




Speech by

Andrew Cripps

MEMBER FOR HINCHINBROOK

Hansard Thursday, 10 March 2011

COMMITTEE SYSTEM REVIEW COMMITTEE: REPORT, MOTION TO TAKE NOTE

 **Mr CRIPPS** (Hinchinbrook—LNP) (11.39 am): The recommendations in this report by the Committee System Review Committee represent a fundamental shift in the way the parliament of Queensland will operate. Unfortunately, since the Theodore Labor government abolished the Legislative Council of the Queensland parliament in 1922, the Queensland parliament has suffered from a structural weakness that has resulted in a lack of accountability and a limit to the ability of the parliament to scrutinise the executive.

One of the cornerstones of the great system of representative and responsible democracy which Queensland had inherited from the Westminster parliament was bicameralism. That system included an upper house that was charged with reviewing legislation passed by the lower house as a check and balance on executive power. At various times, other parliaments founded on the Westminster tradition at both national and provincial level have discontinued the use of their second chamber for a variety of reasons. However, that move has usually been associated with the establishment of a vigorous committee system so that the accountability and scrutiny system of the single remaining chamber is enhanced to compensate for the loss of the upper house. That has not occurred in Queensland until now.

The recommendations proposed by this committee report canvass the most significant change to enhance accountability and scrutiny mechanisms in the parliament of Queensland since these were substantially diluted by the abolition of the Legislative Council in 1922. The proposed recommendations relate mainly to how the committee system of the Queensland parliament will be constituted but, importantly, the report also makes recommendations on how the work of those committees will be related to and inform the work of the Legislative Assembly and its consideration of legislation. In many respects, it proposes to put the work of the newly constituted committees at the centre of the work of the Legislative Assembly and enhances their relevance and importance to the legislative process.

As I have said before in this House, a strong, active committee system is an asset to any properly functioning parliamentary democracy. A comprehensive system of parliamentary committees provides for greater accountability of the executive by making the policy and administrative functions of the incumbent administration more open and accountable. Committees can also provide a forum for investigation into matters of public importance and give members the opportunity to enhance their knowledge of issues.

I welcome these proposed recommendations for two reasons. Firstly, I am a very strong supporter of the Westminster system and the concept of parliamentary sovereignty in that system. I consider that an enhanced role for parliamentarians in the proceedings of the Legislative Assembly, which includes the proceedings of parliamentary committees, as opposed to the House being dominated by the executive, is a positive thing for accountability and scrutiny. I support efforts to enhance the influence of parliamentarians in the proceedings of the parliament.

Secondly, I would welcome the end of the current manifestation of the parliamentary committee system that has been in place since the passage of the Parliament of Queensland Amendment Bill 2009. That bill resulted, in my opinion, in some unfortunate changes to the parliamentary committee system of

the Queensland Legislative Assembly that further reduced standards of accountability and scrutiny mechanisms in our unicameral parliament. The bill amalgamated the public accounts and public works committees without increasing the resources available to the committee or increasing the number of members on the committee. The bill effectively doubled the responsibilities of the newly established Public Accounts and Public Works Committee while halving the resources available to it and halving the number of members dedicated to the scrutiny of the executive in these areas.

That bill also added broad policy development responsibilities in the area of law, justice and community safety to the existing statutory responsibilities of the former legal, constitutional and administrative review committee. These responsibilities were added to the responsibilities of the new Law, Justice and Safety Committee without any increase in the resources available to the committee or any additional members being appointed to that committee. As a member of that committee both in the 52nd Parliament and now in the 53rd Parliament, I have been concerned about the nature of the work that the committee has been asked to undertake, effectively at the behest of the executive relating to issues it was finding politically difficult to handle, such as liquor licensing and local government electoral systems—not because the issues were not important but because of the way the issues were referred.

It has been very frustrating to have the important oversight functions of the committee sidelined in favour of the priorities of the executive. My fellow committee members on the Law, Justice and Safety Committee will have heard me regularly refer to these politically expedient referrals as good old-fashioned wild goose chases. I am confident that, even if they will not stand up and say so during the course of this debate, they will have at one time or another shared my frustrations.

The recommendations in this report propose to establish a range of portfolio based committees that will also have oversight responsibilities. Importantly, however, these recommendations also include proposals to significantly enhance resources available to these committees to make the proceedings of these committees central to the work of the parliament, including dedicated time during the course of the parliamentary sitting week. The committees will have their roles enhanced by doubling as estimates committees in these portfolio areas and the fact that there will be a dedicated time to debate committee reports in the parliament.

While it is proposed by the recommendations in the report for the number of members on each committee to be reduced from seven to six members, I note also the recommendation to provide for the inclusion of participating members. Importantly, there is a recommendation to formalise the requirement by way of statute for the relevant committee to provide bipartisan support for a number of statutory appointments that report to parliament.

I have been a bit nervous about a couple of recommendations in the report. For example, I am not sure that I agree with the recommendation that proposes to give the members of a particular portfolio committee more of an opportunity to contribute to the second reading debate on a bill relevant to their portfolio committee and to reduce the time available to parliamentarians who are not members of the committee. It has been explained to me that during the course of the second reading debate members of the relevant portfolio committee may need more of an opportunity to explain how the committee came to the conclusions that it did in formulating the recommendations in its report. I would argue that the committee report should do that and that when the bill comes before the House as a whole each individual member comes to this place on an equal footing as far as contributing to the debate is concerned, save of course for the responsible minister and the representative of the official opposition.

It has also been explained to me that the members of the Committee System Review Committee felt that the second reading debate in the House can sometimes be too drawn out and even repetitive and that sometimes such a second reading debate does not make for the best use of the House's time. I appreciate those concerns but I remain unconvinced that, having provided their report to the House, members of the relevant portfolio committee should be afforded additional time during the second reading debate. I believe that once the bill comes to the House as a whole each member ought to be afforded an equal opportunity to contribute to that debate.

Perhaps there ought to be a compromise in this regard. I acknowledge that members of the Committee System Review Committee are excited about the enhanced opportunity for parliamentarians to play more of an active role in the framing of legislation and actually be legislators, particularly through the committee system, as opposed to acting much like an ombudsman for their electorate in the parliament. I share their enthusiasm in that regard. However, all of us as members of parliament get to this place in the same way—that is, by securing the support of a majority of the constituents in our electorate. Once we enter this House, we are their representatives and advocates as much as we are legislators and members of a group of parliamentarians, and we ought to come into this House as equals on that basis when it comes to carrying out legislative and other aspects of our responsibilities.

I think it is important that provision is made for the Speaker to join the Committee of the Legislative Assembly as an ex officio member when that committee considers responsibilities associated with those that will be formerly the responsibility of the Standing Orders Committee. I was pleased to learn from earlier contributions to this debate by members of the Committee System Review Committee that recommendation 13 will be reconsidered to provide for the participation of the Speaker in that regard. I am also not convinced that recommendation 46, which proposes lay members to be included as members of the Parliamentary Crime and Misconduct Committee, is a very wise thing to do. Individuals who are not members of the Queensland Legislative Assembly ought not be members of parliamentary committees. If there is a concern that members of the PCMC do not have the necessary skills and experience to discharge their responsibilities on this committee, which are very significant and serious, then surely recommendation 28, which recommends that committees have access to the appropriate expertise and assistance required for the conduct of their inquiries, ought to adequately address this concern.

However, on balance I am pleased to support the thrust of the recommendations in this report. I want to acknowledge and congratulate the members of the Committee System Review Committee, who have obviously worked hard and worked together in good faith with the genuine aim of achieving better legislative outcomes for the parliament of Queensland. Such outcomes will be a benefit to all Queenslanders.