Knowmore indicated to the committee that some, but not all, survivors may choose to have their case heard by a jury. Their submission states—

However, we make two observations on this proposal. First, not all survivors contemplating civil proceedings would wish to have their matter determined by a jury, given the very personal nature of their experience of abuse and the difficulties many encounter in any context where they are required to disclose their story. This concern is likely to be magnified in regional areas where potential juror pools are drawn from the local population. If restored, the right to trial by jury in a case of child abuse should not be exercisable at the election of a defendant alone.

Secondly, the option of a jury trial will add to the cost and length of any trial, for the parties, but more so for our courts..

In addition, the Queensland Law Society raised its objection to the proposal of introducing juries on the following grounds—

The Society has complete confidence in the Queensland judiciary to apply the law and find facts to the highest standard.

Furthermore, the removal of limitation periods is likely to affect the nature of evidence which can be produced to the court and will require careful consideration of the legal weight to be attached to many and varied materials.

Ms Hillard, the spokesperson from Soroptimist International South Queensland, made the following comments based on her experience as a barrister. She said—

In my experience, trials by jury are slower, longer and far more expensive than if they are judge-only, and that has to do with the way that the evidence is produced.

Therefore, on the overall balance of evidence presented to the committee we say the introduction of juries would place unnecessary burden on litigants and the judicial process.

In respect to class actions, the government bill amends the Civil Proceedings Act 2011 to introduce a comprehensive statutory regime to facilitate the effective conduct and management of representative proceedings. Representative proceedings are brought by one person on behalf of a number of people whose claims arise from the same, similar or related circumstances and which give rise to a substantial common issue of law or fact. This will greatly assist victims' confidence when proceeding with a case. The Queensland Law Society summed up the advantage of this amendment to the committee—

Vulnerable and disempowered people, which survivors of child sexual abuse and serious physical abuse certainly are, can face many additional barriers to initiating and progressing a civil claim. For most non-lawyers, the prospect of initiating a court case is a daunting one. This is compounded when the subject matter of the claim is considered, and the likelihood of continuing damage experienced by the person as a consequence of the abuse. The old adage that there is 'safety in numbers' is apt here. The ability to be part of a class action brings with it comfort that the person is not alone in their journey. For some individuals or collectives, the outcome could well provide the means to redress ongoing trauma from the abuse.

I commend the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016 to the House.

Mr CRANDON (Coomera—LNP) (3.22 pm): I rise to make a short contribution to the cognate debate in relation to the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016 and the Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill, which were considered by the Legal Affairs and Community Safety Committee in its report No. 41, placed on the record of this House on 1 November.

I note that the government bill is unanimously supported by all members of the committee and that the committee is unanimously against the non-government bill being considered in the House. I also note the Attorney-General's in-principle support for one of the two recommendations that the non-government members put forward on page 6 of the report—

That the government Bill be amended to include the right to claim to sexual abuse victims, in circumstances other than an institutional sexual abuse setting.

I appreciate her in-principle support and I am sure that the shadow Attorney-General will be able to arrange for appropriate wording to satisfy the Attorney. I am sad, though, that we do not have the support of the Attorney-General for our second recommendation—

That the government Bill be amended to provide the courts, at their discretion, the right to re-open Deeds of Settlement which have been entered into, with respect to time barred sexual abuse claims.

Slave-master relationships have already been discussed, certainly by the shadow Attorney-General. There have been situations where someone was choofed off after being offered $500 or $1,000, whatever the amount might be. They were asked to sign something and told to go away and not bother them again. It is sad that in those circumstances we are going to lose the opportunity in this bill to reopen these deeds. I make the point, in making the recommendation that the non-government members put forward, that it would be at the discretion of the court. The court would have the opportunity to look at all of the circumstances and if it felt in the circumstances it would be appropriate to reopen the deeds it could reopen the deeds. We will see whether or not that particular recommendation gets up in the vote in the House.

I acknowledge the bravery of those many thousands who have suffered sexual abuse and have appeared before our committee and have appeared or are yet to appear before the royal commission. The royal commission's list of witnesses was closed on the last day of September, I believe, but the commission will continue well into next year listening to the stories and the evidence from those witnesses who have put their names forward.

Some months ago I attended a conference in Victoria where one of the commissioners spoke at length about the types of evidence that the committee was hearing. She spoke about the range of people and the difficulty for so many of those people to speak about the things that happened to them for many, many years after the occurrence. In that respect, going back some years to a situation where a parent may have found out and confronted the institution or the individual and as a result of that was bought off, if you like, at a very low cost, it is sad that we cannot redress that with the capacity to reopen those deeds.

I also acknowledge those who are no longer with us, many of them unable to live with the memory of what occurred; troubled throughout their lives, having lived with mental illness, drug abuse or alcohol abuse as a result of what happened to them. I acknowledge those who are unable to talk about what happened to them even today. Some of these events happened just a few years ago but others happened many, many years ago—10, 20, 30, 40, 50 years ago—and they still cannot bring themselves to talk about what happened to them. Their memories continue to affect their lives. In saying that, I also acknowledge that for many the event caused ongoing mental health issues, drug and alcohol abuse and eventually this came to their own offending behaviour as evidenced in a report that I read with interest recently, *Trends and issues in crime and criminal justice No. 440 June 2012*. It is an Australian Institute of Criminology publication. It is titled *Child sexual abuse and subsequent offending and victimisation: a 45 year follow-up study*. For the benefit of the House I will read the foreword—

Up to 30 percent of children experience childhood sexual abuse (CSA) and whether this impacts re-victimisation or offending as an adult has been the subject of numerous studies.

This study investigates whether a disproportionate number of CSA victims subsequently perpetrate offences and experience future victimisation compared with people who have not been sexually abused. In a sample of 2,759 CSA victims who were abused between 1964 and 1995, it was found CSA victims were almost five times more likely than the general population to be charged with any offence than their non-abused counterparts, with strongest associations found for sexual and violent offences.

In other words, they themselves became offenders in the same way as they had been offended against. The study continues—

CSA victims were also more likely to have been victims of crime, particularly crimes of a sexual or violent nature.

This research highlights the need for therapeutic interventions targeted at adolescent male CSA victims, particularly with regard to offender treatment programs, where many programs currently do not allow for exploration of offenders' own sexual victimisation.

I bring that to the attention of the House in the hope that the House notes that there is a need for therapeutic support and proceeds to ensure that support is provided in further changes that may be brought before us.

I do not believe it is necessary for me to go through the detail of the bills or through the detail of the report again. That has been well canvassed by the Attorney-General, the shadow Attorney-General and also the chair of the committee. In closing, I acknowledge there is a discussion paper that closed for submissions, I think on 25 October. I look forward to seeing additional changes and amendments come before us as a matter of urgency.

I thank my committee colleagues for their careful consideration of this matter and our secretariat, who did such a wonderful job in a very short time frame. We had something like six weeks to pull all of this together. The secretariat did a wonderful job in doing that. The support that we received from the department in relation to feedback and turning things around very quickly so that we could get answers to questions as needed was also greatly appreciated. The opposition supports the passing of the bill, with amendments.

Ms PEASE (Lytton—ALP) (3.31 pm): I rise to make a contribution to this cognate debate on the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016 and the Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill 2016. I begin by thanking the chair and member for Ferny Grove, Mr Mark Furner, my parliamentary colleagues on the committee and the committee secretariat. Ms Emily Booth stepped into the role as acting research director and she and her colleagues all did a wonderful job of providing excellent secretariat support to the committee and I thank them. The committee invited submissions from the public and stakeholders and we received 23 written submissions. The committee also received oral briefings on both bills, and held public and private hearings on the bills. I thank those who made submissions and those who provided evidence at the public and private hearings. In particular, I thank those who shared their experiences with the committee.

Committee report No. 41 of the Legal Affairs and Community Safety Committee had two recommendations: that the government's bill, Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016, be passed; and that the private member's bill not be passed. The Premier introduced the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill in August 2016 and referred the bill to the Legal Affairs and Community Safety Committee. The government bill will amend the Limitations of Action Act 1974 and the Personal Injuries Proceedings Act 2002, and remove limitation periods that apply to the commencement of civil claim damages where the claim relates to child sexual abuse in an institutional context. I note the Attorney-General's acknowledgement of suggested amendments to extend the child sexual abuse in a non-institutional context.

The Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016 also amends the Civil Proceedings Act 2011 and introduces a comprehensive statutory regime for the conduct and management of representative proceedings, commonly known as class actions, in Queensland. The bill will also amend the Legal Profession Act 2007 to support new funding arrangements in place for the current Legal Practitioners Interest on Trust Accounts Fund and to simplify solicitors' trust arrangements. The bill also amends the Queensland Civil and Administrative Tribunal Act 2009, QCAT, and the Queensland Civil and Administrative Tribunal Regulation 2009 to remove the expiry provisions regarding the justices of the peace QCAT jurisdiction.

When introducing this bill, the Premier outlined what an historic occasion it was and today we witness another example of the Palaszczuk government's commitment to important social reform. The purpose of the government's bill is to finally take the necessary steps to provide increased access to justice for survivors of institutional child sexual abuse by retrospectively removing the limitation period for when a legal claim can be made. Our government understands the injustices wrought upon child sexual abuse survivors by the current limitation period, which only provides three years from when a survivor turns 18 years of age to lodge a claim. The Premier spoke of hearing from survivors who have been brave enough to tell their stories and discuss their anguish. I join with the Premier to pay tribute to all of those people who have spent time raising these issues and have campaigned and shared their personal stories, and those who gave evidence during our committee proceedings. I am proud to be part of a government that listened and has responded.

The current period is inadequate to allow victims of childhood sexual abuse to even come to terms with their abuse on a personal level, let alone to find the enormous strength needed to address their pain, to move forward and to commence the daunting and often arduous task of commencing litigation in the courts. The government prioritised reform to recognise that there is no time limit on suffering and to ensure that survivors have the time they need to come forward and talk about their abuse. The Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016 will remove one of the barriers to justice that many victims have felt has let them down and will give those affected by institutional sexual abuse the opportunity to argue their claim in a time frame that will accommodate the hardships that they are already facing.

The amendments to the limitation period recognise the program of work and the significant degree of consultation already undertaken by the Royal Commission into Institutional Responses to Child Sexual Abuse and, in particular, its recommendation that the removal of the statutory limitation period for institutional child sexual abuse in an institutional context should occur as soon as possible. This will override the current limitation, which requires an action to be commenced within three years from the date of the incident occurring or the person attaining the age of 18 years. The government's bill defines that sexual abuse in an institutional context extends to abuse happening on the premises of the institution where the activities of the institution take place or in connection with those activities being engaged in by an official of the institution in stated circumstances, or happening in other circumstances where the institution is or should be treated as being responsible for persons having contact with children. Institutions cover a range of government and non-government entities and institutions, including religious organisations and other organisations and clubs, however described and whether or not incorporated.

The justification for this departure from the general principle that legislation should operate prospectively is based on the commission's findings that victims typically do not report their abuse for long periods after the limitation period has expired. Further, the new section 11A(4) in the government's bill removes the application of limitation periods that apply to surviving actions by the dependants or estates of deceased survivors of institutional child sexual abuse under the Civil Proceedings Act 2011 and the Succession Act 1981.

The government's bill also includes amendments to the Civil Proceedings Act to incorporate a comprehensive regime for the effective conduct and management of representative proceedings, commonly called class actions. The government's bill will establish proceedings for class actions in Queensland. This is an issue that has been called for by legal stakeholders and consumer groups alike for many years in Queensland. We have seen causes of action being commenced in other jurisdictions because of the lack of a contemporary representative action regime in Queensland. Currently, Queensland has only a court rule provision to facilitate representative proceedings under the Uniform Civil Procedure Rules 1999. However, those rules are limited in scope and do not provide adequate procedural guidance for the effective conduct and management of complex proceedings.

The amendments contained in this bill will address this obstacle to justice by establishing new laws that clearly set out the relevant matters for commencing and undertaking class actions. The amendments will create a greater degree of certainty and promote transparency, efficiency and consistency in the conduct of class actions in this state. These amendments will also strengthen access to justice by overcoming the cost barriers and the lack of knowledge that might otherwise deter affected Queenslanders from pursuing a legal claim.

The new class action regime in the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016 is modelled on similar legislation schemes in place in the Federal Court of Australia, New South Wales and Victoria. Importantly, the introduction of this similar legislation in Queensland will ensure that Queenslanders are no longer burdened by being forced to commence costly litigation interstate. Furthermore, this will allow for class actions that are relevant to Queensland to be dealt with in our state by our judges and lawyers who know Queensland best.

The government's bill will also make changes to the Legal Practitioner Interest on Trust Accounts Fund and will amend the Legal Profession Act 2007 which provides for how interest from solicitors' trust funds is dealt with. Currently, this includes the payment of that interest into the Legal Practitioner Interest on Trust Accounts Fund which is then distributed from the funds by way of payments for various purposes, including legal assistance, legal professional regulation and law library services.

The need for legal assistance has been increasing in Queensland. The earnings from the interest on solicitors' trust accounts has not kept pace with that growth. There is a growing need to ensure stability of funding sources for those needs and the government has acted to ensure that those payments will come from consolidated revenue.

These revised amendments will ensure sustainable, long-term funding for current recipients of Legal Practitioner Interest on Trust Accounts Fund distributions. The Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill will repeal all provisions in the Legal Profession Act relating to the fund and enable the transfer of revenue received from the fund into the Consolidated Fund effective 1 January 2017. Future funding for these purposes will come from the Consolidated Fund and interest on solicitors' trust accounts will be paid to the Consolidated Fund.

The government's bill will also simplify and improve the administration of solicitors' trust account arrangements under the Legal Profession Act by requiring solicitors to keep only one general trust account, removing the requirement for a special deposit account and it will make other improvements of an administrative nature. The government's bill will also permanently establish the trialled Queensland Civil and Administrative Tribunal justices of the peace jurisdiction by amending the Queensland Civil and Administrative Tribunal Act 2009 and the Queensland Civil and Administrative Tribunal Regulation 2009 to provide permanency for the Queensland Civil and Administrative Tribunal justices of the peace model that has been trialled in a number of Queensland communities since June 2013.

Under the trial, a panel of two JPs, one of whom must be legally qualified, hears and decides certain minor civil disputes. The trial has provided many benefits to the Queensland Civil and Administrative Tribunal, including improved clearance rates and improved time to trial rates in the minor civil disputes jurisdiction. Importantly, it also provides JPs with a valued, professional opportunity to enhance their role and their recognition in the community.

As I said at the beginning of my speech, the Premier outlined when introducing this bill that this is an historic occasion—that is, to be taking the necessary steps to provide increased access to justice for survivors of institutional child sexual abuse. I commend the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill to the House.

Mrs STUCKEY (Currumbin—LNP) (3.43 pm): The Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016 was introduced by the Premier on 16 August in response to the issues paper released earlier that month—*The civil litigation recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse: Redress and civil litigation report—understanding the Queensland context.* Preceding this bill, the royal commission, which commenced in 2013 and was commissioned by the Commonwealth government, released its *Redress and civil litigation report* on 14 September 2015. The Queensland government is currently considering the recommendations contained in that report relating to Queensland. On 18 August 2016 the honourable member for Cairns introduced the Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill as a private member's bill.

Both bills were referred to the Legal Affairs and Community Safety Committee to be considered together. The process involved the invitation of submissions plus a number of public and private hearings which took place during the consideration of these two bills. Only 23 submissions were received which, on the surface, seems fairly light on. However, when we look at the subject matter we can see that it is a highly emotional and traumatic experience to recall and give evidence from many years ago in front of total strangers like politicians and parliamentary staff. I recognise the bravery of those who did come forward. This was evidenced during discussions around the reintroduction of the right to trial by jury for civil actions for personal injury arising from child abuse. Witnesses were divided as to the abused victim's reaction to that scenario and being exposed to more strangers.

The committee was required to report on the bills by 1 November, which it subsequently did. As a member of this committee, I acknowledge the respectful approach of committee members, research staff and witnesses to this highly sensitive and delicate issue. I also acknowledge the honourable member for Cairns for his private member's bill and note his compassion towards abuse sufferers.

The committee's task was to consider the policy outcomes to be achieved by the legislation as well as the application of fundamental legislative principles. After careful deliberation the committee agreed to pass only the government bill.

An issues paper was released in August 2016. This paper seeks feedback on the scope of the recently announced removal of the statutory limitation period in relation to claims for child sexual abuse and more broadly how the commission's civil litigation reform recommendations, relating to claims for damages for harm arising from child sexual abuse in an institutional context, might operate in Queensland. The Attorney comments in the foreword that this paper will provide an opportunity for public comment regarding other civil litigation reform recommendations not covered in the government bill before us today.

The issues paper, which relates to sexual abuse, specifically raises a number of pertinent questions. It mentions broadening abuse to include physical and emotional and discusses whether other or all settings, including the family setting, foster care and out-of-home care, should also be included.

The provisions in the government's bill aim to abolish limitation periods for institutional child sexual abuse, introduce class actions and improve solicitors' trust accounts administration by replacing current funding arrangements under the Legal Practitioner Interest on Trust Accounts Fund with funding through the Consolidated Fund. In addition, the JP QCAT jurisdiction will be preserved and permanently embed the arrangement—and I notice this was commenced by the LNP—whereby justices of the peace will hear certain minor civil dispute matters in the Queensland Civil and Administrative Tribunal.

The private member's bill, the Limitations of Actions and Other Legislation (Child Abuse Civil Proceedings), on the other hand would include the following: reintroduce the right to trial by jury for civil actions for personal injury arising from child abuse; retrospectively remove civil statutory time limits and procedural time limits for personal injury actions arising from child abuse for a range of actions; make a number of amendments to the Civil Proceedings Act 2011; and define child abuse in the above provisions as not restricted to an institutional context and as including both sexual abuse and serious physical abuse.

The committee comment on page 13 of report No. 41 of the Legal Affairs and Community Safety Committee as follows—

> Committee members note the overwhelming evidence received via witnesses attending the hearing and submissions to the government Bill seeking to widen the definition of "child sexual abuse" in the government Bill to provide for victims to seek claims other than those in institutions. Therefore, committee members request the government in the second reading of the government Bill to give serious consideration to provide for such claims.

As honourable members have already heard, non-government members made two recommendations, found on page 6 of the committee's report, that urge the Premier to go further and make these amendments during the consideration in detail. One is to make amendments to the government's bill that would broaden the removal of limitations on claims to survivors of non-institutionalised sexual abuse and the other is to give the court the ability to reopen previous deeds of settlement that have been entered into with respect to time barred sexual abuse. These amendments were flagged by the Leader of the Opposition, the honourable member for Clayfield, on 16 August in a motion to take note.

Most submissions received by the committee were in favour of allowing prior deeds and settlements to be reopened. Knowmore's submissions stated—

> We have dealt with many clients who have told us that they felt that they were effectively coerced into settling their claims, on the basis that if they did not accept the amount of monetary compensation offered by the institution (which they perceived as inadequate), their only other option was to take the matter to court, in circumstances where they were in receipt of advice that any such action would in all likelihood be doomed to failure, due to the limitation barrier alone.

Knowmore continued—

> In those circumstances, the majority of our clients in such positions understandably resolved their claims by accepting the financial settlements offered, where, on any objective assessment, that settlement was manifestly inadequate and arbitrary in nature, bearing no similarity at all to the quantum of damages they would have received had they been able to litigate their matter before a court.

Micah Projects Inc. made the following observations in this regard—

> Micah Projects advocates that the matter of Deeds of Release needs to be within legislation preventing any parties from blocking civil actions due to historical settlements through past signed Deeds of Release. However, Micah Projects supports that money already awarded through historical settlements for any party be taken into account in proceedings.

During the committee hearings a number of questions were raised, including about the expected numbers of survivors who may come forward. When one considers the hundreds of thousands of children who were in care, one might presume the number of complaints the passage of bills of this

nature would enliven would be high, but it appears that that is not necessarily the case. Reasons given were the passage of time—in many cases decades had passed since the abuse took place; institutions have closed; perpetrators may have died; and many of the children have moved on, while others do not want to relive the significant trauma or horrific memories.

Questions as to whether an institution carries responsibility for their employees who abuse children in their care and what recourse survivors have if the institution no longer operates or has changed owners or reinvented themselves to avoid claims against them were also canvassed. When asked where foster care fitted in this bill, a senior policy adviser from the Department of Justice and Attorney-General replied—

If the foster care was through a state based formal arrangement, we anticipate that child sexual abuse in the foster care arrangement would be picked up by the legislation. We do understand, however, that, given that we are talking about a lot of historical abuse, there may have been some foster care arrangements that were not necessarily facilitated through the state. They might have been private arrangements. Whether they would come within scope, I could not answer that.

The non-government members' recommendation No. 1 addresses this by extending the right to claim to circumstances other than in an institutional sexual abuse setting. As a society we have failed our most vulnerable and we are paying the price with escalating mental health reporting as countless victims of childhood sexual abuse seek help for addictions, health issues and difficulty in establishing and maintaining relationships. We heard from the honourable member for Coomera of the wideranging lifetime of hardship and problems that this group of sufferers experience after this appalling abuse.

I recall nursing at the Children's Hospital in Adelaide in the seventies—I have mentioned my first career on several occasions in this place—and I could not comprehend then how anyone could abuse children to the extent of the shocking injuries I saw. I still cannot today. Those memories are vividly etched in my memory as are the children's names and their injuries. Terrible cases of abuse involved injuries and physical harm to countless children that scarred them for life and prevented them developing into the fully functioning adult they had every right to be.

When I was the shadow minister for the child safety system in 2004—my very first year as the member for Currumbin—I found myself once again confronted with images and stories of children being abused and harmed by those who were supposed to be caring for them, protecting them, within the foster care system. Two child protection inquiries were completed and hundreds of recommendations were to be implemented over a three-year period. What happened? We read headlines like 'Betrayed kids pay too high a price', 'Kids in Care Lotto', 'Children in Different Home Different Night', 'Silent Victims Must Speak Up'. You really have to wonder about the weight, I suppose you would call it, on our shoulders as elected members as to how much we are prepared to go forward.

When witnesses and submitters to these bills divulged horrific stories of real-life—not virtual, not pretend—atrocities inflicted on them as toddlers and young children on repeated occasions, those memories I had all of those years ago came flooding back. Orphanages and homes for children were prolific in the fifties, sixties and seventies, often bursting with way too many children and very little oversight or care, for that matter.

As we have now learned, the degree of pain and suffering inflicted on many of the children in care went unreported. If a child did find the courage—and I say courage—to tell someone in authority, all too often they were not believed and sometimes all too often made to suffer further as a punishment for telling. It was customary in those years for children to be seen and not heard, literally. A common theme of witnesses and submitters was the blatant and deliberate denial that abuse was occurring and even worse were cases where perpetrators were simply moved on to another facility to continue their vile ways.

There was this appalling notion held by society that somehow these children were inferior because their parents could not or would not care for them. Through no fault of their own in the majority of cases, children were placed in care for their own safety and welfare, yet in reality many were put into some truly evil situations where they were used as fodder for sick and twisted adults to perform indecent and disgusting acts upon them—sacrificial lambs.

I was a child of the fifties and I recall visiting friends and being told at some stage that the children belonging to the family we were visiting were adopted. It was not meant to be said in a discriminatory way, but it was how people spoke and thought during those times.

In a case sent to the committee by Justice Ros Atkinson—Carter v Corporation of the Sisters of Mercy of the Diocese of Rockhampton & Ors—the victim was mistreated by nuns who had far too many youngsters in their care. No inspectors visited when they were meant to. An employee bus driver started to abuse her sexually at the orphanage and this escalated to sexual intercourse. The girl was fostered to several families, became aggressive and was thought to have a mental illness, but no-one bothered to ask her what was wrong. Remember what I said—children should be seen and not heard.

Depending upon the degree of abuse and methods used to groom and involve a child, how can a six-year-old without a normal family realise that she is being abused? Who can she trust when the adults around her who are supposed to be caring for her are the perpetrators? A lack of trust for authority is a common trait in adults who were abused as children. Witness Dr Swain commented as such when he said—

... a common outcome of childhood abuse is often a deep mistrust of authority. This becomes even more entrenched if the child has reported the abuse to other adults and has been disbelieved or punished for reporting. It is even further entrenched when, as an adult, the victim approaches the abuser or the institution for justice and is still treated in an adversarial manner, rather than a caring manner.

Dr Swain continued—

The first failure of the Government's approach is that it only applies to victims of child abuse in government institutions. The many victims of child abuse in Queensland's private institutions (churches, church orphanages, church schools, private schools, cultural and sporting clubs, etc) are abandoned by the Government's policy.

I note the Attorney has indicated that she will consider the non-government members' recommendation No. 1. He continued—

The second failure of the Government's approach is that it creates arbitrary discrimination between victims of abuse in the same institution based on whether they have previously pursued a right of action or not.

Any victim who bravely tried to take their abuser and institution to court to hold them to account, had time limits invoked and was subjected to a small inequitable damages settlement that in no way reflected their true health care costs or financial losses arising from the abuse.

Under the Government's bill and policy those people are trapped forever in those settlements—they are trapped forever by the time limits defence.

He goes on to say—

Under the Government's method for removing time limits a victim of the same abuser in the same institution (perhaps a child in the next bed in an orphanage) who has never before attempted to litigate the institution, now finds themselves with a full right of action able to litigate the institution for full health care costs and damages with no time limits defence as a barrier.

During her explanatory speech, the Premier explained the background and rationale of the government issues paper and said—

We also recognise that for many survivors this is an important starting point, and other civil litigation issues relating to limitation periods and raised by the commission's recommendations also need to be worked through.

The Premier continued—

My government has also committed to further public consultation on the scope for the removal of the statutory limitation period, including in the context of child abuse that is not of a sexual nature and not in an institutional context, and other civil litigation recommendations of the royal commission relating to the duty of institutions and the proper defendant.

She said—

We are introducing this bill very promptly and, subject to this House, I would hope that the removal of the limitation period for institutional child sexual abuse actions could be in place in the first half of 2017.

We hope that that will be extended past institutional child sexual abuse at the same time.

A number of stakeholders and submitters wanted the provisions to extend to children who are seriously, physically or psychologically abused. Questions asked in the issues papers are looking at other reform recommendations. What we have before us is a significant point on a journey that hopefully will allow children who have been abused to have their stories heard with empathy and without retribution. In my mind, no punishment is great enough for people who behave in this manner towards indefensible children and minors. They can never, ever regain what was stolen from them: their youth, their innocence and probably also their trust. However, they can regain some self-esteem. All Queenslanders have a responsibility to protect our children from harm. As politicians and legislators, we shoulder that responsibility even more than others.

I note some recent announcements regarding the national redress scheme for the abused in the *Courier-Mail* on the weekend. It states—

CHILD sex abuse victims will be able to access up to $150,000 in compensation under a multi-million-dollar national redress scheme announced by the Federal Government.

From early 2018, up to 65,000 survivors of institutional child abuse could be eligible for payments and counselling as part of the ... scheme which will run for the next 10 years.

The opt-in program will be managed by the Commonwealth but funded by churches, charities and state governments which voluntarily join the scheme.

The Federal Government will not be able to force organisations and states to sign up ... but Social Services Minister Christian Porter said initial negotiations had been met with "very favourable responses".

With those few words on what has been a very emotional time for our committee—and I am sure, Mr Deputy Speaker, you would respect that—and the hours that have been spent by this committee, I commend the government's bill to the House along with the recommendations from the non-government members.

Mr BROWN (Capalaba—ALP) (4.01 pm): Firstly, I would like to thank my fellow committee members on the Legal Affairs and Community Safety Committee. As we have heard from other members of the committee, this was a toughie, especially for a relatively new member of this place. It was a real eye-opener with regards to the submissions that we received. I would like to thank the committee members for their bipartisanship when reviewing both of the bills that were before us. I would also like to thank the Premier and the Attorney-General for the bill that they have presented and the work that has gone on behind it. I also thank the member for Cairns for introducing the private member's bill and the effort and the goodwill that he has put into his bill that is also before this parliament.

More importantly, I would like to thank those who had the courage to submit and tell their stories. I know there are a few in the gallery today. I would like to again thank them for telling their stories. Without that, we cannot have that progress. I know it is very difficult for these people to relive their harrowing experiences, but I am very thankful that they have.

I have a fundamental belief in limitation periods. I think we need to start at that point. It is an important legal principle of our system that we do not remove the threat of open-ended liability. This prejudices defendants as it means that things like lost documents may occur, witnesses are unable to recall events and witnesses may not even be able to come forward. It ensures that we have a system that resolves parties' disputes in a speedy manner. It is important.

However, through the royal commission process and the mountain of evidence it is clear that there is definitely a need for victims of these heinous crimes to be able to access justice, and that is what we are doing here today. I would like to reiterate the Premier's first reading on this bill. She said—

We have prioritised this reform to recognise that there is no time limit on suffering and to ensure that survivors have the time they may need to come forward to talk about their abuse.

I would also like to note that it was flagged by both the Attorney-General and the Premier with regard to the issues paper. They indicated that this is a first step on the road of reconciliation. The issues paper goes to a range of civil litigation reforms including whether the removal of limitation periods should be widened to apply to all forms of abuse rather than only to child sexual abuse; whether it should apply more broadly than the abuse suffered in institutions to include other settings; and whether the current scope of damages is sufficient in that regard. Along those lines I echo the sentiment of the Attorney-General that it is important that we go through the same process that New South Wales and Victoria did in consulting the community about these changes and also that the government and the Attorney-General's department is able to give proper consideration to possible changes down the road.

I do note that in essence both of the bills have the retrospective abolition of time periods in relation to persons who have suffered sexual abuse. I do note the private member's bill widens the scope to those who have suffered serious physical abuse as well as those effects that have flowed on from that and also the non-institutional setting. I do note the amendment that has been put forward by the opposition which the Attorney-General indicated in her second reading speech she would support to broaden it beyond just institutions, which was noted in the committee's report.

I would like to move on to one part of the private member's bill which the government members and also the non-government members have not been able to support. It goes to the essence of the private member's bill, and a lot of emotion is captured within the bill. I think it is overwritten with regard

to common sense, the legal practicalities and also the functions of our court, and that is the proposed reintroduction of jury trials. I would like to note the submissions that object to this proposal. One submitter who requested that their name be withheld stated—

... I completely object to allowing jury trials for personal injury arising from child abuse. It is a truth universally acknowledged that ordinary untrained decision makers are extremely sympathetic to alleged victims of child abuse and would in all likelihood take this into account in reaching their views. Such an allowance would bring to Australia the outrageous levels of damage reached in the United States, where damage awards exceed the actual quantifiable loss to the victim.

I also note the Queensland Law Society's objection to this proposal. It states—

The Society does not support the proposed introduction of new section 73 of the *Civil Liability Act 2003* to institute jury trials for personal injury resulting from child abuse. The Society has complete confidence in the Queensland judiciary to apply the law and find facts to the highest standard.

Furthermore, the removal of limitation periods is likely to affect the nature of evidence which can be produced to the court and will require careful consideration of the legal weight to be attached to many and varied materials.

It is an important point that the QLS raises in that regard: these matters can be brought by applicants decades after the event. Therefore, matters of evidence really need to be taken into consideration very carefully by those who are trained.

Finally, I do want to note one of the three amendments put forward in the government's bill. The government wishes to amend the Legal Profession Act and QCAT Act with regard to class actions. As previously stated, both the private member's bill and the government's bill are about access to justice, and this is another amendment which leads to more access to justice for Queenslanders. I note that it is also accepted in the Federal Court of Australia and also Victoria and New South Wales, which brings us into line with those jurisdictions. I note the Attorney-General's comments with regard to this. The Attorney-General stated—

For people who are often involved in emotionally and financially difficult circumstances, this can limit their access to justice through unnecessary complexity and inconvenience. There can also be an additional cost burden for claimants who currently need to pursue class action matters through other jurisdictions.

I note that this amendment was supported also by the Queensland Law Society in their submission, which states—

The Society has welcomed these reforms as a positive step towards providing Queenslanders with the same legal rights as those in NSW and Victoria. The regime is seen as a tool for efficient access to judicial processes, particularly for poorly resourced victims of disasters and other tragedies.

In particular, the Society has noted that those who have suffered child sexual abuse at the hands of one person or entity may join together in one case, rather than file individual cases for each victim.

I support the sentiment of the Queensland Law Society and the amendment in that regard.

In summing up, I would like to thank the member for Cairns, the Premier and the Attorney-General for bringing both of these bills forward. I would like to acknowledge the opposition members of the committee who have brought forward a sensible amendment, which I also appreciate the Attorney-General has accepted, expanding that amendment outside of just institutions. It shows a great bipartisanship in this parliament with regard to the very tough issue that is before us. I would also like to reiterate that this is a step forward. There is an issues paper which needs to have proper consideration. We have had the opportunity for community members to put their submissions in, and we need to give the government time to carefully consider those considerations and the impact of any changes that may occur—the same process that was followed in New South Wales and Victoria. I commend the government's bill as amended to the House.

Mr RYAN (Morayfield—ALP) (4.12 pm): I rise to make a contribution to the cognate debate on the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016, which is a government bill, and the Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill 2016, which is a private member's bill introduced by the member for Cairns. I would also like to speak to report No. 41 of the Legal Affairs and Community Safety Committee. I note that the committee has done a very good job and prepared a very thorough report in respect of these two pieces of legislation before the House. I particularly note that the committee has consulted widely and taken submissions from a number of key stakeholders. I also note that the committee has recommended that the government bill be passed but the private member's bill not be passed.

This is a very important bill not only because it addresses the child sexual abuse element around the limitation of actions but also as it is a watershed bill because it makes four fundamental reforms to the law. Each and every one of those fundamental reforms is very, very important to the state of Queensland and will make a difference to the lives of the people of Queensland. I wanted to address each of those reforms.

The first reform—and we have heard contributions from the majority of members who have already spoken today—relates to the limitation of actions. The proposal in this bill is to remove the current limitation period for actions for personal injury from the current three years from the time the action occurred or three years from when the person turns 18. This follows on from a conversation and recommendations which flowed from the royal commission in its *Redress and civil litigation report*. The Premier has been a leader when it comes to not only bringing this legislation before the House but also in considering these matters which are so important to the people of Queensland.

We have heard other members in this House speak about heinous and horrible acts of child sexual abuse and the dramatic impact that that has not only on the child involved but also all those people around the child, their family and friends, and its lifelong effects. I think that whatever we can do to ensure that those people get justice is a fundamental responsibility of this House, and I am very pleased that there is unanimous support for the concept of removing the limitation period for actions for damages for personal injuries associated with child sexual abuse. This will make a difference to the lives of the people of Queensland and will ensure that those people who have gone through those heinous and terrible acts of child sexual abuse receive some justice and compensation for the terrible experience they have had.

There are also a number of other key reforms in this bill, and the second one I want to speak about relates to the changes to class actions in Queensland. For many, many years the majority of those groups in Queensland who would like to bring a class action have either had to go interstate or into the federal jurisdiction to bring those causes of action because it was just too difficult to bring a class action in the Queensland regime. It was nearly impossible, so the changes to the Civil Proceedings Act will not only ensure that those groups can bring class actions here in Queensland but will also ensure that those people who do have a class action do not have to go interstate and incur the additional stress and cost associated with going interstate or into the federal jurisdiction to bring those class actions. That will be very welcome and it will ensure that those people who are seeking compensation who may have applied to a class or group of people can do so in Queensland through the Queensland court system and receive justice.

The third key reform in the government's bill relates to changes to LPITAF, the Legal Practitioners Interest on Trust Account Fund. LPITAF has been a very important part of ensuring access to justice for many years. The interest that has been earned on solicitors' trust fund accounts has been used to fund things like community legal clinics, law library services and other matters associated with the regulation of the legal profession. Those interest earnings have been used for a great common good to ensure that those people who are less fortunate in our community are able to have some access to justice to get legal advice. But things have changed, and I note anecdotally that the amount of money which is held in the fund is lower because of the speed of transactions, and electronic conveyancing has also had a big impact on the amount of money which is held in the fund, which of course then has had some impact on the amount of interest that is earned. I note that for a number of years now there have been top-ups from the consolidated fund to support community legal clinics.

While I am speaking about community legal clinics, it is important that the federal government also steps up and provides funding for community legal clinics. Community legal clinics are in each and every one of our communities, and I am sure that every electorate office deals with people who are coming to them seeking legal advice and legal support. The way that we are able to provide that support and advice is through referrals to our local community legal clinics. What we can do to ensure that those people who are less fortunate, the most marginalised, the most vulnerable and disadvantaged in our community have access to justice is by having a properly funded community legal clinic system in Queensland, and the federal government needs to step up and provide additional funding to support the CLCs.

I also want to talk about the fourth reform in the government's bill: the changes to the QCAT Act and the QCAT Regulation to make the justices of the peace QCAT trial a permanent feature of our justice system in Queensland. A number of years ago I had cause to look at the regulation of justices

of the peace in Queensland and the support government could provide to them and also the role JPs had. I note that the former attorney, the member for Kawana, led some reform in that space which introduced the justices of the peace QCAT trial.

I know that many people value the justices of the peace QCAT trial. I know one particular justice of the peace in the Caboolture area who is a regular participant in the justices of the peace QCAT trial. Her feedback to me is that she thinks it is a very worthwhile initiative and it ensures people have access to justice in a timely way. I am pleased to see that the justices of the peace QCAT trial will be made a permanent feature of our justice system in Queensland.

There are four really important reforms contained in the government's bill. I am very pleased to see that there is support from both sides of the House to ensure the bill passes. Of course, the most fundamental is ensuring that those people who have experienced child sexual abuse are not prevented in any way from seeking justice due to a limitation of action period. This is an important bill. I commend the Premier and the Attorney-General for their work in this respect. I also encourage all members of the House to support it.

Mr McARDLE (Caloundra—LNP) (4.21 pm): I rise to make a contribution to the debate on the bills before the House. The bills before the House, though very different in detail, both aim to remove limitation periods for civil actions arising from child abuse. The difference lies in who has the right to claim under the terms of the bills. The government's bill limits it to those claimants who suffer institutional sexual abuse only, while the bill of the member for Cairns is wider.

In a statement to the House on 16 August 2016 the Leader of the Opposition made two points clear. Firstly, the right to sue should cover not just victims of institutional sexual abuse but also victims who suffer 'at the hands of family members or strangers'. If not, he envisaged the 'effective creation of two classes of survivors'. Secondly, he commented on deeds of settlement in that they should 'not prevent a person from bringing an action under these revised rules unless a court otherwise orders having regard to the circumstances of the case'.

The law at present is that a claim for personal injuries must be commenced within three years of a cause of action arising or within three years of turning 18 years of age if the injury occurred before 18 years of age. Under the government bill, only those who suffered child sexual abuse in an institution will have the limitation of three years removed, while those who were abused outside of institutions will not be covered. It is hard to rationalise that the suffering by a child abused in an institution is different from that of a child abused by a parent or neighbour. It is difficult to reconcile that the anguish is different or in some way less, or that the long-term consequences are not as devastating.

The question of deeds of settlement is also important. These documents purport to detail a settlement between the claimant and an institution whereby the claimant is paid a sum of money on the condition there is no admission of liability. The deed can be used as a full bar to later legal action. These deeds have been used by institutions as a blocking mechanism on many occasions and have generally been considered as a tool to stymie frank and open debate into institutional child sexual abuse. I note that the LNP members of the committee recommended at pages 5 and 6 that the bill be amended to incorporate these changes, though the government members made no comment.

The ideas and principles behind the government bill are solid, yet by not incorporating into the bill the two issues I have spoken of, it draws back on the ultimate good it would achieve. Two children sexually abused—one in an institution and the other by a close family friend—have a number of things in common: the right to innocence, the right to be a child and the right to security. In both examples these are snatched away from them, often with long-term and very sad consequences.

Childhood is a wonderful time of life—a time of freedom, a time when we learn so many wonderful things and a time when we trust adults and follow them blindly. The goal of the government's bill is to enable them to take legal action not to recover the loss of innocence, for it cannot be; it is to give an avenue not merely to compensation, though no amount of money can rectify the damage, but to provide a platform from which they can attempt to defeat the demons that beset them and move on with their lives. That is a statement easier in the saying than in the acting, yet as a society our obligation is clear: no more secrets, no more clandestine deals and no more use of the law to stop morally legitimate claims.

There are many to point the finger of fault at, and that will become apparent when the royal commission delivers its final report. The role we in this chamber have is, however, equally important. The final report of the commission will deliver a judgement, but our action here today must provide a venue for justice. Justice must be fair and equitable and not siloed.

The other emerging factor is the federal government's national redress scheme, which will provide victims of abuse with up to $150,000 by way of compensation. The proposal, however, is subject to severe criticism and is still in its early formation stage. While the LNP will support the government's bill, it is not sufficient as it produces two classes of survivors, effectively offering rights to some but not to others when both causes of action arise from sexual abuse. The personal injury is the same and the physical and medical consequences are identical. The concept of correcting a wrong cannot and should not be siloed. Yes, the work of the royal commission has thrown up many issues, and rightfully we are looking at the suffering of institutional victims, but is it any different as to who suffered or how and where the suffering occurred when the outcomes are the same?

As I earlier stated, the deeds of settlement were a tool used and it is only right that if the emotional state of a victim was used as a weapon then the veracity of the document should be questioned. Thus the court in the LNP's proposal will have the right to set aside a deed if it is just and reasonable to do so. I support the government bill with the LNP amendments.

Ms HOWARD (Ipswich—ALP) (4.27 pm): I rise to speak in support of the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016. The horror of child sexual abuse is difficult for many to comprehend. No matter who is responsible and how old the person is who suffers the pain, fear and betrayal, the consequences of such abuse are profound and far reaching. For some, these acts are committed in institutions.

Churches, schools, sporting clubs and other institutions have been responsible for perpetrating some of the worst crimes against our children, scarring them for life. These are places that are meant to represent a safe place for children—places where they are supposed to build a second family. They are not designed to destroy lives. To make matters worse, many of the victims have been terrorised into silence by the perpetrator. The perpetrator may have threatened their family, their person or maybe just inspired guilt in the victim beyond anything we can comprehend. Many of us know someone who has been a victim of child sexual abuse, and many have seen firsthand the consequences and the suffering that these victims experience, often many years later. I am proud to be part of a government that has taken the initiative to provide more flexible and considered assistance to those who have suffered at the hands of abusers.

The current limitation period for an action for damages for personal injury is three years from the time the action occurred or three years from when the person turns 18. While this law may be beneficial with regard to a number of cases, I believe that it is a shameful law to have regarding institutional child sexual abuse. As I said, a great fear permeates victims of child sex abuse. For so many it is something they would rather forget—something they would like to treat as happening in the past to a different person at a different time. However, the reality is that this has caused mental and physical heartache to many Australians, as the recent Royal Commission into Institutional Responses to Child Sexual Abuse has shown us.

This means that we need to provide these victims with the time and patience necessary for them to come forward. I am immensely proud of the Palaszczuk government, in particular the Premier and our Attorney-General, for seeing this grievous error and rectifying it. With the passing of this bill, victims of child sexual abuse within an institutional context will have limitation periods removed. Even more importantly, this will apply retrospectively so as to include any past victims of institutional child sexual abuse. While expressly limited to victims of institutional sexual abuse, this will provide people with a voice—something they did not have before. I have been approached by a number of victims in my own electorate, some who suffered in schools and others in sporting institutions. These are men and women who are, in some cases, well into their 50s and 60s—well past the initial time frame for reporting and claiming damages for the horrifying events that occurred to them in their youth. I can now look these people in the eye and tell them that the Palaszczuk government has acted to right this wrong.

Our government is committed to preserving the relevant courts' existing jurisdictions and powers to stay proceedings where it would be unfair to the defendant to proceed. What is more, the Queensland government will amend the Civil Proceedings Act 2011 to introduce a comprehensive regime for the conduct and management of representative proceedings, also known as class actions in Queensland. In Queensland presently there are some representative party provisions. However, these are rather limited in their scope. In some cases they just do not provide an adequate framework for the effective conduct of class actions. The amendment of the Civil Proceedings Act will enact a regime modelled on substantially similar legislative schemes in place in the Federal Court of Australia, Victoria and New South Wales. Overall, this will ensure that in many cases brought against an institution Queenslanders will have the ability to effectively engage as a group.

Today we are also discussing the Limitations of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill introduced by the member for Cairns. While similar in some aspects—and I commend the member for Cairns for his work on this bill—his bill would take measures that would see an unwanted precedence in the case of settlements in Queensland. The member's bill inserts a new section 51 of the limitations to allow a person who has previously settled and entered a settlement agreement after the limitation period had expired but before commencement of the new provisions to bring an action on the same matter. However, if this occurs, the settlement agreement is void.

At present the courts in Queensland have the power to overturn settlement deeds where there are vitiating factors such as mistake, misrepresentation or unconscionable conduct. This gives the court the powers to deal with unjust settlements. Introducing amendments such as these would be setting a precedent in Queensland and would allow the courts to intervene in private settlements—something they currently do not have the power to do. The introduction of these amendments requires appropriate consultation. This has not occurred for these or any of the other provisions that go beyond the recommendations of the report of the royal commission. The committee has therefore recommended that the private member's bill not be passed.

I want to acknowledge all of those people who submitted to that committee and commend them for their bravery in doing so. It is time that victims of institutional sexual abuse are heard and that those who perpetrated it are brought to justice. What we do here today will ensure not just justice for those who suffered in the past but provide a foundation for those who may suffer it in the future. I commend the bill to the House.

Mr KRAUSE (Beaudesert—LNP) (4.32 pm): I rise to touch on a couple of points in relation to the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016 and the private member's bill of a similar name. This bill has come about in response to the Royal Commission into Institutional Responses to Child Sexual Abuse's interim report, the *Redress and civil litigation report*, which provided recommendations on how best to provide effective justice to survivors of child sexual abuse. The royal commission, which has been taking place now for a number of years, has certainly brought out into the open a number of matters of child sexual abuse in institutions which had remained hidden for a number of years—in some cases, decades.

I have never been a victim of child sexual abuse, so I certainly cannot pretend to understand the anger and grief and other feelings that victims go through. However, we can certainly see from some of the evidence that has been given at that royal commission and other statements to that royal commission from witnesses who were victims that the impact on their lives has been overwhelming and monumental and certainly very devastating for themselves and their families. This bill before the House today is certainly one way of providing redress to those people, but it is also to be hoped that the royal commission itself in bringing those matters into the open will set a platform for continued vigilance against child sexual abuse into the future, whether it is in an institutional context or any other context. In particular, today we need to think about the issue of child safety. Where there may be instances of child sexual abuse in the home or other sorts of domestic relationships, we as members in this parliament and the government need to be very vigilant that we have policies in place and an awareness of dangers for children in other contexts as well. Just as we have seen, there were dangers in the past that were not always brought out into the open and were not always acted upon.

The commission in its report in 2015 recommended, among other things—

> State and territory governments should introduce legislation to remove any limitation period that applies to a claim for damages brought by a person ... founded on the personal injury ... from sexual abuse ... in an institutional context ...

As other speakers have noted, that limitation period at this point in time runs from the time one turns 18 years of age until they turn 21, a three-year period. It also recommended—

> State and territory governments should ensure that the limitation period is removed with retrospective effect and regardless of whether or not a claim was subject to a limitation period in the past.

It also recommended—

> State and territory governments should expressly preserve the relevant courts' existing jurisdictions and powers so that any jurisdiction or power to stay proceedings is not affected by the removal of the limitation period.

I commend the member for Mansfield for his advocacy on this issue earlier in this term of parliament before the government decided to introduce the government bill. The implementation of these provisions in the government bill today will enact the recommendations of the royal commission in its report, but it is also important to note that there were other issues that came out in the committee that non-government members thought needed to be addressed. I note that the Attorney-General has

indicated that there is in-principle support from the government for the moving of an amendment that was flagged by non-government members to widen the definition of child sexual abuse in the government bill to provide for victims who were subject to child sexual abuse other than in an institutional context. The evidence was so overwhelming and broadly given in the context that I note that all members of the committee, including the government members, urged the government to act on that. It is pleasing to see that there has been in-principle support and hopefully later on in the debate that provision will be enacted, because obviously instances of child sexual abuse do not just occur in institutions but in other contexts as well.

The other issue that non-government members made a note upon was in relation to allowing prior deeds of settlements to be reopened. Most submissions received by the committee were in favour of allowing prior deeds of settlements to be reopened. I think that the government should give strong consideration to taking on board that approach as well, because for prior deeds of settlement made in the face of a limitation period obviously there could be questions raised about whether those deeds of settlement were entered into fairly or not, but at this point in time we understand that the government will not be taking on board that proposal.

I also want to touch briefly on one aspect of the private member's bill, and that is the reintroduction of jury trials for civil actions for physical injury from child abuse. I suggest that this is a rather outlandish proposal from the member for Cairns in that we have not had juries for civil actions in Queensland for many years—

Mr Walker: Fifteen.

Mr KRAUSE: For 15 years. I take that interjection from the member for Mansfield. I thank him for that information. When we look at other jurisdictions throughout the world that have juries for civil actions, we often see quite the opposite of what our Queensland community is looking for in relation to trials for matters such as we are talking about today. There are often hugely excessive damages claims—in the hundreds of millions, or billions of dollars—given, particularly in jurisdictions in the United States. I think most members would agree that that leads to a litigious society that does not serve the interests of the community as a whole.

We should always support the concept of jury trials in the criminal process and, in my view, having a unanimous verdict in criminal trials. If one is going to be deprived of one's freedom by being sent to prison, the state should be able to prove beyond a reasonable doubt to 12 people—and all 12 people—that you have committed a particular offence. When it comes to civil actions, and particularly civil actions involving what can be very complex areas of law and complex evidence, it is a different matter.

The other provision that I want to speak about is the proposal in the government's bill to make permanent the current arrangements relating to justices of the peace hearing minor civil disputes in QCAT. This was a terrific initiative of the former government and the former attorney-general in particular. As a member who has hundreds of justices of the peace residing in my electorate, of whom many are legally qualified, I can say that JPs, even those who have not taken part in the program to hear these QCAT disputes, really appreciate the fact that they are having their wisdom, their expertise and their standing in the community recognised by this parliament in being given the ability and their authority to hear minor civil disputes. I give top marks to the government for that provision. I also give top marks to the former government and the former attorney-general for implementing this initiative in the first place. I know that it has taken some of the expense out of making minor claims—up to $5,000—and it should be continued.

The government's bill will be supported by the opposition. As I said, I congratulate the member for Mansfield for his advocacy on this matter early in the piece before the government took up the ball as well. It is an important bill that addresses what has happened in the past in an institutional context and other contexts. As parliamentarians, as legislators and as members of the government, we need to always be mindful of what is happening in our society today and protect our children from all types of abuse, particularly child sexual abuse. On that note, I will be supporting the government's bill.

Ms FARMER (Bulimba—ALP) (4.43 pm): I rise to speak in this cognate debate on the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016 and the Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill 2016. I will be supporting the government's bill and not supporting the private member's bill. I acknowledge that this support reflects the recommendations of the Legal Affairs and Community Safety Committee.

The objective of the government's bill is, among other things, to create a more accessible civil litigation system for survivors of child sexual abuse where that abuse has occurred in an institutional context and to enhance access to justice and promote efficiency, transparency and consistency in the administration of justice where a number of people have suffered loss, injury or damage as a result of a multiple wrong. These amendments recognise the program of work and the significant degree of consultation that has been undertaken already by the Royal Commission into Institutional Responses to Child Sexual Abuse and in particular its recommendation that the removal of the statutory limitation period for institutional child sexual abuse should occur as soon as possible.

At the outset, I wish to acknowledge all of those people for whom this legislation is meant. I do not think that I could craft the words that would adequately express my empathy and sympathy for the experiences that all of these people have gone through. I refer to some very eloquent words spoken by then prime minister Kevin Rudd when he made an apology to the forgotten Australians and former child migrants on 16 November 2009. It is quite fitting that we are approaching the seventh anniversary of that really important event. I will not read his whole speech, but he states—

Sorry—for the physical suffering, the emotional starvation and the cold absence of love, of tenderness, of care.

Sorry—for the tragedy, the absolute tragedy, of childhoods lost—childhoods spent instead in austere and authoritarian places, where names were replaced by numbers, spontaneous play by regimented routine, the joy of learning by the repetitive drudgery of menial work.

Sorry—for all these injustices to you, as children, who were placed in our care.

As a nation, we must now reflect on those who did not receive proper care.

We look back with shame that so many of you were left cold, hungry and alone and with nowhere to hide and with nobody, absolutely nobody, to whom to turn.

We look back with shame that many of these little ones who were entrusted to institutions and foster homes instead, were abused physically, humiliated cruelly, violated sexually.

And we look back with shame at how those with power were allowed to abuse those who had none.

And how then, as if this was not injury enough, you were left ill-prepared for life outside—left to fend for yourselves; often unable to read or write; to struggle alone with no friends and no family.

For these failures to offer proper care to the powerless, the voiceless and the most vulnerable, we say sorry.

It is a very proud moment to be standing here today speaking to this bill. I felt enormously proud on the day that the Premier introduced this bill to the House and then many of us met in the Undumbi Room with people who had been victims of sexual abuse when they were children in institutions and others who had been in institutions at the same time and to also meet with many of the people from the organisations who have worked with them for so many years. I will never forget my friend and much loved member of my local community, Brian Laing, who has fought for so long for others to have this issue brought to this point holding my hand when the Premier spoke to everybody in that room with tears in his eyes. He held my hand as if he was never going to let it go. He just could not believe it. To be able to do something today for victims of child sexual abuse in an institution—not making it better; we cannot make it go away and I wish we could—by giving recognition to what has occurred and giving those people a voice is what everyone in this House, I am sure, considers an enormous privilege.

I note from the explanatory notes that there is recognition that the amendments to the Limitation of Actions Act 1974 and the Civil Proceedings Act 2011 breach fundamental legislative principles, but that these breaches are considered justified on the basis that it is appropriate to relax the limitation period for victims of this abuse who typically do not report their abuse for long periods after the limitation period has expired, with victims sworn to secrecy by their perpetrators or suffering in silence out of misplaced shame on the basis that claims for damages that arise from allegations of institutional child sexual abuse should be determined on their merits and on the basis that unfairness to the defendant can be addressed by preserving the right of the court to stay proceedings. This bill will give victims the chance to argue their claim in a time frame that will accommodate the hardships that they are already facing.

I congratulate the parliamentary committee for its work on the report. It must have been a really harrowing experience. Clearly all members of the committee have been touched by the experience. They have done an excellent and respectful job with their report. I would also like to congratulate the Premier and the Attorney-General who continue to cut a swathe through a string of unjust circumstances for Queenslanders and who I know have been so personally passionate about this issue.

I acknowledge the many organisations who help the people at whom this legislation is aimed, organisations such as Micah Projects, PeakCare Queensland, the Australian Lawyers Alliance, Queensland Law Society, Bravehearts—I will not go on, but I acknowledge all of those people who provided submissions and are out there working and doing their best to make sure that these wrongs are righted.

The commitment of this government to this legislation has been reinforced by, at the same time as the bill was introduced, the release of an issues paper and the commencement of a public consultation process on how to respond to the royal commission's civil litigation reform recommendations from the *Redress and civil litigation report*. I think the consultation on that is now closed. That considers whether the removal of limitation periods should be widened to apply to all forms of child abuse rather than only child sexual abuse, whether it should apply more broadly to abuse suffered in institutions and include other settings. I note the Attorney-General's position on the current amendment in this regard and whether the current scope of damages is sufficient and I look forward to hearing the outcomes of that consultation process.

Before I finish I pay tribute to my friend Brian whom I mentioned previously. Brian is a former child migrant who spent years suffering emotional and physical abuse in institutions but who must be one of the kindest and most generous people I could possibly imagine and who has impacted on so many lives in my local community because he is always out there looking out for other people. It is as if his experience has made him a saint.

On another aspect of the bill, I congratulate the Attorney-General for the formalisation of the QCAT JP trial and acknowledge in particular Alan Snow who is a longstanding and dedicated JP who has been part of that trial. He does a great job. I know he is really proud of it and I know how excited he is that this is now going to be a permanent part of QCAT. I commend the bill to the House.

Ms SIMPSON (Maroochydore—LNP) (4.52 pm): There is a principle that what is done in secret will be shouted from the rooftops. As we have seen, crimes buried by time come to light eventually. All crimes are a tragedy, but particularly those against children who depend on adults for their safety, succour and wellbeing. The greater the period of time to see justice reached makes that tragedy a greater burden. Even if the person is no longer a child they still carry the wounds of that horrible abuse into adulthood. I doubt there is one person in this chamber who does not know someone who was subjected to child abuse and knows how this has impacted their lives. Many who have had that experience have shared bravely through their submissions and through their advocacy.

This legislation cannot undo the harm, but it can provide avenues of redress that were previously denied due to the passage of time. This bill promises to remove the civil statutory time limits for personal injury arising from child abuse in institutions. It is a step in the right direction. The government's bill does not deal with abuse outside of institutions. We are saying it should. That is the substance of the amendments put forward by my colleague, the member for Mansfield and shadow Attorney-General, who will seek to move to make it possible to sue for civil redress for non-institutional abuse.

We are also saying that if a person has entered to a deed of settlement outside of the time limit there should be a power to apply to the court, if it was not a just and fair settlement, to have the case reopened. This is not lightly suggested and I note the concerns of the Attorney-General. However, I believe that there are safeguards in that it is not an automatic reopening. It recognises that sometimes these deeds may not have been entered into fairly and that the substance of the issues that are now brought to light would mean that they would be cast in a very different circumstance. For many victims it can take years before they are able to speak—some still cannot speak—about their personal experiences. It was not their fault that they felt shame or that they wore the damaging impact of the original crime that made their suffering and vulnerability even greater. That is why the statute of limitation for civil actions was so unfair. Paedophilia and child abuse in general are some of the most heinous crimes as they are committed against those who are powerless: children in the care of others. Children are not the chattels of adults, subject to an adults' personal whims or wants. Children are precious and deserve the protection of law. They deserve the protection of adults and recognition that their experiences in childhood last well into adulthood.

This legislation is a step in the right direction. I hope that the amendments help in the journey to justice. These changes in law cannot heal all hurts, but they can provide avenues for redress. I acknowledge the bravery of those who have advocated for what we believe are fair and just amendments to legislation.

Dr ROWAN (Moggill—LNP) (4.55 pm): I rise to contribute to the debate on the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016 introduced by the Palaszczuk Labor government and also the debate on the Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill 2016 introduced by the member for Cairns, Mr Rob Pyne MP. Both of these bills remove statutory limitation periods for child sexual abuse that has occurred in institutions. At this point it is important to note the differences between the policy objectives of the government's bill and the bill of the member for Cairns. Since we are dealing with both the government's bill and the bill of the member for Cairns together it is important that we diligently undertake this task.

The government bill looks at achieving its policy objectives by amending the Limitation of Actions Act 1974, the Civil Proceedings Act 2011, the Legal Profession Act 2007 and the Queensland Civil and Administrative Tribunal Act 2009. The objectives of the private member's bill are to reintroduce the right to trial by jury for civil actions for personal injury arising from child abuse, to remove civil statutory time limits and procedural time limits for personal injury actions arising from child abuse and to make a number of amendments regarding stay of proceedings.

The Commission into Institutional Responses to Child Sexual Abuse was a royal commission established in 2013 by the Australian government pursuant to the Royal Commission Act 1902 to inquire into and report upon responses by institutions to instances and allegations of child sexual abuse in Australia. The royal commission reported that because of the nature and impact of the abuse they suffered, many victims of child sexual abuse have not had the opportunity to seek compensation for their injuries. The royal commission further reported that there needed to be clear avenues provided for survivors to obtain effective redress for past abuse and in their own time. Redress is needed because many people, while only children, were injured by being subjected to child sexual abuse in institutions or in connection with such institutions. Sadly, in some cases survivor injuries, both physical and psychological, are both severe and long lasting. In fact, some in our community are affected by these injuries for the rest of their lives. Another very important fact, and one that is not given enough attention, is the finding by the royal commission in its research report which suggested that up to 14 per cent of children with a disability are likely to experience sexual abuse. This is a very disturbing and sobering statistic.

When we speak of redress for survivors, the redress should include a direct personal response, counselling and psychological care and potential financial compensation. I am both pleased and proud that it was the LNP on this side of the House that led the way on this very important issue following the recommendations by the royal commission last year. It was in July 2016 that we, the LNP, announced our policy to empower survivors of child sexual abuse by removing the limitation on civil claims for child sexual abuse. We on this side of the House were delighted to hear that the Labor government followed our example and leadership and introduced such legislation into the House.

When debating both the government and the private member's bill, one of the main elements of disagreement is the respective removal of the limitation periods. The government bill clearly proposes to retrospectively abolish the application of limitation periods that would apply to claims for damages brought by a person where the claim is founded on personal injury of the person resulting from sexual abuse of the person when that person was a child and the sexual abuse occurred in an institutional context.

The private member's bill proposes to retrospectively abolish the application of limitation periods to rights of action relating to personal injury resulting from child abuse. This involves a wider context, covering child abuse that is not restricted to an institutional context, but includes both sexual abuse and serious physical abuse. While both bills do comply with the recommendations of the royal commission's *Redress and civil litigation report*, the private member's bill goes beyond those recommendations by extending the scope of its provisions to non-institutional abuse and all physical child abuse.

On this side of the House, we favour supporting the government's bill as opposed to the private member's bill, but we also believe amendments to the government's bill that extend the removal of the limitation on claims to survivors of non-institutional abuse, give the court the ability to open previous deeds of settlement entered into upon application to do so and ensure that the inherent jurisdiction of the court is maintained in this process are also important considerations. Therefore, I would encourage the government to adopt all of the LNP's proposed recommendations beyond those being extended, to include non-institutional abuse. Finally, it is also important to observe that the committee agreed that the government bill be passed as opposed to the bill of the member for Cairns.

I certainly acknowledge all of the parliamentary committee members for the diligent work that they undertook in dealing with this very difficult public policy area and the legislation that has been brought before the parliament. I conclude by indicating that, whilst we do need to compensate, we also need to ensure that strategies to prevent such abuse and plans to protect vulnerable and at-risk children are a key priority of government. I have met with a number of survivors of childhood sexual abuse and their families in my electorate of Moggill. I have been very distressed to hear the detail of some of their stories. Certainly the failure for their traumatic circumstances to be adequately dealt with by those who should have known better has also shocked me. It is the right thing to comprehensively address childhood sexual abuse in both institutional and non-institutional settings, not only here in Queensland but right across Australia. As a compassionate and caring society, we must nurture our children and provide safety and opportunity so that civility and social cohesion are protected for future generations.

The courage and bravery of many childhood sexual abuse survivors is to be applauded. As a doctor, I have cared for many patients with alcohol and drug disorders, as well as those with mental health conditions, who have been the victims of childhood sexual abuse. As a doctor and as an individual member of the Queensland parliament, I acknowledge the pain, the trauma and the suffering of all victims of childhood sexual abuse. I believe that today we can take significant steps to actually address some of those circumstances and start to make amends for some of the traumatic childhood sexual abuse situations that have occurred in our community over many years.

Hon. SM FENTIMAN (Waterford—ALP) (Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence) (5.03 pm): Today is indeed an historic day for Queensland. In late 2015, the Royal Commission into Institutional Responses to Child Sexual Abuse, established by the Australian government, delivered the *Redress and civil litigation report*. In the report, the royal commission identified that one of the most significant barriers for survivors of childhood sexual abuse in institutions was that they were unable to meet the requisite statutory limitation periods within which to commence an action against an institution. The royal commission considered that state and territory governments should remove any limitation periods that apply to claims for damages brought by a person where that claim is founded on the personal injury of the person resulting from sexual abuse of the person in an institutional context when the person is or was a child. It also considered that the removal apply retrospectively and occur as soon as possible. Today, we continue our process to implement those recommendations.

For far too long, survivors have been unable to access justice simply because time has passed. From the royal commission we know that it takes survivors an average of 22 years to disclose abuse, that is, 22 years. We know that the impact of institutional child sexual abuse lasts a lifetime. In these circumstances, time limits simply do not work. Survivors will now be able to make a claim to seek justice, regardless of the time that has passed.

I have met with many people who will welcome the laws being debated today. Their life experiences have been harrowing. Their stories have moved me and inspired me. I am always overwhelmed by their strength and their resilience in telling their history to me, and by their courage. Every year I join with local survivors of past child abuse during Child Protection Week. Together we reflect on our commitment to never see children treated this way again. I will leave the telling of the remarkable and often painful stories to the survivors themselves. They are not my stories to tell. Indeed, I want to reflect on this year's remembrance ceremony. This year it was a privilege to be joined by our Premier at the Gallery of Modern Art for a sombre and moving day in our state's calendar, but the mood at this year's remembrance ceremony was different because this bill had been introduced in the House. Hope had been restored to many; hope that they had a government that had not forgotten about the unfinished business and the unfinished promises of past apologies.

In August, I attended an event here at Parliament House, alongside many members of the House, the Premier and dozens of survivors of historical abuse and their supporters to mark the introduction of this historic legislation. Some were in tears and some were overjoyed, but common among them was a determination to ensure they have access to seek justice for wrongs done to them. I have heard from survivors of their pain and suffering. I have heard of their fight for justice over many years. This is one way we can begin to right the wrongs of the past.

I commend the survivors for their bravery in sharing their stories and for advocating for justice. These significant changes are a direct result of their courage. This is a first and significant step in our reforms to civil litigation in Queensland. I am looking forward to hearing more about the views of survivors and stakeholders through the consultation process being undertaken by the Attorney-General. Of course, there is more work to do. On Friday the Australian government announced a redress scheme

for Australian government institutions. Like many, I am very eager to hear more about that scheme from the Australian government. I conclude by saying that, on behalf of those brave Queenslanders who have endured so much, I commend this bill to the House.

Mrs GILBERT (Mackay—ALP) (5.07 pm): I rise in support of the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016. Like many Australians, I have seen played out in the media inquiries and investigations into cases of sexual abuse against children in institutional care by members of organisations that should be protecting young ones. It is a terrible history. In recent years, I have been invited to join members of Lotus Place at their remembrance day ceremonies. That has given me an insight into the true and very personal side of abuse. It is far more traumatic when you see the faces of those personal stories. Meeting Lotus Place members and getting to know some of them quite closely over the past two years, I have gained a better understanding of the pain and the damage done to that brave group of adults while children in institutional care. Through no fault of their own, those adults were placed in care as children and some as babies. I have met many adults who had lost both parents or one parent had died and their extended family was unable to look after them. Lotus Place members told me that when they were in care, the carers told them they were unwanted and they were treated harshly. Their carers did whatever they wanted to them with an attitude that no-one would ever care enough to stand up for that vulnerable group of people. Today is our opportunity to stand up for those adults and for all children.

Over the years the Queensland government has led the way in Australia in acknowledging the harm which has been suffered by the forgotten Australians and former child migrants in institutional care. From its early funding in 1997 for victims of crime in church run institutions to the establishment in 1999 of the Forde Commission of Inquiry into the Abuse of Children in Queensland Institutions and subsequent inquiries, to its apologies to those who had been harmed, its redress schemes and memorials, the government has continued to have a strong role. It is time to do more.

When members of Lotus Place in Mackay talk to me about their experiences it is painfully clear that the emotional scars suffered will travel with them throughout their lives. Some adults have married, some have children and some have grandchildren. Others have not been so lucky. They suffer badly from these scars. The adults who from the outside appear to have fairly normal, happy adult lives when speaking of their childhood experiences have psychological pain which is sitting just below the surface. When I attended this year's remembrance celebration and ceremony the members of Lotus Place were relieved that they had been recognised, as the member for Waterford just said.

With the introduction of this bill to parliament they feel as though they finally have a voice. This bill is for adults living as survivors. This bill is a vital step in the recognition that society recognises their suffering and gives them an avenue to justice. This may help with the healing of the terrible damage done to them as children.

With the amendments flagged by the minister, this bill will give adults seeking justice the necessary legal pathways that have up to now been closed to them. I thank the Attorney-General, the member for Cairns, the department and the committee for their work on this bill. The forgotten Australians will not be forgotten in Queensland. I commend the bill to the House.

Mr MOLHOEK (Southport—LNP) (5.11 pm): I am pleased to rise tonight to speak in support of this legislation. I will actually start by reading from the opposition leader's earlier statement on this particular piece of legislation. These are the words of the honourable Tim Nicholls—

> The LNP believes that, by restricting the removal of the statute of limitations to only certain cases of child sexual abuse, there is an effective creation of two classes of survivors. That would be patently unfair. How could we as legislators say to a victim of child sexual abuse that they do not deserve their day in court to seek justice simply because of the circumstances of their abuse? That is why I foreshadow today that through the proper processes of this parliament we will seek to move amendments to the bill that broaden the effect of the government's legislation and extend the range of survivors to whom it will apply. It is not fair to discriminate against people simply because of the circumstances in which they suffered, and we will do what we can to provide a voice for all survivors of child sexual abuse in Queensland.

I am absolutely in support of the legislation. I note that the committee recommended the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016 be passed. My sincere hope is that when we get to consideration in detail the government will be open to some of the proposed changes in terms of extending the limitations to also include those who suffered abuse other than institutional abuse.

Just five years ago when the LNP government first came back into power after many years I was very proud to be part of a government where one of the first actions of the premier at the time, Campbell Newman, was to announce, on the steps of Government House just after he was sworn in as premier, the Carmody inquiry. At that time I was unaware that a few days later I would be appointed the assistant minister for child safety.

In response to that, I then spent Easter reading in detail the report of the Forde inquiry of 1999. I also read through the Queensland Child Protection Commission of Inquiry that was conducted back in 2008. We are all fully aware of the findings and recommendations of the Carmody inquiry. What a gruesome story was played out in those three reports. We saw many accounts of significant abuse, often times at the hands of institutions and often times as a result of government turning a blind eye to what was a very serious problem.

Around that time I asked the library to conduct some research into the history of child protection in Queensland. I was actually quite shocked to learn that it was not until the 1950s that the Queensland government introduced its first child protection act. Very sadly, prior to that previous governments used language like bastard children and children being born outside of wedlock as really not being worthy of anything more than being thrown into an orphanage or institution. Fortunately, we have come an incredibly long way from those days. We now have a much more appropriate view of the value of the child and, dare I say it, the right of every child to have a childhood that is carefree, fun, innocent and full of lots of laughter. Sadly for many Queensland children that is not always the case.

Just a few weeks ago I received an email from a teacher on the Gold Coast. Just in case anyone asks me to table it, which I hope they will not, I have taken out the names to protect all parties concerned. They were talking about a particular child who was in a fairly precarious situation. I am pleased that on that occasion I was able to contact the minister's office and have been subsequently assured that they have taken significant action to intervene on this occasion.

It is a little graphic and shocking. I am only going to read two paragraphs from the email which is quite long. I think this needs to be on the record so that we understand that we are not just talking about some minor offence or some frivolous thing that has happened to some poor child, but talking, in many cases, about quite significant harm. I will jump in at paragraph 3. It reads—

> This child has cried so often and expressed his desire to die daily because he feels unloved, trapped, abused, hated and not wanted by anyone. He says he is useless and helpless and dumb, and that this is what his so-called carers tell him every day. They call him a black dog and a poofter. They video him naked and show the videos to their friends in front of him. He says he can't escape because there's nowhere to go. He says they tell him if he talks to anyone he will be taken by DOCS and sent somewhere worse.
>
> This child often expressed his enjoyment of school and his friendships with his peers and his teachers. He would express that he loved school, but that his dad didn't like him coming. He said, 'They hurt me all the time,' and they would do it together. He was afraid to wake dad in the mornings because dad and mum stayed up all night and slept all day. This child would say they were sick all the time and that they would go out for their medicine, which I believe were drugs.

I can assure members that they probably do not want to hear the rest of the email because some of the other allegations are quite horrific.

Victims of abuse do not just come out of institutions. The statistics in Australia are that of all the abuse that occurs about eight per cent of it occurs in institutions. Sadly, about 30 per cent actually occurs within the family home. A further 30 per cent of it occurs with neighbours, family friends and relatives. Sadly, the other third, in rough figures, occurs in places where kids should feel safe like sporting clubs, scout groups, schools, neighbourhoods and other places within the community.

I wholeheartedly concur with Karyn Walsh who appeared at the public committee hearing that we conducted. I had the privilege of sitting in for a day for one of my colleagues. Karyn Walsh made the point that all victims deserve to be heard. If you have ever had the privilege—and I have heard members talk about it—of visiting some of the facilities where Karyn Walsh and her team provide support to past victims, you will all agree that they do amazing work through Micah Projects. At the facility that they have in South Brisbane at Common Ground, there are many people there who have not just come from disadvantaged backgrounds with disability but who are trying to piece their lives back together. I am so pleased that there are people like Karyn in the community who are standing up for our kids.

There are so many other things I would love to say about this. Just today I received an email from someone in New Zealand—an Aussie citizen who has moved there—who has heard about the fact that we are debating this today. They wanted to have their moment to be heard. I can assure them that I have certainly heard their comments and I will certainly be passing them on to the appropriate person. There are so many people who are seeking to be cared for and to be heard.

One of the reasons I joined the board of Bravehearts was that some 12 years ago now I had a little old lady come to see me at my mobile office one Monday morning. She came in and said, 'I know you are the local councillor. You probably can't help, but I have been to everybody. Nobody seems to want to listen. My three granddaughters were sexually abused at a local club and I don't know who else to talk to.' Shortly after that I contacted Hetty Johnston from Bravehearts. She came out and met with the family. She worked with the police and the family. It turned out that there were 11 girls who had been sexually abused by this particular coach. She was brought to justice and charged through the court system.

Just a few weeks later Hetty Johnston rang me and said, 'Now that you understand what we do, perhaps you may like to join us on the board.' It has been my great privilege to be with Bravehearts for some 12 years now. I know that all of us involved in Bravehearts applaud this legislation. We absolutely believe it is important that every victim is heard. My sincere wish is that the government will support the proposed amendments when we bring them into the House later this evening.

Mr WILLIAMS (Pumicestone—ALP) (5.21 pm): I rise in support of the government's bill, Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill, and the Limitation of Action and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill introduced by the member for Cairns. I concur with the committee that the government's bill should be passed. I recognise the input of the member for Cairns. I thank those opposite for their bipartisan approach, effectively reducing the impact that this will have on victims' further suffering, noting that those opposite did not introduce this bill but it is for the benefit of all Queenslanders.

The government's bill seeks to achieve its policy objectives through amending a number of significant acts—the Limitation of Actions Act 1974, the Civil Proceedings Act 2011, the Legal Profession Act 2007 and the Queensland Civil and Administrative Tribunal Act. I will let others speak to the legalities. We have heard many speak of those today. I will speak for some of the victims.

In 2012 I met 11 I will refer to them as courageous men at Banksia Beach near my home. They have all been victims of BoysTown. I met with them on several occasions, encouraging them to come forward and tell their stories of the sexual and physical abuse they had suffered as children. It was hard going getting them to trust me as a total stranger. I did have the help of my neighbour at the time Terry McDaniel, himself a victim, and I thank him for his assistance in bringing this matter to the fore.

I heard stories of a leather belt—two strips of leather with coins sewn in—that they were regularly beaten with and an electric cattle prod that was used on them as punishment. It goes on and on. I thank the Premier for introducing this historic bill. I thank the Attorney-General for her work with respect to this bill. I wish to make special mention of Minister Shannon Fentiman. On 24 May this year I met with some of the victims and the minister. We had a 30-minute interview timeslot; that became an hour. This minister gave them more than just lip-service. They all owe her a debt of gratitude.

I have heard more horrible stories. There is so much more that will never be told such is the embarrassment. The statute of limitations warrants change as these victims are now finally given good advice about their rights. Many did not understand the law or their rights, let alone be able to read a document and know what they were signing.

This bill makes provision for the court to overturn a settlement on the basis of misrepresentation, unconscionable conduct, mistake and even claims of binding settlement documents not being duly executed. Many of these men and women received a payment under the Forde inquiry redress scheme. With $100 million and 7,453 claimants, most of them received $7,000 plus depending on the severity of their claim. The total amount available if that money had been distributed equally was $13,400 per claimant. Sadly, that does not even meet the mark. Many of these victims were never even contacted under the Forde scheme as they were in jail at the time.

Of the children who were at BoysTown, 32 committed suicide between 1982 and 1989. Over 90 per cent of those young men continued in incarceration without any assistance. Once again, it is left to the Palaszczuk Labor government to have the ability and the intestinal fortitude to fix this problem. The LNP Newman 'and those who shall remain nameless' government had a chance to get on and fix this but they did not. All they wanted to do was dupe victims out of claiming against the government, remembering that many of these victims were wards of the state. Again, I state that the Palaszczuk Labor government is leading the way and is actually fixing this problem. Lifting the statute of limitations of three years, having the ability to mount class actions and making the legislation retrospective are sensible changes.

Mr Bleijie interjected.

Mr DEPUTY SPEAKER (Mr Millar): Member for Pumicestone, sit down please. Pause the clock. Member for Kawana, will you withdraw that comment please?

Mr BLEIJIE: I withdraw.

Mr WILLIAMS: We welcome the national redress scheme. Sadly, it only carries $150,000 per claimant. That is a poor trade-off for a person's whole life. Let us hope they now go ahead and fund it and it is not just another hollow promise. I commend the government's bill to the House.

Mr STEWART (Townsville—ALP) (5.28 pm): I rise today in support of the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill before the House today. Firstly, I would like to thank the parliamentary committee for their work in the inquiry and, in particular, I would like to acknowledge and thank all of those submitters who either wrote to the committee and/or appeared during the hearings. I am sure that this was not an easy thing to do. I, too, would also like to acknowledge the Premier and the position taken by the government when during her opening remarks the Premier said—

> We have prioritised this reform to recognise that there is no time limit on suffering and to ensure that survivors have the time they may need to come forward to talk about their abuse. This will give them the opportunity to argue their claim in a time frame that will accommodate the hardships they are already facing. The changes we are making will remove one of the barriers to justice that many victims have felt has let them down.

This legislation that we have heard this afternoon will amend the Limitation of Actions Act to retrospectively abolish the application of limitation periods that would apply to claims for damages brought by a person where that claim is founded on the personal injury of the person resulting from sexual abuse of the person when the person was a child and the sexual abuse occurred in an institution.

We have heard the member for Currumbin say that there are members in this House today who may know of persons who were abused in institutions in our state, and I think that is certainly true. I, too, have had a very dear friend, who helped me on my election campaign, divulge to me that as a young Aboriginal girl she was taken from her family and was one of the stolen generation. In the institution that she was placed she was abused for many, many years. As a strong Aboriginal girl, she would fight back and in her words that only made it worse. She was not prepared to give in. She was prepared to fight against the system even if it meant constant punishment and abuse. After finishing her formal schooling, Aunty Victoria went on to study nursing and had an extensive nursing career over many decades. In her later years she returned to study and achieved her PhD—a well-educated woman and a well-respected woman in the Aboriginal community and in the wider Townsville community. While I acknowledge the journey of Aunty Victoria, I would like to dedicate today's speech to a man who indirectly influenced much of today's debate.

In the early 1990s Bruce Grundy was a journalist and editor for a small independent newspaper in Queensland. He single-handedly broke the story to the nation of the decades of abuse at St Joseph's orphanage at Neerkol in Rockhampton. I am proud to say that Bruce Grundy, professor of journalism at the University of Queensland, now retired, is my uncle. I can remember the countless weeks, months and even years when his research into the events at Neerkol would uncover some of the most horrific stories of child sex abuse and abuse of young children that would make most people cringe. Some 20 years later, the stories of Nazareth House, Silky Oaks and Neerkol have now come to light after decades of suppression by the keepers of those stories, those who were abused and tortured by those who were trusted to look after our children: the nuns and priests of St Joseph's Neerkol orphanage. However, speaking out about those atrocities comes at a price. The long-term pain and mental anguish that these people have harboured often comes bubbling to the surface when they relive those horrific events of their past. It does not stop there; threats upon their lives for revealing the truths about their ordeals were not uncommon.

In April 2015 at a public hearing in Rockhampton, the Royal Commission into Institutional Responses to Child Sexual Abuse heard from former residents of the Neerkol orphanage. One of those giving evidence was David Owen, then aged 76. He said he became a resident of the orphanage at five months of age. He told the commission he was an altar boy for a priest who sodomised him for years. Mr Owen said that on one occasion he was held over the side of a bridge by the priest and told that he would drop him into the fires of hell if he did not do what was required of him. He recalled a nun taking him to see the priest and claimed that the nun knew he would be sexually abused. Mr Owen told the hearing that if he refused to see the priest the nun would then beat him. Mr Owen said he reported the abuse to the police in the 1990s and received death threats by an anonymous caller shortly afterwards. He says, 'I also received a bullet in my mailbox. It may have been the same day that I received the call.'

At the commission hearing a witness known as AYA said she was sexually assaulted by one of the priests. She said—

... on my 12th birthday, I was sexually abused by—

another priest—

at Neerkol.

She said the priest—

would often ask the girls to visit him. He would entice you to his ... room with a display of food that we didn't have such as chicken.

As a young teacher in the 1990s I would listen to my uncle tell story after story of the barbaric treatment that the nuns and priests would inflict upon the innocent children in these institutions. My uncle would also tell me that instances such as these were not confined to Neerkol but were also occurring in other institutions such as Nazareth House, Silky Oaks and John Oxley. I am sure that if it were not for the work of my uncle during those early days of the 1990s when he was the editor at the independent newspaper and broke the story of Neerkol not only to Queenslanders but also to the world, perhaps this legislation would not be debated tonight. I thank him for the work over many decades. In doing so, I commend the government's bill to the House.

Mr NICHOLLS (Clayfield—LNP) (Leader of the Opposition) (5.34 pm): Let no-one underestimate the importance of this bill for this parliament not just for this year and not just for the 55th Parliament, but over the history of this place and what this bill will mean to so many people. This is legislation that puts the focus of this debate sharply on the survivor and it is long overdue. When the bill we are debating here today was first introduced into the parliament there was a reception held in the Undumbi Room in the Annexe in honour of the occasion. Those in attendance were regular, everyday Queenslanders. They could be our neighbour. They could be the person sitting opposite us on the bus. They could be the person standing in front of us at the coffee shop. We would not recognise them if we passed them in the street, but they all have one thing in common: they are all people who have had the terrible misfortune of being in the wrong place at the wrong time to have trusted the wrong person and they have suffered immeasurably for that terrible misfortune. Today we come together as a parliament to recognise them as long overdue in deserving of our attention, our compassion and of this legislation.

This bill is about standing with those survivors in their corner and fighting for them when so often in the past they may have felt that everything was stacked against them, that they were fighting against the system. This bill is about fighting for their ability to seek justice in their own time and recognising that they deserve to do so because of the emotional and often physical trauma they have suffered from child sexual abuse. They have all suffered in different ways, from different circumstances and often at the hands of people who were supposed to be the most trusted in their life, expected to be there to guide them through what can be an emotional time in anyone's life, particularly for those people who are teenagers.

As a father of three teenage children myself—two boys and a girl—I certainly appreciate the changes, both physical and emotional, that they are going through in their lives and the trust that they have for those who are often the closest to them. These are important relationships at what are important and transformative times in young people's lives. I cannot imagine what it must be like for those who have suffered in the past, but we owe it to them to allow them to seek justice in their own time. As the royal commission has acknowledged, there have been some horrible past societal injustices carried out against young Queenslanders. The changes we are debating here today will hopefully go some way towards restoring their faith in a system that was supposed to protect them but failed to do so.

I do not want to spend too much time dwelling on the past today because, as bad as that past is and as important as it is that we acknowledge it, this is about the future, learning from the past, helping those who are most in need and trying to get the system right. When I walked around the Undumbi Room that day and met many of the survivors of childhood sexual abuse it was hard not to get emotional because we could see how emotional the news of these impending changes was for them. For many it will be as painful as it is welcome because it will drag up old memories. At least now those survivors will have the ability to seek justice for the past abuses in their own time and to try to right the wrongs of what has happened to them. This is about empowering those survivors and breaking down the legal barriers to the justice that they are entitled to.

It ought to be a proud day—and it is a proud day—for this parliament. I am proud of my LNP colleagues for taking part in this debate and of the shadow Attorney-General for his contribution to it. That pride is not for any sense of political triumphalism—indeed it ought not be. However, it is pride because we came together as a party; this parliament has come together as a group of men and women who saw a gap in the legislation of the state and a group of vulnerable Queenslanders who needed our help.

There are still a couple of holes in the government's legislation, and I note the speech by the Attorney-General today. We are seeking to amend this bill because we do believe that it can be made better. At the heart of our amendments is fairness. Firstly, we think it is vital that we overcome the unfairness of a situation which effectively creates two schemes to help child sexual abuse survivors depending on where your abuse occurred. The second issue deals with previous deeds of settlement and giving the courts the ability to reopen claims that may be seen to have been unfairly settled at the time because of the time period limitation and the fact that the survivor had no bargaining power. We are moving these amendments because we think it is the right thing to do. This has been our position from day one and we have not varied from it. We said it when we announced our policy on 24 July, and we reconfirmed it when we responded to the introduction of this bill on 16 August.

I want to acknowledge the efforts of our shadow Attorney-General and member for Mansfield, Ian Walker, for his voice in the LNP and his leadership in this community over many years. I also want to acknowledge the member for Cairns for his compassion and contribution to the debate, and we thank him for his efforts in that regard. I want to acknowledge the role the Premier played in bringing this legislation forward. As I say, this is a day for which all in this parliament can take some credit.

Most importantly, I think it is important that we thank those survivors who had the quiet courage to come forward, to explain their circumstances, to dig up past painful memories and to tell us what it is they need and what it is they want to see happen. From day one this has been all about putting the survivors first and doing what we can to make the system what it should be. I would encourage all members to give our amendments the consideration they deserve. We move these amendments in the right spirit and with the steadfast determination and focus on doing what is right for the survivors of horrendous past sexual abuse. Today is a historic day for the parliament, and we owe it to those who are relying on us to make these changes, to get it right, and to make the system the best it can be.

We cannot erase or change the past, but we can change the future. We can support our survivors and ensure that we give them every chance to have their day and seek justice in their own way.

Mr STEVENS (Mermaid Beach—LNP) (5.42 pm): I rise to add my voice to those in our Queensland community who support this multipart bill and condemn sexual predators within our society. This bill sends a clear message for the future. It is a very great day in this House because, even though there are different points of view on matters concerning the legislation which I hope will be passed tonight, it is a wonderful evening for Queenslanders to know that their legislators have taken a very serious, fair and just view of the horrible practice which has occurred in the past—and may occur in the future—and give rights to those who have been affected by child sexual abuse. From the government with their bill—particularly the Leader of the Opposition, who highlighted this matter to the parliament in the early stages of his leadership—to the honourable member for Cairns and the bill that he has put before the House which contains views that he strongly supports, we have all contributed to make a better life for the people who have been affected by this terrible abuse in Queensland.

In July this year the LNP announced their initial policy to empower survivors of child sexual abuse by removing the limitation on civil claims for child sexual abuse. In August it was encouraging that the Palaszczuk Labor government announced a bill which follows those principles. The government's bill, the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016, is a positive step for the Queensland parliament to redress these terrible actions with modifications to the Limitation of Actions Act 1974 and Personal Injuries Proceedings Act 2002, acknowledging the incredible difficulty that many feel in coming forward and the long-lasting effects they have felt when sexual abuse occurred in an institutionalised context when they were children. While the above is certainly an improvement and acknowledgment of the failings of the current legislation's inability to meet the victims' needs while delivering justice, it is disappointing in its creation of categories of survivors of these horrendous actions.

The survivors of this abuse, no matter the context in which it occurred, deserve the opportunity to seek justice in their own time and when they are ready and capable of facing the perpetrators of these actions without unreasonable fear or pressure of a time line that only applies to some. The bill in

its current form defines an institution as 'an entity ... that provides or provided activities, facilities, programs or services of any kind that gives or gave an opportunity for a person to have contact with a child'.

Amendments to this bill which extend the removal of limitations on claims for survivors of non-institutional abuse would ensure that there are not categories of survivors. Clear evidence has now been discovered by the Queensland Child Protection Commission of Inquiry and the Royal Commission into Institutional Responses to Child Sexual Abuse which show that in many cases undiagnosed psychological damage and trauma is not recognised until well into adulthood. Queenslanders do not need a system that discriminates against people depending on where their abuse occurred, and the removal of these time frames will allow for claims to be determined on their merit.

Further, it could be assumed that the pressure and speed required to deal with these claims may have resulted in deeds of settlement being entered into to appease statutory limitations. I am sure that any small amount proffered at those particular times would have been gratefully received, and in my view there was certainly an unfair bargaining power wielded by these massive institutions against individuals. Basically it was, 'Sign this confidentiality agreement here or forever go to hell.' The Palaszczuk Labor bill does not adequately acknowledge or provide for this, and the amendment to the bill moved by our shadow Attorney-General would provide an opportunity for these claims to be revisited, voiding these agreements, but remaining subject to the court's inherent, implied or statutory jurisdiction. This would be a further positive for Queenslanders seeking appropriate justice.

This bill addresses shortcomings in our legislation, which does not adequately care for victims. Supporting the ideals of this bill is a positive move for them and all members of the Queensland community. Other matters within this bill further enhance our legal system in the situation where a number of people have suffered a loss, injury or damage as a result of multiple wrongs through enhancing access to justice and promoting efficiency, transparency and consistency in administration.

Representative actions, commonly called class actions, are provided with limited legislation as the Uniform Civil Procedure Rules 1999 provide an inadequate framework. The new statutory regime provided in the bill will give a clear and comprehensive set of procedures not only for the conduct and management of these representative proceedings but it would also provide for matters including threshold requirements, standing, settlement, discontinuance of proceedings and costs, among other things. The bill will also provide for modifications to the Queensland Civil and Administrative Act 2009—QCAT—ensuring the ongoing efforts of our justices of the peace and perpetuating their involvement to reduce the QCAT case load. JPs are a wonderful asset to our community, and the role they fill is of great value in assisting to reduce the workload of our legal system. Therefore, this bill will facilitate the management of minor civil disputes on matters up to the value of $5,000 including residential tenancy disputes, fence disputes, minor debts and consumer and trade disputes and will be an important component of reducing the workload of QCAT by shortening waiting times.

The changes included in this bill support and reduce the QCAT case load while allowing for proper consideration of minor civil dispute matters, decreasing the wait time on not only these disputes but also all matters presided over by QCAT. Without these changes, JPs would be impeded in assisting in minor civil disputes. I can assure the House that JPs really enjoy the recognition given to them by the capacities given by the former government to participate in QCAT proceedings. I certainly support this bill.

Hon. MC BAILEY (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (5.50 pm): I rise to speak in support of the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016. I acknowledge that it proposes the removal of the statute of limitations for child sexual abuse that occurred in an institution and that consideration will be given to extending the scope.

I will make a number of observations about the lineage of this bill being brought to this place. In no way do I make these comments in a partisan way, but I think it is difficult to speak on this bill without acknowledging the fact that it came from the royal commission initially established at the federal level by then prime minister Gillard, who is a controversial figure. I think this is one of her greatest achievements as prime minister.

I remember very clearly the public polling that was conducted in the lead-up to the establishment of the royal commission. I have never seen a poll in which 95 per cent of Australians supported anything. In this case they supported the royal commission. I think it shows the depth of feeling and

how much the issue personally touched so many Australians that the support for the royal commission was very strong. The view was that it was very much overdue. What we are dealing with here today is a follow-on from that, as the third state after New South Wales and Victoria.

I wholeheartedly support this bill. I agree with previous speakers: this is a momentous day. This is a day on which we support survivors in every way we possibly can in terms of their process of healing from what has been an extraordinarily difficult circumstance, often at the very beginnings of their lives. We cannot change what has been done in the past, but we as a society can put out very clear signals about supporting those people who need justice. Removing the statute of limitations is absolutely necessary. In fact, it is amazing that the law was so antiquated and so restrictive for so long. To the extent that there is bipartisan support for those kinds of moves here today, I think it is a credit to this parliament.

I think this represents a generational shift in values for us as a community. The ability of people to use the curtain to abuse the power that comes with incredible positions of trust—minors have been given over to be cared for and that trust has been abused in such a basic and terrible way—will be curtailed. There is no guarantee that it will not happen again, of course, but us understanding how systematic it was and how often it happened—and for that to be commonly known—is a really important part of the empowerment of our community. We need to know how to limit the ability of those who would be perpetrators. We need to give people who might become victims the knowledge that there are allies, that there is support in the justice system and that there are people they can go to to prevent this sort of thing from happening and to expose those people whose deficiencies as perpetrators are quite fundamental.

We need to go through a process in relation to the scar on the nation's soul that is systematic sexual abuse of minors to make sure that it does not happen again and that processes are in place to prevent the abuse of power at such a basic level. As an adult in my 40s, I am proud that in this era we are addressing this issue. It has been common knowledge in the general community that institutional abuse was not uncommon. Finally a royal commission has done the work to deal with the issue, and it continues to work. There is such a huge body of work to get through. I place on record my appreciation of all those people working on the royal commission who have to deal with incredibly difficult material every day on behalf of the nation. That work is absolutely critical. It will flow on to a better community, a more compassionate community and a more aware community—making sure that checks and balances are applied to people in positions of power to ensure the kind of systematic abuse that has happened over many generations in Australia's history is prevented. Let us be very clear: it has been going on for a long time, often by people who have professed to be the most pious in order to cover up the abuse.

I think this is a very important piece of legislation. The signals it sends out and the support it provides for survivors are very important. I am proud of this parliament for passing this legislation. I know that there are some varying points of view, but I think this is a momentous time for this chamber and for this state. I thank speakers from all sides of the chamber for their sincere contributions and the seriousness with which people have treated the topic. I am sure that people on all sides of the chamber have a variety of indirect and direct experiences in terms of this issue that have touched them. I support this bill wholeheartedly. I thank previous speakers and I commend the bill to the House.

Hon. G GRACE (Brisbane Central—ALP) (Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs) (5.57 pm): I rise to speak in support of the government bill. Like most Australians, I was shocked by the revelations from the Royal Commission into Institutional Responses to Child Sexual Abuse. The resulting report, tabled in federal parliament in September 2015, outlined sickening acts of sexual abuse perpetrated against vulnerable children across Australia, including here in Queensland.

Supporting the victims of this abuse should always be paramount, as should providing them with access to civil remedies including compensation. That is what this bill seeks to achieve. We have all seen on our TV screens the harrowing accounts from those who suffered terrible abuse by those who had the responsibility to protect them. Recently the opposition leader, the member for Clayfield, and I attended a very moving function in the Undumbi Room. One of my constituents—I did not know that he was going to attend—was in attendance with his sister. Both had a very difficult upbringing. She was in tears most of the day. Her abuse was pretty horrid, just from the scant details she gave me. Her brother, a really fine man who lives in Brisbane Central, was there to support her. They were very appreciative that, finally, the parliament was doing something about the statute of limitations. Often when people

were young, were not believed and did not know what to do, the statute of limitations got to them and they were not able to pursue their claim. This bill remedies that. It is an absolute honour to be here, to speak and to vote in favour of this bill.

Debate, on motion of Ms Grace, adjourned.

COMMITTEE OF THE LEGISLATIVE ASSEMBLY

Portfolio Committees, Reporting Dates

Hon. SJ HINCHLIFFE (Sandgate—ALP) (Leader of the House) (5.59 pm): I seek to advise the House of determinations made by the Committee of the Legislative Assembly at its meeting today. The committee has resolved pursuant to standing order 136 that the Infrastructure, Planning and Natural Resources Committee report on the Strong and Sustainable Resource Communities Bill 2016 by 9 February 2017 and that the Transportation and Utilities Committee report on the Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016 by 2 February 2017.

SPEAKER'S STATEMENT

Conduct in the Chamber

Mr SPEAKER: Honourable members, standing order 244, which provides for 'Conduct in the chamber', states at paragraph (7) that 'a member shall only refer to another member by their parliamentary title or electoral district'. I note that it has become a trend in the Assembly for members to refer to other members not by their official title or electorate but by reference to characters from television programs or advertising. This practice is to cease forthwith. Any member making such references will be deemed to be acting disorderly in contravention of standing order 244. Furthermore, when reference is to be made to a government, it is permissible to refer to the Premier of the day's government or the party in government—for example, the Palaszczuk government or the ALP government or the Newman government or the LNP government. Unless it is a coalition government, there should not be names added. In this respect, I refer to previous rulings on 19 May 2015 and 18 August 2016.

MOTION

Racial Discrimination Act

Mr WALKER (Mansfield—LNP) (6.01 pm): I move—

That this House calls on all Queensland members of the House of Representatives and Senate to:

1. acknowledge the stress and anxiety suffered by three QUT students subject to claims under section 18C of the Racial Discrimination Act;

2. recognise both the need to protect free speech as well as protect against hate speech; and

3. support reforms to section 18C of the Racial Discrimination Act.

It is clear from the recent debacle known as the 'QUT case' that section 18C of the Commonwealth Racial Discrimination Act is broken and it needs to be reformed to both protect free speech and protect against hate speech in this country. Tonight we call on members of the House to come together to call on Queensland members of the House of Representatives and the Senate to listen to the voice of Queenslanders on this issue. We sit here less than 100 metres from the entry to the Queensland University of Technology and the case in point at the moment involved three QUT students—Alex Wood, Calum Thwaites and Jackson Powell—who were asked to leave a computer lab at QUT in 2013 because they were not Indigenous. Comments were then placed on the QUT Facebook page about the incident to which one student objected. A complaint was made to the Australian Human Rights Commission against QUT and the three students. Conciliation failed between the parties and action was lodged against QUT and the three students in the Federal Circuit Court. The complainant was claiming a settlement of just under $250,000 and the case against all three students was dismissed last Friday.

The controversial section 18C makes it unlawful to 'offend, insult, humiliate or intimidate' on the basis of race. The main problem with the current 18C is the low bar set by the words 'offend' and 'insult'. Even the President of the Human Rights Commission, Gillian Triggs, has backed a proposed change to section 18C. Professor Triggs has said removing 'offend' and 'insult' and inserting 'vilify' would be a strengthening. She said—

It could be a very useful thing to do ...

That is what she said on ABC Radio. She continued—

We believe that the two provisions {18C and 18D} underpin both a balance of freedom of speech on the one hand and the reporting that is in good faith, that is reasonably good faith and in the public interest.

She said the Human Rights Commission was—

... open to seeing what the inquiry might suggest. Whether the language could be clarified and in our view strengthened that enables us to support the multicultural society that we are.

According to eminent legal minds like former New South Wales chief justice James Spigelman, criticism of the existing law has been that 'protecting people's feelings against offence is not an appropriate objective for the law', and the LNP could not agree more. Section 18C of the Racial Discrimination Act in its current form has failed to prohibit or stop racial vilification. We need to reform 18C so that it is not hijacked by the minority extreme left in Australia. Sensible law reform to 18C of the Racial Discrimination Act is an important step towards protecting free speech in Australia and protecting Queenslanders before we have more Alexs, Calums and Jacksons prosecuted by the thought police under a law that is not fit for the purpose. As a society we need to balance the protection of people from vilification and hate with the right to free speech. The process needs to be changed. In many respects, the process endured by Alex, Calum and Jackson has been an incredible punishment in itself, not to mention the significant cost, stress and the disruption to their lives. I remind the House that this dispute first arose in May 2013 and it has taken 3½ years to be resolved. That is simply not good enough.

As a multicultural society, it is important that we get this right. The QUT case has shown that the current system is completely farcical and if 18C is not amended then there are broader consequences for our society. As with any circumstances where there are strong competing interests, it is about getting the balance right. It is not about making racism easier, as the Greens have been scaremongering; it is about getting back to common sense and, as I said, getting the balance right. We need to protect free speech at the same time as ensuring that any hate speech is not tolerated.

As the Australian Human Rights Commission notes, Australia has obligations to implement protections against racial hatred under the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. Sections 18C and 18D were introduced in response to recommendations of major inquiries, including the National Inquiry into Racist Violence and the Royal Commission into Aboriginal Deaths in Custody. These inquiries found that racial hatred and vilification can cause emotional and psychological harm to their targets and reinforce other forms of discrimination and exclusion. They found that seemingly low-level behaviour can soften the environment for more severe acts of harassment, intimidation or violence by impliedly condoning such acts. The point remains that the provision as present is broader than is required under international law to protect and to prohibit the advocacy of racial hatred. It seems that everyone except the Greens is in agreement on the need to review 18C. In the light of the QUT decision and the ALRC report earlier this year, it is time to look at this properly so that we get the balance right and ensure Australia remains a fair and tolerant nation.

(Time expired)

Hon. G GRACE (Brisbane Central—ALP) (Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs) (6.06 pm): I rise to oppose the motion. Tonight's motion moved by those opposite demonstrates the stark contrast in attitudes and priorities between Labor and the LNP members of this House and federally. I join Bill Shorten, who asked: how many jobs will be created by amending section 18C of the Racial Discrimination Act? Absolutely none, and there are the priorities in this House. This side of the House is interested in jobs and a Queensland that is harmonious and working together. The other side of the House wants to water down race hate laws. That is the stark contrast we have here tonight. To put it simply, I do not believe there should be a right to be a bigot, full of hatred and intolerance, and strongly oppose any changes to that effect. If we are going to be quoting Commissioner Triggs, I quote her when she said that no civilised society should allow abusive statements to be made in public about a person's race.

This disgraceful motion speaks volumes about the priorities of those opposite. The member for Mansfield gets to push something those opposite seem disturbingly passionate about—that is, defending, to quote federal Attorney-General George Brandis, 'the right to be a bigot'. That is a strange issue to be passionate about. In fact, there are not too many LNP members I agree with, but I do agree with John Alexander who was the Liberal member for John Howard's former seat of Bennelong. This morning he said—

If you did a ranking of the top 10—

issues, that is—

and I'm used to rankings and top 10s, it wouldn't be in the top 100 ...

Let me tell members: on this side of the House it ranks absolutely zero, because watering down race hate laws is not something that this House will ever support. Let us not forget the fact that in 2014 Tony Abbott had to run away from his changes in relation to legalising bigotry because of the widespread opposition he received. His government learned the lesson and paid the price of alienating a great many of Australia's multicultural communities. The unhinged far right of the LNP will not be deterred. Now, they have Malcolm Turnbull in charge—a man who sold his soul to the far right to be Prime Minister. The far right is ready to give it another go not only in this House but also federally.

This motion demonstrates that the opposition is again taking its marching orders from the extreme right wing fringe that holds its party to hostage. Perhaps this is another attempt by the opposition to woo One Nation. We have seen the member for Buderim trying to woo One Nation. Maybe this is the opposition making another plug, because the Leader of the Opposition has not ruled out a preference deal with One Nation. Perhaps the idea for this motion came from those who want to do that preference deal.

As the multicultural minister, I know full well how much stress and anxiety the debate about watering down the racial discrimination laws causes in our multicultural communities. Now is not the time to be talking about this issue. This is an irresponsible and divisive motion and it comes at a time—

Mr Boothman interjected.

Madam DEPUTY SPEAKER (Ms Farmer): Order! Member for Albert, you are a persistent interjector. I ask you to cease interjecting.

Ms GRACE: This is an irresponsible and divisive motion that comes at a time when our multicultural community needs to know that their elected leaders are unified with them against hatred, intolerance and violence. Australia's racial discrimination laws do not need watering down. The fact that the case regarding the QUT students was thrown out of the courts as frivolous proves that the system works. It is not broken. Those opposite claim that the Racial Discrimination Act curtails freedom of speech. I have a question for them: what is it that they want to say? They have parliamentary privilege in this House. What is it that they want to say that section 18C stops them from saying? The members opposite should come clean. They have parliamentary privilege. Two other opposite members will speak to this motion. The opposition members should put it on the record. What is it that they want to say that section 18C prevents them from doing so? I say to those opposite that we will not support this motion. We want a harmonious Queensland. We want a multicultural community that is proud to be part of Queensland.

(Time expired)

Mr KRAUSE (Beaudesert—LNP) (6.12 pm): I speak in support of the motion moved by the member for Mansfield. We live in a free country—a freedom paid for, in the words of a great statesman, in the 'blood, toil, tears and sweat' of our soldiers, sailors and airmen of generations past and present. We should cherish that freedom and not self-immolate our society with restrictive, freedom-suppressing laws that are unjustified by public interest or public safety tests. As it stands, section 18C is unacceptably restrictive on free speech and it must change.

We need to see sensible reform to section 18C—an important step towards protecting free speech—and a balanced approach to the protection of people from vilification and hate with the right to free speech. The main problem with section 18C is the low bar set by the words 'offend' and 'insult'. Justifiable criticism of the existing law has been that protecting people's feelings against offence is not an appropriate objective for the law. This is not just conservative commentators saying this; it is none other than Justice James Spigelman, the former chief justice of the Supreme Court of New South Wales and, some would say, a Labor luminary as well.

I support reforms to section 18C to address serious concerns that have arisen owing to the complaints brought against QUT students Alex Wood, Jackson Powell and Calum Thwaites by QUT staffer Cindy Prior. These complaints arose from comments made on Facebook by the students after they were asked to leave a computer laboratory designed for Indigenous students in 2013. Last week, Federal Circuit Court Judge Michael Jarrett dismissed these complaints, ruling that the students had no case to answer. Part of Mr Wood's comments upon which Ms Prior took action against him for using speech that would 'offend, insult, humiliate or intimidate' were reported to be—

Just got kicked out of the unsigned Indigenous computer room.

Simply stating that fact led to Mr Wood being hauled through the court system, because section 18C of the Racial Discrimination Act facilitated the making of a claim by Ms Prior against Mr Wood. It is unbelievable that the law in this country can demonise people for simply stating a fact. Mr Wood said that he was asked to leave an unsigned Indigenous computer room—which he was—and, for stating that fact, for the past three years he has been the subject of a complaint to the Human Rights Commission that ended in the Federal Circuit Court last Friday. This is simply outrageous. As the saying goes, 'it is a free country, I can say what I like'—but with section 18C, is it really a free country where people can freely express their opinion? Alex Wood also said on Facebook—

QUT stopping segregation with segregation.

In the case of Mr Wood, can he state a matter of fact? People should not have the sword of Damocles hanging over their head for making factual statements but, unfortunately, that is precisely what has happened to Mr Wood over the past three years. I know that some people say that this is simply a problem with the way the Human Rights Commission operates in managing the act and complaints made under it. No doubt, there are problems on that front. I think that is a red herring. The real issue at stake is with section 18C and the potential for a case like Mr Wood's to be brought in the first place.

The limitation placed on freedom of speech that prevents somebody from using words that may 'insult' or 'offend' another person is incredibly broad. It could cover an enormous range of language and comments. Of course, whether someone is insulted or offended is a personal matter; it is subjective. Therefore, the limitation has the potential to not only bring about litigation such as we have seen in the case of these students but also restrict the ability of people in our democracy to engage in free, open debate and the exchange of ideas. If people are concerned that they may be taken to the commission or to the Federal Court for stating matters of fact or giving an opinion because somebody may be offended or insulted by them, that will only suppress the free exchange of ideas and comment in our society.

Whether or not members agree with Mr Wood's comments about a separate computer laboratory for Indigenous students, does he not have the right to tell people that he was not permitted to utilise the facilities because he was not Indigenous? In my opinion, in this instance the Federal Circuit Court judge got it right, but there is a broader issue in relation to section 18C that needs addressing. The words 'offend' and 'insult' in the context of section 18C are too broad and should be removed. The Human Rights Commissioner has also indicated support for this proposal, which is a welcome development. I table an article in the *Australian* regarding this matter.

Tabled paper: Article from the *Australian* online, dated 8 November 2016, titled 'Gillian Triggs backs calls to reform section 18C of Racial Discrimination Act' [2021].

The well-justified public dismay at what has occurred to these three students owing to innocuous comments certainly seems to have made an impact on the Human Rights Commissioner. Professor Triggs has stated that she would back reforms to section 18C. I think a reasonable person in the community would without hesitation conclude that the way in which the QUT students have been put through the wringer of section 18C is not right. If the complaint had been upheld, it would have had damaging impacts on freedom of speech in our country.

Mr RUSSO (Sunnybank—ALP) (6.17 pm): I rise in this House to oppose the motion that calls for the reform of section 18C of the Racial Discrimination Act. It is indeed a sad day for Queensland and for the people of the Mansfield electorate. I wonder what the people of the electorate of Mansfield who have diverse backgrounds are thinking. The member for Mansfield is backing the hard right of the Liberal National Party. He is doing the Turnbull government's bidding. Perhaps it is the member for Mansfield who is manoeuvring to get the Senate vacancy and not the member for Southport. Or is the member for Mansfield simply doing the bidding of Senator Brandis?

In 2004, I remember being part of a gathering at the Wellers Hill Bowls Club with Graham Perrett, the member for Moreton, the Hon. Mark Dreyfus QC and concerned members of the community to show their concern about what the Abbott government was trying to do to section 18C of the Racial Discrimination Act. Recently, the federal shadow Attorney-General, Mark Dreyfus said—

Labor fought back against the last push to abolish 18C under Tony Abbott and George Brandis when they declared people had a right to be bigots. Australians were appalled then, and they will mark down this government again for pursuing its own ideological agenda instead of looking at the big issues affecting our nation.

It is interesting to note that Prime Minister Turnbull lacks the ability to pull his party into line. Does the same apply to the member for Clayfield? Is it time that Queenslanders and the Australian public had the reassurance that racist hate speech is not acceptable under any government?

The federal government has signalled that it will support a parliamentary inquiry into section 18C of the Racial Discrimination Act. I understand that this afternoon that is what has occurred. The motion before the House tonight is doing the Turnbull government's bidding to add support to this inquiry. I repeat that I am opposed to the motion as outlined and submitted to the House this morning. The honourable Tony Burke has stated that the inquiry into section 18C of the Racial Discrimination Act will not be an honest investigation of how section 18C works. He has asked that we not be fooled. I also ask the members of this House not to be fooled by the motion moved by the member for Mansfield. This motion is an attempt to support the moves in Canberra to water down laws against hate speech. The shadow minister for citizenship and multicultural Australia, Tony Burke, had this to say—

We need them to make clear what is it that they want to be allowed to say that is currently not permitted. What forms of hate speech do they want to see made legal? The last thing Australia needs is more hate speech.

The motion is an attempt to support opening the door to watering down race hate laws. Yesterday in the House of Representatives the member for Moreton spoke on this very issue opposite to what this motion is asking the House to do tonight. He said that, in relation to the matter involving the QUT students, the proceedings were brought by Ms Prior who was entitled to bring the proceedings no matter what the Human Rights Commission did with her complaint. The respondents were entitled to seek to have her claims against them dismissed by the Federal Circuit Court, which is what happened. Mr Perrett, the member for Moreton, went on to say the decision is an example of the section working as it is designed to so that only claims that are reasonably likely to give rise to offence, insult, humiliation or intimidation are proceeded with. Claims that are mere slight are not and that is what the court actually decided. There is no doubt that finding the balance between free speech and protections against certain types of speech is sometimes a difficult endeavour. I oppose the motion moved by the member of Mansfield.

Ms SIMPSON (Maroochydore—LNP) (6.22 pm): Quite incredibly we have heard Labor member after Labor member defend the indefensible. This is a clear example of persons being put through the legal wringer because of a badly drafted law. Are Labor members serious when they say that what these QUT students said was hate speech? They are living in la la land because it does not equate to what the man or woman or reasonable person in the street would believe is hate speech. What we have is a badly drafted law and bad excuses from Labor members who are desperate to hold onto it. The strident defence by the Labor Party of the industry of offence is a case in point that they cannot differentiate between minor and major issues and want a process that punishes grievances equally regardless of severity. It is the process and not just the outcome that is the punishment. As we have seen in the case of the three QUT students—the ones who we know about—the case took years to resolve, initially through the Human Rights Commission and then the court at great cost despite the judge ultimately finding it had no reasonable prospect of success. Yet once again we hear Labor member after Labor member defending this badly drafted law. The irony is not lost on me that the Labor apologists throw out hysterical and untrue accusations of racism and bigotry against people who simply disagree with them. They over-egg the omelette with their narrative of perpetual outrage. People have had a gutful of it. I think most Aussies are pretty tolerant and fair minded. Every day, community minded Aussies who love their neighbours regardless of race do not appreciate being labelled as racists or bigots.

Thus I say this to the defenders of 18C as it stands: to equate deliberate vilification that results in harm on one hand equally with subjective and less serious claims of offence or insult on the other hand cheapens the issue of racism in a way where everybody loses. I strongly condemn obnoxious personal comments that people make about others, whether it is based on race, religion or whatever makes them different from those who attack them, but I do not agree that every obnoxious comment deserves lawyering up and heading off to court or tying up the publicly funded Human Rights Commission. God help us if Queensland gets a bill of rights for unelected, lefty, loony lawyers to put

the industry of offence on steroids. It will undermine the role of parliament which is subject to the vote of the people. Courts should be there to adjudicate the laws, not write them. I think courts should be used to judge crimes rather than low-level slights of personal offence.

We are best served by a community where public debate is broad and capable of allowing voices of diversity to speak, even when we do not agree, and for them to be judged in the court of public opinion. The issue here is what is the appropriate forum for these issues to be debated or adjudicated, how matters differ in nature and substance and what is a reasonable process to resolve them. The absurdity of the QUT students' case that Labor members want to defend shows it is time for a review of the very broad and subjective scope of 18C in the federal government's Racial Discrimination Act and its application. I find it incredible that any reasonable person can defend the absurdity of the QUT students' case, which went for so long. In its current form, 18C of the Racial Discrimination Act has become a tool of the elites, ideologues, Labor lawyers and lefty apparatchiks rather than a well-defined and carefully applied tool of protection against the worst of cases that actually result in harm.

Genuine issues of personal discrimination that people face in the community resulting in harm should not be tolerated. In those situations I think there is a case for well-defined legal protections. These are different matters from the issues we saw resulting out of this case with the QUT students under the far more wide-reaching gambit of 18C which has prompted this debate. With regard to issues of obnoxious but less serious insults and offence, I think our community can be trusted to respond in the court of public opinion with its own wideranging but ultimately moderating judgement. The overreach of the industry of offence undermines the very thing it claims to support—the safety and wellbeing of our community as it undermines trust in the law and the freedom to talk about it.

Hon. LM ENOCH (Algester—ALP) (Minister for Innovation, Science and the Digital Economy and Minister for Small Business) (6.27 pm): I rise to oppose the motion moved by the member for Mansfield. One person's freedom of speech can be another's humiliating, hurtful and insulting of reality. Freedom of speech, while not enshrined in our constitution the way it is in other countries, is still a value we hold dear in Australia. However, proponents of free speech often conveniently forget that this freedom comes with responsibilities. While we may have the freedom to say hateful, hurtful, divisive things, we also have the responsibility to use facts and we have the responsibility to understand the impact hurtful, hateful, divisive words have on our society, on our community and on the individuals and families who are on the receiving end of them. When one has a platform and privilege their responsibility is even greater. When individuals fail to understand or ignore their responsibilities, it is important there is a strong framework in place to protect those who are vilified by this abusive and discriminatory language.

In introducing this motion the member for Mansfield speaks of the stress and anxiety suffered by those against whom claims under section 18C were made. I do not want to diminish in any way their situation, however, I can personally attest to the anxiety and stress caused when a person seeks to deliberately offend, insult and humiliate from their position of privilege. In 2011 Andrew Bolt was found to have breached sections of the Anti-Discrimination Act after he had made a number of comments in print regarding my appearance and the appearance of a number of other Aboriginal people, suggesting that we had chosen to claim our Aboriginality simply to advance our careers.

When Andrew Bolt decided to make the claims that he did, it was not just me who had to read about it and it was not just those people he named who felt the impact of those offensive and insulting words. Our families and our communities had to digest those words. My most striking memory from that time was when my now late father read the words used by Mr Bolt. He asked me, with a tone in his voice that sounded like humiliation masked by anger, something nobody ever wants to hear from one of their parents, let alone from a strong Aboriginal man. He said, 'Is this man trying to say that I have no right to call you my daughter because my skin colour is different from yours?' Can members imagine the emotion shared between my father and me?

It was not just my family that felt that humiliation. Indigenous communities across Queensland also felt the impact of those words. One elder in a remote discrete community talked at length with me about concerns regarding the impact those kinds of hurtful and offensive words could have on the young people in the community, which at that time was facing challenges relating to high levels of youth suicide. Offensive, insulting, humiliating and intimidating words have the power to impact individuals, their families and communities in ways that have long-term effects, and we should defend the remit of 18C with every breath to ensure we have an inclusive and tolerant society.

Of course, Andrew Bolt was found to have breached the Anti-Discrimination Act, but not under 18C. In fact, he was found to have breached 18D. 18D of the Anti-Discrimination Act sets out exemptions to 18C to ensure that freedom of speech is, in fact, protected. Section 18D provides broad defences for the freedom of speech as long as that speech is, in basic terms, fair and accurate. Mr Bolt was found to have breached section 18D because the articles he wrote were not written in good faith and contained factual errors. In fact, there is no reason to water down 18C because 18D protects freedom of speech.

What this motion proves is that, just like their federal colleagues, the Queensland LNP is devoid of any real policies or any real agenda. Instead of delivering clear and concise policy for the betterment of our state and our country, what we see from the member for Mansfield and the Prime Minister is a pandering to the extreme right of their party. Can this motion seriously be considered to be the most pressing issue that the federal and state LNP have to consider? What possible outcomes could they hope to achieve by seeking to abolish 18C?

This side of the House believes in a fair and tolerant society where citizens, whatever their culture or ancestry, can feel safe from hate speech, where our differences are celebrated and where individual families and communities are protected by law from humiliating offensive insulting attacks on their identity. From this motion it appears that those opposite, along with their LNP colleagues in the federal government, stand for something very different. I oppose the motion.

Question put—That the motion be agreed to.

In division—

Mr SPEAKER: If members are elsewhere in the parliamentary precinct, I urge you to come to the chamber. The bells have malfunctioned but the sand timer is working.

Mrs LAUGA: I rise to a point of order. I understand that under the standing orders you are not permitted to use mobile phones on the floor of the parliament.

Honourable members interjected.

Mr SPEAKER: Thank you, members.

Interruption.

Sitting, on motion of Mr Speaker, adjourned until the ringing of the bells.

The House adjourned at 6.35 pm.

The bells having been rung, the Legislative Assembly met at 7.38 pm.

MOTION

Racial Discrimination Act

Resumed.

Mr SPEAKER: Members, a division has been called on the motion moved by the member for Mansfield. The bells will ring for one minute.

AYES, 40:

LNP, 40—Barton, Bennett, Bleijie, Boothman, Costigan, Cramp, Crandon, Cripps, Davis, Dickson, Elmes, Emerson, Frecklington, Hart, Janetzki, Krause, Langbroek, Last, Leahy, Mander, McArdle, McEachan, Millar, Minnikin, Molhoek, Nicholls, Perrett, Rickuss, Robinson, Rowan, Seeney, Simpson, Smith, Sorensen, Springborg, Stevens, Stuckey, Walker, Watts, Weir.

NOES, 42:

ALP, 40—Bailey, Boyd, Brown, Butcher, Byrne, Crawford, D'Ath, de Brenni, Dick, Donaldson, Enoch, Farmer, Fentiman, Furner, Grace, Harper, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Pearce, Pease, Pegg, Pitt, Power, Russo, Ryan, Saunders, Stewart, Trad, Whiting, Williams.

INDEPENDENT, 2—Gordon, Pyne.

Pairs: Palaszczuk, Powell; Gilbert, Bates.

Resolved in the negative.

LIMITATION OF ACTIONS (INSTITUTIONAL CHILD SEXUAL ABUSE) AND OTHER LEGISLATION AMENDMENT BILL

LIMITATION OF ACTIONS AND OTHER LEGISLATION (CHILD ABUSE CIVIL PROCEEDINGS) AMENDMENT BILL

Second Reading (Cognate Debate)

Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill resumed from p. 4302, on motion of Mrs D'Ath, and Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill resumed from p. 4302, on motion of Mr Pyne—

That the bills be now read a second time.

Hon. G GRACE (Brisbane Central—ALP) (Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs) (7.42 pm), continuing: As I was saying before the debate was adjourned, I know that the brother was supporting his sister for what she had been through. I know that all the people in the room that day welcomed the announcement made by the government. We would be failing these victims if we did not act to tighten the loopholes that can currently be exploited by the institutions which let child sex offenders operate under their watch.

Those responsible for crimes against children should face their day in court. They are more likely to under the proposed changes. The bill makes litigation a more accessible option for victims of institutional childhood sexual abuse. That is exactly what we are aiming to do.

I support the retrospective abolition of limitation periods for those seeking a civil damages claim for child sexual abuse as outlined in this bill, along with the provisions that allow for more effective management of class actions. I believe it is completely unfair that institutions can have civil proceedings stayed on the basis of the passage of time, even where the institution was the cause of that passage of time.

This bill goes a long way to remedying what should have been fixed up years ago. It is a privilege to be in this House and to actually vote for this bill to rectify something that has been a long time coming. I support the bill before the House which provides an effective remedy for situations like this.

I know that there are a couple of amendments to this bill that the opposition will move that those opposite spoke about. The government will accept the amendment in relation to opening this up beyond just institutional child abuse to all forms of child abuse by different perpetrators. I know the government will accept that amendment.

There is another amendment the opposition will move relating to opening up private settlements. Although I understand what some members opposite are saying and although on the surface it looks like the right thing to do, what concerns me is that I do not think there has been enough analysis done of any unintended consequences of the amendment.

I think it is unprecedented—and correct me if I am wrong—that a government would aim to open up private settlements. Even though the circumstances may be such that on the surface it looks like the right thing to do, I know that this issue forms part of the discussion paper put out by the Attorney-General. The discussion paper raises this issue so that we can have a debate with all stakeholders about any unintended consequences.

I actually think that discussion, that debate, those submissions should be looked at. I think we have to ensure we understand the issues if this parliament were to act contrary to what has been done in Victoria and New South Wales. They did not go down this path. It was not a recommendation of the royal commission. They understood the difficulties.

Even though I know the member for Mansfield has good intentions in relation to this—and I think it is good that we agree on the main substance of this bill—I think we need the time to assess whether there are any unintended consequences to opening up private settlements. What will that mean for the future? What will it mean for institutions or anybody wanting to enter into private settlements if they know that at some stage, regardless of the issue, the government would be able to come in and declare them null and void to a certain extent by taking it to court and then open them up again? What would be the unintended consequences for people wanting to settle, those people wanting to make an arrangement because they just want to get rid of the issue? We may find that parties will not do that willingly because the government is able to open them up again.

As I said, there are some good points on both sides of the issue. I would prefer to see the discussion paper take its course and to hear from those who have entered into these settlements. Is it something that they want? Is it something that is going to bring about fundamental change or are there hidden, unintended consequences for something that is unprecedented? We would be doing something different to what Victoria and New South Wales have done.

They are my concerns. I back the Attorney-General in saying that we should let the discussion paper take its course. Let us hear from everyone so that we do not rush this at the expense of all the good we want to bring out of this. There could be unintended consequences that could be quite devastating for anybody who wants to enter into a private settlement in the years to come. They would know that a government could open them up some time down the track. Why would you do one? It may be exactly what a person needs to get this issue off the agenda and off the table.

That is the only issue I want to put on the record in relation to that amendment. I would really like to see the discussion paper take its course and see what the arguments are, talk to those who have entered into these settlements and then maybe decide which is the best way to do it. I am guided to a certain degree by the rejection of this in Victoria, by the rejection of this in New South Wales and by the royal commission not even recommending this after extensive evidence and after the very good recommendations that came from the royal commission.

These changes are necessary to comply with the recommendations of the royal commission. As I have said, for far too long those who have suffered sexual abuse as children have been let down by the legal system and the institutions, as we said before, that were meant to protect them. We should be helping those who have already suffered so much in their quest for justice, not hindering them.

The other matter I wanted to touch on was that the bill seeks to amend the Queensland Civil and Administrative Tribunal Act 2009 to permanently embed the arrangement whereby JPs hear certain minor civil dispute matters in QCAT. I think that is a step in the right direction. I want to join other members in this House who have congratulated the great work that JPs do in our community. Recently the Attorney-General and I held a great forum with the JPs. They were updated on issues relevant to their work, and we congratulated and thanked them for all of their work in the community. They do a fantastic job. They are a wonderful part of our community. It is an honour tonight to be supporting the changes in this bill. I commend the bill to the House.

Hon. CR DICK (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (7.50 pm): I am very pleased to rise this evening to speak to the government bill before the House, the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016 and echo the comments made by many members of the House tonight on both sides of the aisle. I echo those comments in strong support of this important legislative reform in Queensland.

The bill has four main policy objectives. It seeks to amend a number of Queensland statutes. Firstly, the bill seeks to amend the Limitation of Actions Act 1974 to remove the statute of limitations for claims for damages arising from child sexual abuse. Secondly, the bill seeks to amend the Civil Proceedings Act 2011 by introducing a comprehensive statutory regime to facilitate the effective conduct and management of class actions in Queensland. Thirdly, the bill seeks to amend the Legal Profession Act 2007 to replace the current funding arrangements under the Legal Practitioner Interest on Trust Accounts Fund with funding through the Consolidated Fund and improve solicitors' trust accounts administration in general. Fourthly, the bill seeks to amend the Queensland Civil and Administrative Tribunal Act 2009 to permanently embed the arrangement whereby justices of the peace hear certain minor civil disputes matters in the Queensland Civil and Administrative Tribunal.

At the heart of the bill is the proposal to amend the Limitation of Actions Act 1974. All speakers in this debate have spoken in detail about that important reform which is designed to provide justice to victims of childhood sexual abuse. The terrible stories of abuse that children have suffered, as recalled in this parliament and as recalled through the royal commission into sexual abuse in institutional settings, are, I think, an example to the community of the strong position that our institutions such as our parliament now take against those activities and the need for the establishment of an appropriate framework to provide justice for the victims of sometimes heinous crimes and conduct.

It has been the victims of that abuse who have been heroic in their struggle in many instances against the consequences of that abuse who have championed this cause and have moved the parliament to amend the law in Queensland. I want to acknowledge those victims of abuse, many who have spoken publicly about it and some who have given evidence to the parliamentary committee but others, perhaps the silent majority in our community, who will benefit from this law reform.

I have listened intently to the speeches to the parliament by many members on both sides of the parliament. Like domestic violence and the debates this particular parliament has had in relation to domestic violence, the nature of childhood sexual abuse has impacted many members in this House—sometimes through a family or familial connection but more often than not through our work as members of parliament and the representations we have received from our constituents. I want those individuals to know that their voice has been heard and that the parliament is acting to amend the legislation.

I was very privileged when I served as the Attorney-General of Queensland to remove the limitation period for individuals who suffered from diseases caused by asbestos, who suffered very serious chronic and terminal illness as a result of asbestos related diseases.

Ms Farmer interjected.

Mr DICK: I take the interjection from the member for Bulimba, who also served in that parliament and, as a member of that government, sought to change the law and remove the limitation period. I know that not only does the member for Bulimba represent individuals who are members of advocacy organisations related to supporting and protecting individuals who suffered from asbestos but the electorate of Bulimba has had a lot of men in particular who worked in industries affected by asbestos and I know how much she has championed them. Although not central to this bill, the law was changed then as the law is being changed tonight—and it will be changed—because it is a just and right thing to do. That amendment will pass through the parliament supported by everyone in the House to remove that statute of limitation period.

I want to echo the comments of the member for Yeerongpilly, one of my ministerial colleagues, who spoke about the national commission of inquiry in relation to childhood sexual abuse in an institutional setting and the very important work of, and the very strong leadership shown by the then prime minister Julia Gillard to institute that commission of inquiry which will change our nation for the better. There is no question that to address the wrongs of the past is such a necessary step to create a positive, constructive future for our state and our nation. I echo his words when he acknowledged the former prime minister's work in establishing that. It will not only change our nation for the better but ensure that children are far better protected than they have been in the past.

I also want to comment on a couple of other amendments before the House—in particular, the amendment to the Legal Profession Act 2007 which will effectively abolish the Legal Practitioner Interest on Trust Accounts Fund, otherwise known to every legal practitioner in Queensland as the LPITAF fund. This is a very important and, can I say, long overdue reform. The fund served a very practical and sensible purpose for many years. As the demands on that fund grew, particularly demands on that fund for resources to support organisations like Legal Aid and community legal organisations, it became clear to the government and to the Attorney that that funding framework was no longer appropriate or relevant. I do commend the Attorney-General. It is not a major reform but I think for the legal profession and, in particular, for community legal centres and for Legal Aid it is a very important reform. It recognises that the government of Queensland has a responsibility to properly fund those organisations through the Consolidated Fund. That is very important. I commend the Attorney-General for that reform before the House as well.

I also commend the Attorney-General again for another long overdue reform—that is, ensuring that class actions can proceed in Queensland. Our courts have been at a disadvantage really compared to other jurisdictions that have for many years allowed class actions to proceed. We live in a competitive federation and our courts in Queensland, particularly our Supreme Court, needs the opportunity to supervise class actions initiated in this jurisdiction. Again, that is not just about the state court system, particularly the Supreme Court, being competitive; it is about providing justice to Queenslanders through the class action mechanism that has required them in the past to seek redress through our jurisdictions outside of Queensland. That is a very important reform.

I commend the Attorney-General again, as I did in the last sitting week, for these significant reforms that are being moved through the parliament. She has been responsible for a number of very significant reforms initiated during the course of this parliament, still only about 18 months old. Those reforms will change Queensland for the better.

I also want to acknowledge those individuals who quite bravely gave evidence to the parliamentary committee about their experience as well as organisations that have represented the survivors of childhood sexual abuse, in particular the Zig Zag Young Women's Resource Centre Inc. based at Camp Hill. I had the very great pleasure of being able to represent and advocate for that organisation when I served as the state member for Greenslopes. I also want to acknowledge the

outstanding work of the Centre Against Sexual Violence based on Mayes Avenue in Logan Central in the electorate of Woodridge. That organisation has for many years advocated for and represented individuals who have been the victim of sexual violence and sexual abuse—a very strong advocacy organisation. I thank them for ensuring their voice was heard in this process. Again I commend the Attorney-General. I commend the government bill to the parliament.

Mr WHITING (Murrumba—ALP) (8.00 pm): I rise to speak in support of the government bill. Once again, I want to congratulate the Attorney-General on shepherding this bill through to this point. I think it will be one of the many achievements of this parliament and obviously for the Attorney-General as well. When it passes I think it will be something we can all look back on with some pride. I also want to acknowledge the good work of the member for Cairns. He is a very passionate advocate for the victims in this case. I acknowledge the work that he has done in getting it to this stage as well. I would also like to thank the witnesses and survivors, the people who have shared their stories of what they have endured. This bill is very important to them. I will talk very quickly about exactly why it is important.

The bill retrospectively abolishes the limitation periods that apply to a claim for damages brought by a person where their claim is founded on the personal injury of a person resulting from the sexual abuse of the person when that person was a child and the sexual abuse occurred in the institutional context. Importantly, the bill will create a more accessible civil litigation system for survivors of child sexual abuse and—the critical part—enhance access to justice. I think that is the key phrase: it enhances access to justice. That is what animates many of the people who have brought this issue forward and many of the people who have talked about this. In a broader context for many of us in this House that is one of the values or the things that drives us—that access to justice—especially those on this side. If we can ensure that more Queenslanders, especially those most in need, have access to justice that is a thing of which we in this House can be proud.

I say to the advocates and the survivors who will now have this access to justice that I know this may not be all that they want, but it does provide access to justice for so many more Queenslanders than before. I know that those advocates and survivors who are telling their story up and down Queensland will be thanked as they take the story of what has happened and talk about the bill that should be passed. They will be thanked and people up and down the state will acknowledge the fine work that they have done. I hope that does help them on their journey. I say 'journey' because I know that this is still a journey for many of those survivors and the people who have suffered. It is a journey. Maybe they will get there one day; maybe they will not. However, they will remember those steps along the way, and this is a major step.

I will talk briefly about one such advocate who is a friend of mine. I worked with this particular friend about 20 years ago. He was always a very good man. I was actually at the party where he first met his wife. I was there that afternoon. They married and had some wonderful children. I have met his children. I have seen them on social media as well. They are very fine and wonderful children. Once people have such wonderful children in their care there are certain things that they think about. They start to think about justice and how they can best protect those children.

I have three young children myself now, the youngest under one year old. Listening to the debate tonight I am constantly thinking about how best to protect my children. That is something that many of us, if not all of us, in this House tonight who have children have been thinking about; we have been thinking about them when we have been listening to this debate today. I say to my friend that I understand him and I thank him for what he has done. Queensland will thank him as well.

I turn to the reasons we need this bill. Obviously we have read through a lot of the testimony and we have heard that some of the worst cases of institutional abuse happened here in Queensland. As a historian I can say that there are many good parts of Queensland history and there are some darker parts that need to be acknowledged as well. Those cases of abuse which happened in our institutions are something that must not be forgotten or brushed over. They must be remembered and acknowledged. I have been listening to some of this testimony, especially about Neerkol, and these stories are horrific. There are certainly things that we will not forget and that will propel us to act in the future.

One of the things I noticed about becoming an MP compared to a councillor is that I have people coming into my office imparting these stories of what has happened to children whom they know. That is something we are not quite ready for when we become an MP. However, it is something we must steel ourselves for—to listen to those stories and help them out with moving on that journey.

I want to pay tribute to the member for Pumicestone. He has worked closely with one of the survivors who has told their story in the passage of this bill. It is quite harrowing to read through the testimony of this particular person. I thank the member for Pumicestone for his support of his constituent. Some of the things that are mentioned in this—and I will only touch on this—are countless physical and sexual assaults; being photographed naked; being forced to watch inhuman acts; and he mentions a cattle prodder as well as receiving a beating so bad it still haunts him to this very day. As I said, we are never quite prepared as an MP to hear these things. Because we are here and we are animated by access to justice, we are in a position in this parliament tonight to do something about that. It will be a great honour to take this action.

Finally, as we have heard, this particular bill also allows JPs to hear minor matters in QCAT. Once again, I want to acknowledge the great JPs who do their work in the electorate of Murrumba, especially my friend Rob Shore. We are recognising the longest serving JPs in my area with a ceremony in the office. I am glad to tell the House that in my absence the former member for Murrumba Dean Wells will be officiating, guiding and giving advice to all those JPs in Murrumba who will be coming along. I have to say that once I said that the former attorney-general, who was an attorney-general under the Goss government, was going to be there we had a lot more people coming through and they wanted to chat to him.

Mr Springborg interjected.

Mr WHITING: If I were there that would be a line-ball call. I would like to thank the Attorney-General once again. I commend this bill to the House.

Mr PYNE (Cairns—Ind) (8.08 pm), in reply: I thank the members of the House for their supportive comments regarding the government bill and my private member's bill. The sad reality that I am forced to face is that clearly my bill will not have the support of the House. This is a sad day for the survivors of serious physical abuse in Queensland. I note from the words of the House today that there are several misconceptions about my bill. Some members have stated that my plan to revoke past deeds would be automatic when, in fact, a survivor is required to apply for that.

There is a misunderstanding of my reforms with regard to reintroducing civil juries. These juries were not to be automatic but an option for those who chose to have a jury. I have also been alarmed by comments that the government does not think it is its role to interfere in private deeds between individuals, institutions and victims of abuse. It is obvious that the government does have a role in making laws that guide courts on matters of contract law, trust law and important matters of social justice such as child abuse.

The government has been given the opportunity to do the right thing on this issue. It has been given all of the evidence it needs from community NGOs that deeds must be revoked in order to create justice. The result of the government's lack of a plan to revoke past deeds is to forever trap victims within time limits. These are victims who were brave enough to come forward early to report abuse in order to protect other children, identify offenders and hold institutions to account. They came forward under time limits legislation and had the time limits invoked against them. As a result of the time limit defence they were bullied into unfair settlements that do not adequately meet their healthcare costs or compensate their other losses.

The result of the government's bill is to create discrimination between victims. Picture two children in beds side by side in an orphanage. Both are horrifically abused and traumatised. One comes forward as a young adult to report the abuse, have the offender prosecuted and seek compensation to cover their medical costs. The time limits defence is invoked against them and they have no right of action and are bullied into an unjust deed. By contrast, the other child never litigates. Under the government's bill the child who never litigated now has the right to litigate for the full force of their true damages; however, the child who took steps to protect other children remains trapped because of time limits and cannot revisit their existing deed. How is this fair? How is this acceptable?

Members of this House have praised the courage of survivors for coming forward, but those same members of this House have spoken against giving those survivors the same rights of action they are now giving to victims who have never come forward. I call upon members of this House to show a fraction of the courage showed by survivors of childhood abuse and vote in this House to pass my bill or at least pass the LNP's amendments to the government's bill.

I have a deep concern at the sentiment of the government, which is putting the interests of offending institutions ahead of innocent children—who the institutions knew were in danger—when it comes to revoking past unjust settlements. This House should be holding offending institutions to

account, not protecting them from the proper consequences of their misconduct. I thank the member for Mansfield for putting forward the opposition's amendment to the government bill. I only wish the opposition members could bring themselves to give victims of serious physical abuse the same rights as victims of sexual abuse. Other states have done this. New South Wales and Victoria are looking after their children, and we should be doing this in Queensland.

With the greatest respect to my fellow members of parliament, I think politicians have had enough to say on this issue today. I would therefore like to let people speak on the issue and quote from some NGOs, local groups and survivor groups. On the question of costs, knowmore, the official legal service of the royal commission, states—

One objective of law reform in this area should be to ensure that the cost of child abuse is fairly borne by those who were responsible for that harm. Under the current laws, the considerable cost of child sexual abuse is disproportionately borne by survivors and the Australian community, rather than individual perpetrators and institutions where the abuse took place.

The Blue Knot Foundation, in its report titled *The cost of unresolved childhood trauma and abuse in adults in Australia*, dated January 2015, states that the cost of unresolved childhood trauma in Australia caused by sexual, emotional and physical abuse has been calculated at $6.8 billion annually. This is an annual cost to the economy and taxpayers from such things as lost productivity, unemployment, welfare and health care including crisis psychiatric care in the public system and, as we have also heard from the member for Coomera, sometimes increased incarceration within the criminal justice system. The payment of compensation is an investment in the lives of survivors of abuse and offsets these annual costs. The focus should not be on the costs of compensation to the institution but on saving the community from the ongoing costs of untreated trauma. On the issue of serious physical abuse, knowmore states—

It must be clearly understood that the Royal Commission's recommendations were necessarily limited by the Letters Patent ... restricted it to the context of considering childhood sexual abuse occurring in institutional settings. However, as the Letters Patent specifically acknowledged, child sexual abuse '*may be accompanied by other unlawful or improper treatment of children, including physical assault, exploitation, deprivation and neglect.'*

...

The evidence in so many of the Royal Commission's public hearings to date establishes both the prevailing brutality and frequency of multiple forms of abuse in many Australian institutions entrusted with the care of children. This reality needs to be recognised in the steps now being undertaken to enhance survivors' access to justice by removing limitation periods.

...

The New South Wales' position on this issue is reflected in Mr Pyne's Bill, and differs from the Victorian position in that:

- there is included a 'threshold' for physical abuse; i.e. that it must be 'serious'; and
- it extends to 'connected abuse' linked to sexual or serious physical abuse ...

We are of the view that Parliament should pass legislation that removes limitation periods not just for claims arising from child sexual abuse, but also for claims of serious physical abuse and, once either of those thresholds is met, any connected abuse. Accordingly, we favour the New South Wales' provisions.

On the issue of revoking past unjust settlements, knowmore states—

We have seen many clients who have told us of their experience of suffering prolonged sexual and other abuse as children while in institutions, with consequential and debilitating complex trauma and its associated life-long adverse effects, who reluctantly resolved their claim against the institution for financial amounts of often less than $20,000, inclusive of their costs. For these survivors, the power imbalance present at the time of their abuse is replicated, with further trauma, by the inequality inherent in the respective positions of survivor and institution.

It is our clients' collective experience that nearly all settlements with an institution, including claims made under the Queensland Redress Scheme established following the Forde Inquiry, involved execution of a deed of settlement upon resolution of the claim. Typically, those deeds expressly excluded any admission of liability and required a claimant to release the relevant institution. ... from any and all liability.

...

Absent the institution now waiving its rights under any such deed, the prospects of a survivor having such a deed overturned, under the current law, are remote …

...

While defendants who have had the benefit of such deeds or release may complain about 'infringement' of finalised rights and obligations, there will only be an adverse impact on those defendants where it can be demonstrated that a past settlement has been inadequate and unfair to a survivor. Defendants who paid just compensation have little to fear from—

the reforms that I have proposed. I would like to thank all members of the House for their contributions to this debate. Clearly, I would like a wider ambit of consideration, and that has been somewhat adopted in the LNP's position. I commend my bill to the House.

Hon. YM D'ATH (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (8.19 pm), in reply: I thank all members for their contributions to the debate of the government's bill and acknowledge the member for Cairns and his private member's bill. I again thank the Legal Affairs and Community Safety Committee for its consideration of the bills and all of the survivors, witnesses and stakeholders who have contributed to this discussion through the parliamentary committee process and more broadly.

As I said in my second reading speech and has been repeated by many on both sides of the House, the government's bill provides for four key amendments: firstly, removing the limitation period for litigation regarding child sexual abuse in relation to institutions; secondly, introducing the ability to have class actions in Queensland; thirdly, dealing with the long-term sustainability of funding that was previously provided for under LPITAF; and, fourthly, to permanently embed justices of the peace in QCAT.

I am very pleased that overall we have had a very respectful debate across the chamber on this issue. I am not surprised. I would hope that is the way all members would approach this. It is certainly pleasing that that is the way the debate has gone.

The opposition has circulated amendments and will be moving those shortly. The first amendment goes to child sexual abuse in all settings—moving it beyond institutions to non-institutions. As stated in my second reading speech, the government will not be opposing that amendment on the basis that it very much reflects the submissions put to the parliamentary committee and also the government's issues paper. We have said that our issues paper obviously goes much further than that. In fact, our issues paper touches on many of the issues raised by the member for Cairns when he talks about the broader scope in New South Wales and Victorian legislation. In fact, our issues paper goes even further and seeks to have the discussion about very important recommendations that come out of the royal commission in relation to institutions and their liability, and trusts and who the respective respondents are to those proceedings. The government will continue with progressing those discussions under its issues paper, because we believe that they are important issues to look at further to ensure we are dealing with those important elements that the royal commission has raised and also look more broadly at what other jurisdictions have done.

I raise one point in relation to the member for Cairns. The member for Cairns raised the issue that by this parliament agreeing to have the limitation of actions removed in relation to child sexual abuse and not more broadly we are discriminating against other children who have suffered other abuse. I understand the argument he puts, but the same argument can be put in relation to all of these provisions, including the private member's bill. Someone who is 17 years old and 11 months who suffers child abuse would be eligible to access the type of redress that the member for Cairns has outlined in his private member's bill, but someone who is 18 years and one day would not be eligible. Unfortunately, as is the nature of these things, a line is drawn at some point. No-one in this parliament is proposing that we should not have limitation of actions at all. They serve an important purpose. I know that the member for Mansfield has mentioned that and I mentioned that in my second reading speech. I understand that survivors would like to see this go further. We as a parliament have a responsibility to do so in a measured and considered way, making sure that all circumstances have been considered. We believe that this is a very important first step, and we are committed to working with stakeholders in relation to those other important issues that are highlighted in our issues paper.

In relation to the other amendment flagged by the opposition, which has to do with deeds, again, I can understand the merit of the argument. However, the detail of the proposed amendment has only been seen this afternoon. It is still extremely broad, when we talk about giving the courts the power to reopen and, as such, void settlement deeds that parties have entered into, believing that they were full and final settlement, on the basis of what the court considers to be just and reasonable. We do not know what that scope looks like. We do not know what that measurement is until the court starts considering these.

I do have concerns—I am sure the member for Mansfield may touch on these when he moves the amendments—about insurance implications. It is something to be mindful of, particularly when we are talking about smaller community organisations and small sporting clubs in our communities. As I understand it, the proposed amendment is to actually void settlements in which the insurance company

has paid out. Insurance companies may very well be responsible for paying again, on top of a payment already made in a deed. That may very well lead to significant increases in insurance premiums. When it comes to our small sporting organisations and our small community groups, we know that insurance is often one of the largest costs they have. Seeing that cost go up significantly could have a big impact. Alternatively, insurance companies may not want to insure because the liability is just too great. The risk is that, even if they settle, a government could come back in 10 years time and say, 'Now we are going to reopen the past 10 years of deeds again.' We do believe that a lot more work needs to be done on that and further explanation needs to be given to satisfy this whole parliament that this is something that will not have unintended consequences.

We would be the first jurisdiction in the country to do this. It does set a significant precedent, that a parliament is willing to give the courts the very wide discretion to reopen and void deeds. My concern is that institutions may not want to enter into settlements into the future if they believe that those deeds are not going to be full and final settlement, that in fact the courts can at any time in the future reopen those based on a parliament already showing once that they are willing to reopen. Why would they not do it again in a future inquiry? I would love to think there will never again be a need for a royal commission into child sexual abuse, but we have had the Forde redress scheme in the past in this state and we have the royal commission into child sexual abuse. None of us can stand here and say that in 20 years time we will not have a similar inquiry. I hope that is not the case. For that reason, we would still be opposing the amendment being put forward by the opposition.

Again, I thank all members who contributed to the debate. I hope out of today that survivors and stakeholders will go away not looking at what they did not get out of this process but instead looking at what this parliament is doing today—that is, removing a very significant barrier that has been there for many years that has stopped victims of child sexual abuse taking their claims to the court and having them tested. Today this parliament will remove, once and for all, that barrier and will fulfil our obligations in delivering on those recommendations from the royal commission. It is something we should be proud of. I commend the bill to the House.

Question put—That the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill be now read a second time.

Motion agreed to.

Bill read a second time.

Question put—That the Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill be now read a second time.

Motion negatived.

Speaker's Ruling, Same Question Rule

Mr SPEAKER: Honourable members, further to my ruling earlier today regarding the same question rule, the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill—that is, the government's bill—has passed the second reading stage. The Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill—that is, the private member's bill—has failed its second reading. I have now considered the circulated amendments. The member for Cairns's circulated amendments essentially seek to amend the government's bill by inserting clauses that are replicating provisions from the private member's bill which has failed the second reading. The member for Cairns's amendments are therefore out of order pursuant to standing orders 87 and 150 as the Assembly has considered and rejected those provisions. The member for Mansfield's amendments seek to amend the government's bill by expanding its operation beyond institutions and to also enable the judiciary to set aside deeds of settlement. I am satisfied that, whilst the member for Mansfield's amendments seek to achieve similar outcomes to some matters addressed in the private member's bill, the amendments are sufficiently different so as to not enliven standing orders 87 and 150 and are in order.

Consideration in Detail

Clause 1—

Mr WALKER (8.31 pm): I move—

1 Clause 1 (Short title)

Page 6, line 5, 'Institutional'—

omit.

I table the explanatory notes to my amendments.

Tabled paper: Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill 2016, explanatory notes to Mr Ian Walker's amendments [2022].

This is the first of a series of amendments which expands the operation of the bill to include child sexual abuse which occurred outside institutions. I gather from what the Attorney said that that is a matter which is acceptable to government members. I think the broad issue has been covered in debate and I need say no more about it.

Mrs D'ATH: In speaking to amendments Nos 1 to 6, they do go to removing the reference to institutional contexts so that the removal of the limitation of actions for child sexual abuse will be for all settings and not just institutions. On that basis, we support those amendments.

Non-government amendment (Mr Walker) agreed to.

Clause 1, as amended, agreed to.

Clauses 2 and 3, as read, agreed to.

Clause 4—

Mr WALKER (8.32 pm): I move—

2 Clause 4 (Insertion of new s 11A)

Page 7, lines 2 and 3, 'happening in institutional context'—

omit.

3 Clause 4 (Insertion of new s 11A)

Page 7, line 6, 'in an institutional context'—

omit.

4 Clause 4 (Insertion of new s 11A)

Page 7, lines 11 to 33—

omit.

5 Clause 4 (Insertion of new s 11A)

Page 8, lines 21 to 33 and page 9, lines 1 to 8—

omit.

These amendments are consequential upon the decision just made with respect to non-institutional abuse.

Non-government amendments (Mr Walker) agreed to.

Clause 4, as amended, agreed to.

Clause 5—

Mr WALKER (8.33 pm): I move—

6 Clause 5 (Insertion of new s 48)

Page 9, line 13, 'Institutional'—

omit.

This amendment is similarly a consequential amendment with respect to non-institutional abuse.

Non-government amendment (Mr Walker) agreed to.

Mr WALKER (8.33 pm): I move—

7 Clause 5 (Insertion of new s 48)

Page 10, after line 22—

insert—

(5A) An action may be brought on a previously settled right of action if a court, by order on application, sets aside the agreement effecting the settlement on the grounds it is just and reasonable to do so.

(5B) If a court makes an order under subsection (5A) for a previously settled right of action—

(a) each associated agreement is void despite any Act, law or rule of law; and

(b) a party to an associated agreement voided under paragraph (a) may not seek to recover money paid by, or for, the party under the agreement.

(5C) However, a court hearing an action on a previously settled right of action may—

(a) when awarding damages in relation to the action—take into account any amounts paid or payable as consideration under an associated agreement voided under subsection (5B)(a); and

(b) when awarding costs in relation to the action—take into account any amounts paid or payable as costs under an associated agreement voided under subsection (5B)(a).

8 Clause 5 (Insertion of new s 48)

Page 10, after line 23—

insert—

associated agreement, for a previously settled right of action, means—

(a) the agreement effecting the settlement; or

(b) any other agreement, other than a contract of insurance, related to the settlement.

9 Clause 5 (Insertion of new s 48)

Page 10, after line 28—

insert—

previously settled right of action means a right of action for an action to which section 11A applies that was settled before the commencement but after a limitation period applying to the right of action had expired.

These amendments relate to the ability of a court to set aside deeds that have been entered into in relation to time barred claims. The Attorney and a number of speakers have raised that this is a significant step for this parliament to take, and indeed it is. However, I point out that we have taken a number of significant steps tonight which affect the legal rights and exposure of many people, but we have done so knowing that it is the right thing to do and that it restores justice to the victims of the matters that we are looking at. We have taken significant steps in relation to that already and I believe that, if we did not take steps to ensure that people who had entered into time barred claim related deeds also had the same rights that we have now given to claimants who did not exercise their rights, we would be creating a level of inequality that is not justified.

I have been careful in drafting the amendment with advice to do so and to provide a number of safeguards, and I just want to go through those for the House. The first is that a court will need to find that the relevant deed should be reopened and that it is just and reasonable to do so, the same phrase used by the government in relation to setting aside judgements that have already been delivered in these matters. The court has to find that and the reason for that is that these deeds could have been entered into for a variety of reasons and with a variety of consequences and I do not believe it is fair, as the private member's bill initially proposed, to simply have a broad voiding of those deeds. I think a court needs to make that decision.

Secondly, there will be a provision that relates to not only the relevant deed but any associated documents, and these may be documents that protect an insurer in relation to the settlement made to ensure that if the court does feel it is just to reopen the transaction it can do so setting aside any documents that may release an insurer from liability and at the same time, by virtue of the drafting of the clause, ensure that any insurance policy is not affected by the setting aside of the deed. The court, when it is taking into account the justness and reasonableness of setting it aside, will realise what these consequences are and I am sure will take all of those matters into account in determining whether it is appropriate in a particular circumstance to reopen the deed or not. It is a significant step to take, but my submission is that we have made a number of significant steps tonight and this would be consistent with the other steps we have taken.

Mrs D'ATH: We have already indicated that we will be opposing these amendments and I just want to pick up on a couple of those points raised by the member for Mansfield. Yes, we certainly have taken a number of significant steps in this bill tonight but those steps have been well and truly ventilated and have arisen as a consequence of recommendations of the royal commission, so they are a direct consequence of what the royal commission has recommended state and territory parliaments across the country do in relation to child sexual abuse in institutions. What is proposed here is not something that was before the parliamentary committee. I appreciate the private member's bill had one alternative of doing this, but the idea of having a test of being just and reasonable has not been considered by a parliamentary committee.

The proposal by the opposition does override the presumption when parties enter into a deed that they intend to be bound by the agreement. It does establish a significant precedent which may make defendant parties less willing to enter into a deed in the future. If the applicant is unsuccessful, it

may have the effect of removing any continuing benefits that are under the deed agreement. I appreciate that is the choice that that survivor will make in filing that claim. I hope they get very clear advice on the consequences that, once that deed is lodged and the court does make a decision to reopen it, it is void. It may be that under that deed they were to get ongoing payments by instalments, which is not unheard of. In fact, the royal commission actually recommended that the redress scheme make the option of paying in instalments because actual stakeholders and advocates said to pay a very large sum of money to people who are not used to managing that sort of money can be detrimental and so there should be consideration of paying in instalments, so there could be deeds in which instalments are paid or there could be deeds where ongoing counselling is funded by the institution. All of that will cease the moment that that deed is reopened and void, but potentially a very long civil claim may result in that survivor being unsuccessful. That deed does not become valid again. It is void. These are the sorts of things that I believe have not been quite fleshed out.

The member for Mansfield has also not addressed the risk of ongoing insurability where insurance has already been satisfied in settling the amount of the deed. This may lead to an increase in premiums and potentially insurance companies not wanting to cover organisations that may be at risk of these claims. That may cause small organisations, which end up with a significant damages claim, to shut their doors.

I think there is absolutely a need to ensure that we are providing fairness to the survivors, but our job as members of parliament is also to look at all of the implications of the actions that we take in here. I do not believe that all of those issues have been ventilated and we have answers to all of those. For that reason, the government will not be supporting the amendment.

Non-government amendments (Mr Walker) agreed to.

Clause 5, as amended, agreed to.

Clauses 6 to 10, as read, agreed to.

Clause 11—

Mr WALKER (8.41 pm): I move the following amendment—

10 Clause 11 (Insertion of new pt 16)

Page 31, line 9, 'Institutional'—

omit.

Again, this is an amendment going to non-institutional abuse issues.

Non-government amendment (Mr Walker) agreed to.

Clause 11, as amended, agreed to.

Clauses 12 to 20, as read, agreed to.

Clause 21—

Mr WALKER (8.41 pm): I move the following amendment—

11 Clause 21 (Insertion of new ch 10, pt 5)

Page 35, line 3, 'Institutional'—

omit.

This amendment is to the same effect as previous amendments.

Non-government amendment (Mr Walker) agreed to.

Clause 21, as amended, agreed to.

Clauses 22 and 23, as read, agreed to.

Clause 24—

Mr WALKER (8.43 pm): I move the following amendment—

12 Clause 24 (Amendment of s 9 (Notice of a claim))

Page 36, lines 23 to 25, from 'in' to '11A)'—

omit.

Non-government amendment (Mr Walker) agreed to.

Clause 24, as amended, agreed to.

Clause 25—

Mr WALKER (8.43 pm): I move the following amendment—

13 Clause 25 (Insertion of new ch 4, pt 7)

Page 37, line 6, 'Institutional'—

omit.

Non-government amendment (Mr Walker) agreed to.

Clause 25, as amended, agreed to.

Clauses 26 to 33, as read, agreed to.

Third Reading

Hon. YM D'ATH (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (8.44 pm): I move—

That the bill, as amended, be now read a third time.

Question put—That the bill, as amended, be now read a third time.

Motion agreed to.

Bill read a third time.

Long Title

Hon. YM D'ATH (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (8.44 pm): I move—

That the long title of the bill be agreed to.

Question put—That the long title of the bill be agreed to.

Motion agreed to.

ADJOURNMENT

Hon. SJ HINCHLIFFE (Sandgate—ALP) (Leader of the House) (8.44 pm): I move—

That the House do now adjourn.

Carseldine, Former QUT Campus

Ms DAVIS (Aspley—LNP) (8.45 pm): Recently I spoke about how the Palaszczuk Labor government is treating the residents of the Aspley electorate with complete disrespect with its approach to the land asset sale on the former QUT campus at Carseldine. The people of Carseldine have begun to understand that this government, in particular the Deputy Premier, does not care about their local community aspirations and does not care to understand the history of the site and the reasons locals hold this place dear.

These sentiments came across loud and clear at a community gathering that I held last Saturday. Around 180 residents came to express their concerns about the manner in which this development was announced, the lack of a detailed plan and the lack of consultation on the project. A diverse group of people came to that meeting. Although most residents preferred that the site remain untouched, others arrived with a range of views on the merits of developing the land. They came together as one on the issue of community consultation—or lack thereof. I was able to provide the group what information I had been given in a meeting with EDQ beyond what information was provided online. I thank the EDQ officers for the meeting, but I did leave with questions unanswered.

I learned that there were no plans to upgrade the open level crossing and that there was no plan to extend the Carseldine station park-and-ride. With the additional 900 dwellings and 3,500 people, it does not take a roads and traffic engineer to know that there will be additional traffic and road impacts. Let us not forget that the original plan incorporated an extension to the Northern Busway to provide additional public transport options. Currently, the Northern Busway terminates at Chermside and there are no plans to extend it in the foreseeable future. One of the residents advised that he, too, had sought information directly from EDQ. He was told that there were no proposed amendments to the development scheme and its contents.

It appears that there will be no community input on the overall development, just the community space as part of the plan. We have been told that no consultation is necessary, because there was consultation undertaken several years ago. I say that that is ridiculous. In that time the suburb has changed markedly, with increased townhouse development and population growth in the last five years. That does not include the newly completed Fitzgibbon Chase, which sits adjacent in the Sandgate electorate.

The outcome of the last meeting was that residents asked that I extend an invitation to the Deputy Premier to come along to the next meeting on 12 November between 9.30 and 10.30 at the Tavernetta on Dorville Road, Carseldine to hear their views. On behalf of the community, I extend that invitation. They deserve to have their voices heard.

Mackay, Red Cross

Mrs GILBERT (Mackay—ALP) (8.48 pm): With Remembrance Day on Friday, I would like to reflect on the history of the Mackay Red Cross branch. It has been over 100 years since the Red Cross was formed in Mackay. Humanitarianism lies at the very heart of the organisation and its people. The Red Cross has always been out there to serve the people and this is reflected in its slogan 'People helping people'. The committee of the Mackay branch of the Red Cross was the first to be established in Queensland, just hours before the Brisbane branch. On 12 August, 1914 in Mackay a town meeting was called to get the ball rolling. Mrs Zillman was the first president.

At first, Mackay Red Cross volunteers would send hospital packages to military hospitals all over the world to help men fighting in the First World War. In April 1919, after the war ended, the Mackay branch closed, but formed again at the beginning of the Second World War and it has been serving Mackay ever since. Over this time, many and varied services have been delivered by the Red Cross in Mackay. Countless people's lives have been made a little bit better, thanks to the service and generosity of Red Cross staff and volunteers—people like Florence Flower, who during the First World War reportedly wore out shoes walking from house to house collecting money to purchase a Red Cross field ambulance that was later sent to Egypt; or Vietnam veteran Rod Hagan, who recalls watching Neil Armstrong land on the moon while making one of his 114 blood donations; or Jessica Hazelwood, who worked in a hospital in hostile and dangerous parts of Afghanistan to help children and civilians who had been injured from conflict. These are just a few examples of the countless stories of people from Mackay who so generously gave their time and energy and resources to help others. We are so fortunate that this culture of giving thrives in our community.

Today, the many varied activities of Red Cross include international tracing and refugee services, youth and education services, first aid, health and safety services, disaster emergency services, the Australian Red Cross Blood Service, community care programs and aged-care programs as well as providing trauma teddies. It is a unique and admirable quality of the Mackay Red Cross that the organisation continues to drive humanitarian services in our community as well as communities around Australia. Thank you to all of the Red Cross staff and volunteers in Mackay and around Queensland for all the work that you have done for people in our local communities. You have made a truly great difference to the lives of other people and for your selfless service you should be duly proud.

Dreamworld, Fatalities

Mr CRANDON (Coomera—LNP) (8.51 pm): On Tuesday, 25 October a tragic event occurred at Dreamworld in the state seat of Coomera. This is the first opportunity that I have had since that tragedy occurred to rise to place on record my and my family's condolences to the families of Kate Goodchild, Luke Dorsett, Roozi Araghi and Cindy Low. This tragedy has affected many in our community and the memory of it, quite rightly, will be with us for a very long time. Those closest to it, the families of those who lost their lives, have had their lives changed forever. The parents, the brothers, the sisters and the children have a heavy cross to bear. In time though the pain will subside and the happy memories will take over. The good times they had with their loved ones will be celebrated. When they think of them, yes, there will be some sadness because they will be missed, but also in time smiles will come as well.

There are others who have been impacted by this tragedy owing to their closeness to it: the ambulance staff, the police and other professionals who were the first responders—they will carry the memory of this tragedy with them as well and the staff of Dreamworld, particularly those who were witness to this tragedy and first on the scene to try to give assistance and the rest of the Dreamworld staff—I have heard them described as the Dreamworld family. The many people who have visited the

temporary memorial to show their respect were greeted by the Red Cross support workers. My thanks and the thanks of my community go out to those professionals for the wonderful support they have provided to mourners.

I acknowledge the management of Dreamworld, in particular CEO Craig Davidson, who has the responsibility of doing all that can be done to help the families on behalf of Dreamworld's many staff. I know Craig to be a person who cares. Coincidentally, I was talking to Craig just two days before this tragedy occurred. Our discussions centred on his desire to do what he could to help young people who are in less fortunate circumstances. I know that he has a good and caring heart. I know, therefore, that he is the right person to have in this very difficult role.

My thoughts and prayers are with the families who have lost their loved ones. Many thanks to all of those who have been and are continuing to do their jobs. As well, my thoughts and prayers go out to them and the whole community of people affected by this tragedy.

Townsville State High School, Valedictory

Mr STEWART (Townsville—ALP) (8.53 pm): I rise this evening in this adjournment debate to present an excerpt from the valedictory speech given by the Townsville State High School captains, Remy Miller and Lachlan Waters. Many members of the House speak very fondly and proudly about the schools in their electorates, and rightly so. Tonight's excerpt is advice from young people given to young people about their school—

Whether you are academically inclined or love music and sport, Town High has been able to provide for the various amount of talent our fellow students produce. The atmosphere and culture of our school is like no other. The willingness of everyone within the school community to accept and help each other is something that I have really appreciated. For the school captains next year, here are a few things I can pass on. First, Mr Slater, our principal, is the boss around here, but he is also the most genuine and dedicated man. Work with him and the great team of deputies and you will see the large amounts of time they give to see this school excel. Secondly, this role will give you many opportunities to show your responsibility and leadership. Use these characteristics to be the best representatives of the school and great role models. School will be over sooner than you can imagine. If I could give any advice to you it would be this: do not take your schooling life for granted because believe me, it's one of the best experiences you'll ever have. To the graduating class of 2017, year 12 is right around the corner. It goes by in a flash and if you are not paying attention, you will miss it. So don't be afraid to try to experience something new, push yourself out of your comfort zone.

Finally to our amazing cohort, if there is something you should take from this speech it is to move forward with your life with enthusiastic hearts and a clear sense of wholeness. Even though school is hard work it is just the first step in a long and fulfilling life that will often throw up seemingly insurmountable barriers. By drawing from our shared experience and being willing to pull up your socks and make a difference, then the world's your oyster. Every one of you has the potential to amount to anything you dream of. Make change work for you and take the opportunities presented as they arise. Never let anything hold you back or stop from achieving your dreams. At the end of the day you are you and nothing can change that. Dream big, work hard and strive for a better future.

Fraser Coast Regional Council

Mr SORENSEN (Hervey Bay—LNP) (8.56 pm): I rise to talk about the report on the Fraser Coast Regional Council tabled by the Minister for Local Government in the last sitting of parliament. This report is the summary of the adviser's research into the Fraser Coast Regional Council and a final assessment of the work environment. The report talks about the adviser talking to a large cross-section of staff of the council—about 30 staff—and I personally thank them for their input. I remind those in the House that this has nothing to do with the mayor or councillors who carry out the municipal process of the council for the region but the administration side of council. Under 'Key findings, 3.1 Council's culture', the report states—

Most of these meetings were held off-site with few staff prepared to meet the Advisor at Council's office.

Imagine staff not being able to have a private interview at their own workplace with the adviser that was appointed by the minister to help them. That is crazy. The common theme from the staff was that there was a culture of control, favouritism, a lack of trust, a fear of reprisal and low morale. Finally, and the worst of them all, was their description of the workplace as a toxic work environment. Why was it toxic? The adviser tells us that there were severe tensions within the council's executive management team. That is not me saying that, that is in the adviser's report and is the expert advice about what was going on at the council.

Any other workplace in Queensland would be closed down as having the potential for a workplace injury until remedies could be applied. A couple of members of staff have already lodged WorkCover claims, one as recently as this week. They have every right to WorkCover. The report says they have. Why have they? Because they work in a toxic environment. Many employees in Queensland working

in toxic environments would be asked to go home until the toxic environment was remedied. Where is the workplace health and safety assessment and what are the risks to the staff working at the council? Most employees in the Fraser Coast region would not survive a week with this sort of discovery within their operations. I know of employees who have given up hope and resigned.

Kallangur Electorate; Kallangur Scouts

Mr KING (Kallangur—ALP) (8.59 pm): This evening I rise to inform the House about a few recent events that have occurred in my electorate of Kallangur. A few weeks ago, I visited the home of some of my constituents to see firsthand the damage done in recent years to the riverbank on their property due to flood events and, in their belief, due to the rapid dropping of the river level or pulsing by the closure of the dam floodgates after water releases. I have arranged meetings with Seqwater and my constituents to curb this practice and will continue to advocate for them in this regard.

The visit had an unexpected benefit, as I was offered an opportunity I am not sure many have had. In the north Pine River, where these constituents live, there are lungfish. At this time of year, they are able to be handfed. I had the experience of several of these amazing and rather large creatures eating out of and resting their heads in my hands. I cannot describe how surreal that experience was and I will certainly be going back for another go.

Ms Grace: I want to come.

Mr KING: I am sure you would be welcome. I say thanks to Bob and Barbara Lamb for that opportunity.

Recently in my area we saw the culmination of a long campaign to find a new facility for our Kallangur Scouts. In 2014, Scouting Queensland pulled out of our local scout den in Hathi Park, Kallangur due to it being in a state of disrepair and relocated the scouts to another combined scouting den in Kurwongbah. At the time, I was the candidate for the seat of Kallangur. I made a commitment to get another den in the Kallangur area for the many concerned scouting families who contacted me from Kallangur, Murrumba Downs and neighbouring Griffin in the state seat of Murrumba. The Kurwongbah den has been broken into several times and vandalised. I have been helping to support them while they are there, all the time working with council on getting a new place back in Kallangur. As the member for Kallangur, I have been trying to find an appropriate location with a building in the area.

When a new location became available due to it being bought by council, I jumped at the opportunity and spoke to our mayor about its potential, as its proximity to bushland and the river seemed a perfect fit for scouts. Also nearby are military cadets, the SES and sporting fields. It has been quite a long process due to council elections and other issues. Sadly, the main building at the site had to be removed due to the major costs that would have been incurred by council to make the building comply with council's regulations for public buildings. However, there is a compliant outbuilding that is perfect for the scouts to start with, and the rest of the land can become a great community hub in the future. Scout leader Kerry Skillington and the Kallangur Scouts will move in in the near future and start to grow their numbers again.

Anything any of us in this place can do to help give kids in our areas something to do is a good thing. The scouting movement provides a great opportunity for kids to socialise and learn together. I take this opportunity to give my sincere thanks to our mayor, Allan Sutherland, his staff and division 7 councillor Denise Simms for their support and advocacy for our local scouts.

Lake Lomandra, Eels

Mr STEVENS (Mermaid Beach—LNP) (9.02 pm): I rise to speak on a Mermaid Beach matter that is of interest not only to my residents but also to all visitors to our wonderful Gold Coast, many of whom visit to experience our outdoor lifestyle and also our gorgeous parks and local wildlife. The change of seasons brings with it a variety of cute and cuddly new inhabitants to our parks and manmade lakes for visitors and residents alike to admire and watch grow, in the shape of baby swans and ducklings.

Therefore, it was saddening to have one of my local constituents, retired Supreme Court Judge David Ashton-Lewis, recently bring to my attention the extremely high mortality rate of cygnets and goslings born on Lake Lomandra, one of the many lakes and waterways in the Mermaid Beach electorate. Residents and visitors to the lake enjoy the amenity provided by the varied wildlife and, in particular, the beautiful black swans. The appearance of the nesting pairs each spring and the subsequent arrival of their cygnets is eagerly anticipated by adults and children alike.

Disappointingly, my constituents have noticed that over the past eight years, while there are four different nesting pairs of swans, none of the 19 newly hatched cygnets survived past day 3 on the lake, due to the voracious appetite of marauding eels, which are not native to those manmade water catchments. The marauding eels can be safely removed through the use of licensed eel catchers, whose traps are specifically designed not to harm other water-dwelling residents such as elusive turtles. With the removal of this scourge from the local lake and others in the nearby waterways requiring the cooperation of the Gold Coast Council, whose land must be crossed to access Lake Lomandra, and the state Department of Agriculture and Fisheries—we will get a minister shortly, I am sure—which licenses the eel catchers, I anticipate a swift resolution, hopefully protecting the most recent hatching of three new cygnets.

To this effect, I have written to the Gold Coast mayor regarding this issue. With Mayor Tate's full support and I hope the cooperation of the state Department of Agriculture and Fisheries, a positive resolution may be arrived at so that Lake Lomandra's newest residents can mature into beautiful black swans. This is a soft and fluffy subject! If there are any difficulties emanating from the Department of Agriculture and Fisheries in relation to the birdlife-destroying eels, I will most certainly be catching up with the new minister, when appointed, to bring a sense of reality and practicality to the problem of the disappearing bird life due to those slippery, slimy, voracious eels.

Capricorn Film Festival

Mr BUTCHER (Gladstone—ALP) (9.05 pm): I rise to speak about a great event that happened in my electorate on 29 October. It was my pleasure to represent the Minister for Tourism and Major Events, Hon. Kate Jones, at the Capricorn Film Festival's closing event, the Short Film Competition. The Capricorn Film Festival is now in its second year and offers the community a wide array of events all year round, including workshops for Central Queensland schools and communities, feature film presentations and Central Queensland's only film festival. The festival is open to any level of filmmaker, from amateur to professional, and aims to create opportunities for artists to showcase their work and talent in front of their peers, community members and established industry personnel.

The Short Film Competition was held at Gladstone Marina's open-air theatre. The festival saw crowds enjoying films under the stars, while supporting filmmakers from the region and entries from all corners of the globe. There were over 20 short film entries from local filmmakers, compared to only two last year. That is a testament to the terrific efforts of the Capricorn Film Festival to create a film and TV hub in Central Queensland.

The Caps Junior Winner went to *Tiny Dancer*, which was written and directed by Ellie Kendall. *Neighbourhood Wars*, which was written and directed by Dan Mulvihill and Madeleine Dyer, was awarded the Caps Open winner category. The CQ Rising Star winner went to *Traveller*, which was directed by James Latter and written by James Latter and Indhi Neish. Director and writer Frank Magree and co-director Paul Henri took out Best Short Film winner for their film *Sengatan*.

The Queensland government supports this event through Tourism and Events Queensland's Destination Events program. Events such as the Capricorn Film Festival help grow Queensland's cultural reputation and our cultural tourism offerings. We know that events also play a vital role in showcasing our destination to visitors.

I especially congratulate a good friend of mine, Luke Graham, who has been an inspiration in the Gladstone region and deserves the many accolades that he has received. He made and directed a film in Gladstone, which was absolutely wonderful. Congratulations must go to the event organisers for delivering such a superb experience for the Gladstone region, to all the entrants and, of course, to the winners for their incredible efforts.

On the day, it was absolutely fantastic that everybody got an opportunity to walk down the red carpet and have their photos taken, as if they too were movie stars. I talked to several young children there. They are now inspired to become filmmakers and be a part of this wonderful event in years to come. To Luke Graham and the committee I say: well done and enjoy it next year.

Carmel, Ms J

Mr DICKSON (Buderim—LNP) (9.08 pm): I have had the honour of meeting Jasmine Carmel who, after the tragic loss of her son, Jarrad, is determined to make a difference in the lives of veterans, many of whom are suffering from post-traumatic stress disorder. Jasmine's initiative is to supply stickers thanking veterans for their service. I am sure that people want to thank returned service men and women, but, unfortunately, this often only occurs on Anzac Day or Remembrance Day.

It would be wonderful for veterans to see these stickers on thousands of vehicles as daily reminders that we genuinely value their service. We cannot pretend to understand their sacrifice, but we can support them and their families. As a local resident, Jasmine is starting with the Sunshine Coast. I hope that our community will support her. Together we can make a great difference.

The sticker was designed free of charge by returned serviceman Simon Payne from Spadix Print and Design. I was pleased to provide $600 towards the printing costs of the stickers. I encourage others to donate. Any amount would be greatly appreciated. I am calling on the members of parliament who may wish to get involved to contact my office and I can put them in touch with Jasmine Carmel. She is such a brave and inspiring mother who lost her son.

Over the last year we have lost 50 returned servicemen. Think of how many people we actually lose in battle and we are losing more in our state as a result of them killing themselves. We have lost them to post-traumatic stress disorder. We have to get behind these people.

The stickers read 'We are grateful'. They have an Australian flag underneath those words. It reads under that, 'Thank you for your service to the Navy, Army and Air Force.' I think everybody in this parliament understands how grateful we should be to our military service men and women. We have a right to freedom of speech. We in this country have so many rights that many in other countries do not have the opportunity to express.

I have to show my gratitude to 92.7 Mix FM and one of the presenters, Caroline. This morning they actually spread this message right across Queensland. They have a great following. I have a few stickers that I am happy to give to members of parliament as they leave tonight. I have one on the back of my car.

One serviceman who has post-traumatic stress disorder may be following a car with a sticker on it and happen to read the sticker. If they read it they will know that we actually care about them and want to do something for them. I think the smallest thing we can do in our lives is demonstrate care and compassion. We have to think about this mother who lost her 27-year-old son. I do not want to see anybody else in that position.

We have an opportunity to make a difference. I ask members to please spread the word. I know we ask different things of members of parliament, but this is a very worthy cause. It is not going to cost anything. Let us save a few lives.

National Indigenous Football Championships

Mr RYAN (Morayfield—ALP) (9.11 pm): Last week football history was made with the inaugural National Indigenous Football Championships being held in Nowra. The championships were broadcast on SBS and NITV, and featured an array of entertainment and coaching clinics. By all accounts, the championships produced some highly entertaining football and showcased the country's best Indigenous players, coming together in a celebration of sportsmanship, community and culture. In acknowledging the importance of this inaugural event, I note that the bright yellow referee shirts had the words 'The world game meets the oldest living culture in the world' printed on the back.

Excitingly, Queensland was well represented by the South-East Queensland Dingoes. The mighty South-East Queensland Dingoes were made up of players from throughout the Brisbane and Sunshine Coast areas. I would like to acknowledge: the coach, Allan Takken, from Narangba United Football Club; the team manager, Wayne Alberts; and players Chris Swain, Matt Alberts, Nathan Walker, Jack Hayes, and Steven Cleary from the Caboolture Sports Football Club, Michael Atherton, Kenny Lane, Ronald Woulfe, John Woulfe, Tim Woulfe, Jacob White, Aaron Smith, Liam Wruck, Ramone Close and Jared Austin.

As we would all expect, the championships were hotly contested by all teams. I am very pleased to inform the House that the Dingoes performed extremely well. In the five games played by the Dingoes on the first day of the championships, the Dingoes were undefeated, conceding only one goal. In fact, the Dingoes played so well on the first day that one of the championship organisers said, 'The highlight was definitely the Queensland Dingoes team; they are young and agile. They really set the bar very high for this tournament.'

The Dingoes went on to beat the Northern Territory Buffalos in the semifinal. In the final against Eora United the game went down to the wire. After Eora United took an early lead, the Dingoes equalised the score. The score remained one all until three minutes before the end of the game when Chris Swain scored and secured the championship for the South-East Queensland Dingoes. Of

particular note, Chris Swain was recognised with the Jade North Award for being the best player of the tournament. This award is named in honour of Jade North, an Indigenous player from the Brisbane Roar.

As the Dingoes had some difficulties with getting the team up and running, this is an outstanding result. I am very proud of the entire team. Well done to the Dingoes. They have proved that their bite is definitely worse than their bark.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 9.14 pm.

ATTENDANCE

Bailey, Barton, Bennett, Bleijie, Boothman, Boyd, Brown, Butcher, Byrne, Costigan, Cramp, Crandon, Crawford, Cripps, D'Ath, Davis, de Brenni, Dick, Dickson, Donaldson, Elmes, Emerson, Enoch, Farmer, Fentiman, Frecklington, Furner, Gilbert, Gordon, Grace, Harper, Hart, Hinchliffe, Howard, Janetzki, Jones, Katter, Kelly, King, Knuth, Krause, Langbroek, Last, Lauga, Leahy, Linard, Lynham, Madden, Mander, McArdle, McEachan, Miles, Millar, Miller, Minnikin, Molhoek, Nicholls, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Perrett, Pitt, Power, Pyne, Rickuss, Robinson, Rowan, Russo, Ryan, Saunders, Seeney, Simpson, Smith, Sorensen, Springborg, Stevens, Stewart, Stuckey, Trad, Walker, Watts, Weir, Wellington, Whiting, Williams